

PUBLIC PETITIONS COMMITTEE

Wednesday 6 September 2006

Session 2

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CONTENTS

Wednesday 6 September 2006

	Col.
NEW PETITIONS	2711
Aberdeen Western Peripheral Route (PE977)	2711
Building Warrants (PE979)	2727
Prescription and Limitation Legislation (PE976)	2735
Jet-skis (PE978)	2735
Neuropsychological Provision (PE981)	2736
Protection of Health Care Professionals (PE980)	2737
CURRENT PETITIONS	2738
Dalkeith Northern Bypass (PE900)	2738
Dalkeith Bypass (PE928)	2738
Singing Tuition (PE 860).....	2739
Urban Regeneration (PE911).....	2740
High Voltage Transmission Lines (Potential Health Hazards) (PE812)	2741
NHS Dental Services (PE920)	2741
NHS Dentistry (Remote and Rural Areas) (PE922)	2741
Criminal Law (Sexual Offences) (PE885)	2742
Traffic Calming (PE840)	2742
Out-of-hours Medical Services (Rural Communities) (PE776)	2743
NHS 24 Services (Rural Areas) (PE814).....	2743
NHS Services (Rural Areas) (PE826)	2743
DRAFT REPORT	2744

PUBLIC PETITIONS COMMITTEE

14th 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

Susan Deacon (Edinburgh East and Musselburgh) (Lab)

Phil Gallie (South of Scotland) (Con)

Rob Gibson (Highlands and Islands) (SNP)

*attended

THE FOLLOWING ALSO ATTENDED :

Brian Adam (Aberdeen North) (SNP)

Najem Al Hasan (Expressplans.com)

Shiona Baird (North East Scotland) (Green)

Mark Ballard (Lothians) (Green)

Grahame Barn (Federation of Master Builders)

Stewart Douglas (Expressplans.com)

Paddy Imhof

Gregor McAbery (Friends of the Earth Scotland)

Nora Radcliffe (Gordon) (LD)

David Robb (Road Sense))

Mike Rumbles (West Aberdeenshire and Kincardine) (LD)

Ms Maureen Watt (North East Scotland) (SNP)

CLERK TO THE COMMITTEE

David McGill

ASSISTANT CLERK

Richard Hough

LOCATION

Committee Room 2

Scottish Parliament

Public Petitions Committee

Wednesday 6 September 2006

[THE CONVENER *opened the meeting at 10.01*]

New Petitions

Aberdeen Western Peripheral Route (PE977)

The Convener (Michael McMahon): Good morning and welcome to the 14th meeting in 2006 of the Public Petitions Committee. I have received apologies from Helen Eadie.

Members will notice that we have a new face sitting to my left. Jim Johnston, who served this committee exceptionally well for a number of years, has been replaced as clerk by David McGill. I would like to pass on our thanks to Jim for the work that he did. Having worked with David for a couple of weeks, I assure members that he is of the same standard as Jim and is fitting into the job particularly well. I look forward to working with David in the future as—I am sure—do all members. I am sure that there will be a smooth transition.

I have a bit of a head cold, so I apologise if I sound a bit bunged up.

Item 1 is new petitions, the first of which is PE977, by Paddy Imhof, who calls on the Scottish Parliament to urge the Scottish Executive to review its proposals for the controversial Aberdeen western peripheral route, in the light of growing public concern about the project. Before being formally lodged, the petition was hosted on the e-petition system, where it attracted 4,106 signatures and 79 discussion comments. I understand that more signatures were added this morning. Paddy Imhof will make a brief statement in support of his petition, and is supported by Gregor McAbery and David Robb.

Paddy Imhof: Gregor McAbery is from Aberdeen Friends of the Earth and David Robb is from Road Sense, a group of local objectors that sprang up last December, after the route was announced.

I first became properly aware of the issue of the AWPR about two and a half years ago, when the Camphill Trust communities were battling not to be ripped apart by the bypass. At that time I was simply one of the many people who supported the Camphill communities. However, when the present route was announced in December last year, and especially when the final corridor was

announced in February, I felt strongly motivated to do my best to object to the project. I am a farmer and tree grower and am not an activist by nature, so to become involved in the campaign was a big step for me. I am someone who would rather mind his own business than stick his neck out in public, particularly given that transport was not a subject that I knew much about.

After discussing the matter with a group of friends, I gladly agreed to sponsor the petition. The proposed Stonehaven spur would pass about 700m from our farm. That is neither here nor there as far as I am concerned—if I thought that the project was worthwhile, I would simply grin and bear it.

Since the launch of the petition in April, I have held a stall in Aberdeen city centre almost every Saturday, where a few stalwarts and I have handed out leaflets and talked to as many people as we could. As the committee knows, the result is that we have collected 4,106 electronic signatures and today I have handed in another 745 paper signatures which, apparently, makes this the second biggest e-petition ever. From the information that is available to me, I think that more than 90 per cent of the signatures have come from Scotland. I am sorry for speeding up a bit, but I am trying to keep within the three minutes.

I am satisfied that the petition has started a proper debate about the project, which I feel has previously been woefully absent. The public arguments for and against the peripheral route are abstract and shallow on the whole. We have noticed that once people become aware of the details following the many discussions at our stall, they begin to take a much deeper and more personal interest in the project, as happened in my case.

I will give the committee a brief rundown of our main points of objection. One of the principal bypass arguments is

“that it is indispensable for the economic well being of the Northeast”

It is difficult to get past that argument if there is no willingness to engage with the detail, namely that people who live north of the city might just go past Aberdeen and spend their money further south, or that large retail operations from the south might settle along the newly created development corridor and attract customers away from a potentially dying city centre. As I indicated in my submission, the fallacy of the economic argument was demonstrated by the 1999 study of the standing advisory committee on trunk road appraisal, or SACTRA.

Despite assurances from the Minister for Transport that the purpose of the road is

emphatically not development, there can be little doubt that once it is completed, the project will exert irresistible pressure on the city and shire councils to free up land for development. Aberdeen is a pleasant and compact city, but development along the route corridor will cause it to extend, with commercial and economic activity moving to the periphery of a hollow centre. That extended city will rely more on the car for access and will make public transport more difficult and costly to implement.

There is considerable uncertainty about the cost of the project. As I say in my submission, different figures are being released by different agencies, so we are, to say the least, extremely sceptical that the project will come in at the advertised top cost of £395 million. We believe that figure to be heavily influenced by optimism bias. To our knowledge, very few—if any—road building projects stay within their projected costs. The average national cost overrun is as high as 67 per cent and there is nothing to suggest that the AWPR will be any different.

Climate change is no longer the preserve of environmental experts and geographers—it has become a hard reality. To engage in a road project of the size of the AWPR when we know that more roads will create more traffic and therefore more climate-change emissions, and when we know that we should use our cars less rather than more, is simply madness.

What was missing in the public consultation last year was a sixth option, namely that alternatives to the road should be considered. As members know, the purpose of the petition is that the project should be reviewed by the Scottish Parliament and the Executive and that proper consideration be given to the possible alternatives.

Although we call ourselves objectors, I stress that we are not simply nimbys. If anything, we are NIMBPs, or not in my back pocket. We do not want the road to go somewhere else; we want it to be reconsidered altogether. We ask that alternatives be investigated properly, which is a reasonable request. In the meantime, we will do all that we can to promote alternatives to the road.

At this moment, we in Aberdeen and the north-east have a unique chance to create an integrated transport system for the city and the shire that could be the envy of Scotland. We could become leaders in reversing the trend of excessive road building. The money that the Executive and the councils have pledged could go much further without the AWPR and we could leave to our children something that we could be proud of, instead of the fundamentally unattractive proposed solution.

Rosie Kane (Glasgow) (SSP): You spoke about considering alternatives to the road. Has there been any appraisal or study of multimodal alternatives?

Gregor McAbery (Friends of the Earth Scotland): There was a study by Oscar Faber in 1998 in association with the then Scottish Office and the local council. The study concluded that any proposed bypass would have relatively little effect on city congestion and that investing instead in public transport would be a cheaper, more efficient and more effective move.

Rosie Kane: I presume that that study has been completely ignored.

Gregor McAbery: It has been put on a nice dusty shelf somewhere and is referred to only by environmentalists.

Rosie Kane: But the Scottish Executive's guidance to local authorities is that such a study should be undertaken.

Gregor McAbery: The current modern transport strategy and the local transport strategies were based not so much on a multimodal approach as on an approach of choosing the road and then adding multimodal elements. There have been good things that we very much welcome, such as crossrail projects, investment in public transport, and investment in walking and cycling, but those are small beer compared to the investment that has been made in the roads network, which is £400 million-odd. If the cost of all the other schemes were added up, it would not amount to even the original cost of the bypass, which was £120 million. That was the price that was quoted, although it was much lower initially—it was £40 million, then £60 million, then £80 million, then £120 million. The pattern is that it is getting more expensive as we go along.

In short, no effective multimodal study has been undertaken this time around.

Rosie Kane: The M74 northern extension has had a similar story: its cost started at £174 million but has now reached between £500 million and £1 billion. I warn you that the cost of the western peripheral route may be hiked enormously.

Can you describe the appearance of the road along the proposed route?

Paddy Imhof: From the Stonehaven leg, near where I live, it will be a scar on the landscape. There will be two bridges—one over the Dee and one over the Don—which we do not know the design of. The bridge over the Dee will go through ancient woodland, causing great visual disturbance and disturbance to wildlife. Some of the junctions are huge—I have the plans here. They will be enormous. At our stall, we talk about the bypass in the abstract, but we walked part of

the route 10 days ago with about 60 people. We looked at where the bridge will be and where the road will go, which made quite a significant impression on those people. Apart from any other considerations, the road will be a huge scar on the landscape south of the city.

Rosie Kane: Is the road elevated at any point, or is it at ground level? How many homes and so on will be lost if the road goes ahead?

Paddy Imhof: The road will be elevated in certain sections, and 19 homes will be lost. That is what was announced in May but the figure could go up or down, as the design is still being worked on. Sometimes, the route moves a little bit this way or that way, so the situation could change. The International School of Aberdeen would be demolished, which is quite a big thing.

David Robb (Road Sense): The bridge that is to cross the Dee will cross a special area of conservation that floods every year. As it will be in a special area of conservation under the European legislation, it cannot be just any old bridge; it will have to rise 50ft above the existing road. Because of the flood plain, the bridge will have to be constructed so that there are no pillars in the river and no foundations: it is, more or less, going to be suspended. There can be nothing that opposes the river when it floods—the river must be allowed to flow freely—and that is going to pose tremendous problems. The bridge will also be on a hillside, so any rain that falls must be trapped and dealt with instead of being allowed to spill into the Dee. All those matters will cause problems.

The Minister for Transport has said that he is doing his best to reduce to 19 the list of 40 houses that are to be demolished. However, by doing so, he will obviously add many more homes that will be totally blighted. The most recent plans show that embankments will come right up to the houses. Where the route was originally to have gone right through a house, the embankment will now skirt round the property. Houses will be left looking down into a gaping 50ft hole. Some people consider that that is a good way of avoiding demolishing people's property, even though it will leave the property totally blighted.

10:15

Ms Sandra White (Glasgow) (SNP): Good morning, gentlemen, and thank you for coming. You will hear from my accent that I am not from Aberdeen but, as you come from there, you will be aware that the issue has been on-going since the late 1980s, when the then Grampian Regional Council investigated routes for a bypass. The council came up with what is known as the Myrtle route, which the ministers eventually decided to put out to consultation. What are your thoughts on the Myrtle route? Are you in favour of it?

Paddy Imhof: I honestly do not know whether I have seen that proposal. I think that that is the route that would go through the Camphill Trust estate, but I do not think that I have ever seen plans for it. I am sorry, but I do not quite understand the question.

Ms White: That is all right. I just wanted to find out your thoughts on the original proposal—the Myrtle route—which the Minister for Transport changed. I was going to ask whether you were given any explanation of why the minister changed the proposal, but perhaps some of the elected members for the area who are here will be able to fill me in on that.

You mentioned that debate was absent, but our papers state that a public consultation took place from March to April 2005, during which time 7,650 responses were received. Did you attend any of the consultation events and, if so, what did you think? Was the consultation proper?

Paddy Imhof: I attended a consultation event, but there was no debate. One complaint is that no sixth option was given—we were simply presented with five possible routes, although we are opposed in principle to the bypass. I wrote on my consultation paper that it would be better if the bypass was not built at all and if alternatives were investigated. That is one point that I raise in the petition.

Ms White: So you made comments and took part in the consultation process. You mentioned the alternatives that were considered, which Rosie Kane raised. Have you proposed any alternatives to the Scottish Executive or the councils?

Paddy Imhof: Yes, I have.

David Robb: There have been several proposals, one of which was made by a former principal road engineer with Grampian Regional Council, who proposed a return to one of the original proposed routes. That suggestion was rejected, although we have not been told why—we are never told why such decisions are made. To return to Sandra White's question about the consultation, we have sought answers from the Minister for Transport and the AWPR team as to why the preferred route at Myrtle was abandoned.

We have tried to use the Freedom of Information (Scotland) Act 2002, but we still cannot get any answers. We know that there was a meeting with the Minister for Transport and his officials on 14 November last year, prior to the 1 December announcement, but no minutes of that meeting have been produced. As a former civil servant who used to brief ministers, I would never have been in a meeting in which we were considering spending up to £400 million of taxpayers' money without minutes being taken. We find it strange that a meeting took place at which a decision of that

magnitude was made with no minutes having been taken.

We keep asking why the original preferred route was not chosen. It was preferred by the road engineers and by the city and shire councils in the Grampian area, but we have never been given reasons why that changed. As the route has now moved, we suspect that it is no longer the bypass that they originally talked about. It has never been a bypass, but a development corridor that is fast becoming reality.

As a development corridor, it would not be a road to ease congestion: it has been proved by all the Scottish transport appraisal guidance that that will never happen. The further out the road is moved, the less traffic will be removed from the city centre. It will not ease congestion in the city centre; that will just result in more houses being built. If we build more houses, there will be more people with cars, which will put more traffic on the roads. The last report by the Campaign to Protect Rural England came to the conclusion that bypasses fail.

Paddy Imhof: I have written to my MSP, other MSPs and councillors to propose alternatives. I am not an expert, but as far as I can see we have many. Crossrail is in the pipeline, which will provide trains from Stonehaven to Inverurie with new stops and stations, such as at Newtonhill, introduced along the line. An enormous volume of traffic comes into the city from south and north. Freight gauge enhancement has also been announced, which will see the lowering of the track under bridges so that trains can take containers. As I have said publicly, the councils also have good proposals for what they call complementary measures, which I would call alternative measures. They include improved bus services, provision for walking and cycling, junction improvements and so on.

One big problem is that we have an enormous number of single-occupant vehicles choking the city, so there is a need for a modal shift—a change in behaviour. I do not envy politicians who have to try to encourage that, but we have to think about it. It has been done in other towns and cities. York has been in the news recently because it has reduced congestion considerably by reducing the traffic that gets into its centre and having very good park-and-ride systems.

I am well aware of the alternatives, and I am trying to push for them. I am also trying to tell the councils that I agree with their complementary measures.

Gregor McAbery: It is important to note that the figures that have been given for predicted congestion and traffic-level changes from the bypass are slightly disingenuous. They do not

make it clear that they also include all the other measures, such as crossrail and the park-and-ride expansion. During the consultation process, the expected public transport savings and cuts in traffic were accrued to the bypass, so people do not really understand what the bypass will do—or not do, as the case may be—for the city.

The Convener: I want to come in with a small supplementary question before I call other members. I want to ask Mr Robb for clarification about the meeting for which no minutes were taken. I am not asking you to name names, but what type of people do you believe were at that meeting and took the decision?

David Robb: The Minister for Transport and his officials from the AWPR team—by that I mean the project managers who are based in Edinburgh and who form part of Transport Scotland—and other such Government officials as would usually attend the minister's briefings.

John Scott (Ayr) (Con): Are your views representative of the people of Aberdeenshire and Aberdeen? The committee has experience of someone's having brought a petition against a bypass—the Dalkeith bypass—and a month later someone else brought a petition in favour of it. Are you certain that your views are representative of everyone in Aberdeen? If the Executive was going to spend £300 million, £400 million or £500 million on road infrastructure in Ayrshire, we would grab the money with both hands.

Gregor McAbery: I am happy to answer that question. Obviously, we should not plan a transport network on the basis of a head count. Schemes should be based not on a popularity vote but on what works. We should not waste public money on schemes that will not do the job; in the end, a scheme will not satisfy your constituents if it does not work. There is no evidence that the scheme will cure congestion problems in the city, which is why we are asking for it to be reviewed.

There is no strong basis for saying that we are not representative, given that 5,000 people have backed us. Ours is the second largest e-petition to the Public Petitions Committee, which shows the strength of feeling out there. The petition does not ask for anything particularly dramatic—it asks for a review. We were clear about the facts all along, so we were not pushing people or incentivising them to back our proposal. Just as you as an MSP must take into account that some people will know more about what they are writing about than others, we must do likewise.

Mr Charlie Gordon (Glasgow Cathcart) (Lab): Are you against the construction of all new roads or just this particular route?

Paddy Imhof: I look at every new road with sharp eyes. I am certainly against this particular

road—or in favour of reviewing it. On the whole, I am simply against new roads, but am instead in favour of examination of possible alternatives. More roads means more traffic.

Mr Gordon: By alternatives, do you mean investment in public transport?

Paddy Imhof: Yes.

Mr Gordon: What about vans and lorries that use roads to service cities such as Aberdeen? I do not know a great deal about the development of Aberdeen, but congestion in the city centre is bound to impact on the servicing of the city—business premises and the like—by vans or lorries. Although it is important to get big and heavy consignments on to rail, it is not possible to get every size of commercial consignment on to rail. If your view is that we should have no new roads, does that mean that some congestion will continue in Aberdeen?

Paddy Imhof: The problem in Aberdeen is, as I said, that far too many short journeys within the town are made by motor cars. If an alternative were available, such journeys by motor car would not be necessary.

Mr Gordon: How do you get into Aberdeen city centre?

Paddy Imhof: I have to take the car as I live in a rural area, but I do not have to go into town often as I do not work in town. For rural people it is more difficult, but if more park and ride was available that would make a considerable difference. When crossrail gets moving it would take an enormous number of cars off the road, because people could take the railway from the small settlements on the south of the city such as Newtonhill and Muchalls.

It would be good if the railway timetables were co-ordinated with the bus timetables in town, so that somebody could come, for example, from the south or the north, get into the main station in Guild Street and get a frequently running bus that would take them to their place of work. That would also reduce the numbers of people who come into town by car, park in residential areas, then walk or take the bus to their work. That situation also needs to be controlled.

Recently I stood at the Haudagain roundabout, which is one of the pinchpoints, and tried to count the single-occupant vehicles that passed through the junction, but it was impossible because there were so many. If we could reduce car numbers, the servicing of the city would be considerably easier.

The latest available statistic for through traffic north and south is that it accounts for between 2 and 10 per cent of total traffic. People complain about getting through the town, but there is not a

huge volume of through traffic. Most of the traffic in town is there because it wants to be there.

10:30

Mr Gordon: Mr Imhof said that he does not want any new road to service Aberdeen, but I think that Mr Robb was arguing that the wrong route had been chosen and that there is a case for some kind of bypass for Aberdeen.

David Robb: Yes. When Sandra White asked about alternatives, I should have added that there is the proposal for an eastern bypass, which includes a plan for a tunnel that would run from the east side of Aberdeen, go under the harbour and come out at Bridge of Don. All the heavy lorries that use the city roads move between Altens industrial estate and Bridge of Don and the fish lorries from the fish contractors in Peterhead and Fraserburgh come down from the north. In addition, the route from London to Ellon is virtually motorway or dual carriageway all the way, apart from two miles along King Street. That means that an eastern bypass could be created by the formation of a tunnel under the far side of the city, which would preclude lorries having to go through the harbour area and part of the city.

I worked previously in the Ministry of Transport and I know that the Road Haulage Association and the Freight Transport Association always encourage their drivers to be minimalist in the amount of roads that they use, because otherwise they would spend too much in fuel and affect profits. Lorry drivers would not approach Portlethen and the Charleston roundabout and turn to drive an extra 45km round to Bridge of Don, when a short journey is available through the harbour and out to Bridge of Don. Lorry drivers will always take the most direct route, so they should be given the most direct route, which would be an eastern bypass. Of course, the city has rejected that route, too, because it would not create a housing corridor.

Mr Gordon: You feel that the bypass is, in reality, an extension of the city to cater for more housing. Are you against more housing in principle? I do not know anything about Aberdeen city. Does it have a reasonable quantity of brownfield sites on which more housing could be developed?

Gregor McAbery: Brownfield sites are still available in the city. We understand that some sites on the periphery will have to be opened up at some point, but it is a matter of how that is done. Any new developments should be of the urban village style and should be well linked to public transport corridors, perhaps along the rail route. Something sensible like that should be put in place, or the risk is that we will get ribbon

development, which means lots of different developments off motorway junctions.

Mr Gordon: What do you mean by an urban village? On the radio this morning there was talk that the problem is not the further densification of the city through housing development, which is a sustainable form of development because all the services already exist. Do we really want lots of wee towns dotted around our cities? Would not that generate more car traffic?

Gregor McAbery: I think that you may have misunderstood me. I was saying that at some stage we might have to develop some greenfield sites, but that what we do not want is wholesale development all along the edge of the city, which would obviously lead to more traffic and put more strain on old radial roads going into the city and around industrial estates. Obviously, we need to develop the brownfield sites first.

Mr Gordon: So, in Aberdeen, you do not agree about your housing development strategy or your transport strategy?

Gregor McAbery: That would be partially correct. Only some of the sites in the currently proposed local plan, such as the one at Countesswells, are contrary to those guidelines. However, that issue is for another committee.

The Convener: We are joined by a number of MSPs who have indicated an interest in the petition. There are five extra MSPs and three petitioners at the table. I do not want to take up a lot of time with MSPs, because there are other petitioners and I want to be fair to them. Mike Rumbles, Brian Adam and Shiona Baird have indicated that they wish to say something. Nora Radcliffe has said that she is here more in an observational capacity. Unless Maureen Watt is going to say something that is different from what Brian Adam says, I shall stick to a representative from each of the parties.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): As far as I am aware, every city-based MSP and every Aberdeenshire-based MSP is in favour of an Aberdeen western peripheral route. I have signed in support of Paddy Imhof's petition because I want there to be a review of the proposals, over which there is huge controversy.

The previous minister with responsibility for transport always considered that the Myrtle route was the preferred one. To ensure that he got it right, he consulted on five routes. We all have our own views on what those routes are. In December, the current Minister for Transport announced his preferred route, which was not the Myrtle route but the Milltimber Brae route. What came as a shock, particularly to me, was that he added a nine-mile spur road—a trunk road that would cut through

nine miles of North Kincardineshire in my constituency, from Stonehaven to the Aberdeen western peripheral route. The route is a partnership between Aberdeen City Council, Aberdeenshire Council and the Scottish Executive, but neither the city council nor the shire council will pay a penny towards the trunk road because, as far as I can tell, they do not see the need for it. They are committed to the Aberdeen western peripheral route but only the Scottish Executive is funding, from national taxation base, the Stonehaven to Maryculter nine-mile road.

The justification for the out-of-the-blue road was that it was intended to ease the congestion of the bridge on the A90. The minister proposes to build a road that would run parallel with the A90, from Stonehaven, to meet the western peripheral route. As far as I can see the real issue of congestion is at Bridge of Dee, and a much smaller road should have been built to cope with that.

As a local MSP, I cannot understand the *raison d'être* for that extra road. The two councils are not willing to put up money for it and I do not see why we should fund it. I would like a review of the scheme. I accept that the minister has chosen the Milltimber Brae route—it was not my choice—but I object particularly to the extra spur route. I would plead for the committee to let the Scottish Parliament consider the issue. I would be happy if the committee were to refer the petition to the Local Government and Transport Committee, of which I am a member, to pursue the request for a review.

Brian Adam (Aberdeen North) (SNP): Mike Rumbles is absolutely right that politically, with some honourable exceptions, those members who represent the north-east are in favour of a western peripheral route round Aberdeen.

From the answers that have been given this morning, the petitioners' position is not clear. They pointed out, rightly, that they had between 5,000 and 6,000 signatories, but the petition contained soft wording such as "to review its proposals". What they have said to us this morning is not quite the same as that. In response to some of the questions, it was fairly clear that at least some of the petitioners do not want the route at all—they do not want any western peripheral route. If the petition had said, "We want to abandon any plans for an Aberdeen western peripheral route", the number of signatories would have been considerably fewer.

The real debate is about where the route goes. I share some of the concerns about how we arrived at the Executive's current proposals. A decade ago there was a significant debate on the Myrtle route proposals, and it was agreed that that would be the route. That is where everyone came from. Some of the petitioners said that, prior to

December 2005, there was not a campaign against the new route—presumably because no one thought that the route would be accepted—but there was a campaign about the Myrtle route.

Evidence of public support for the route or for the principle of the bypass is given in the survey that was done by the north-east Scotland transport partnership, which was a voluntary organisation at that time. There was overwhelming public support for the route, not just among the business community that might want it for economic reasons, but among the general population. NESTRANS produced an integrated and modern transport system proposal.

It strikes me, from the remarks of Mr McAbery from Friends of the Earth Scotland, that he is quite happy to have all the proposals, except the ones relating to roads. The responses to the questions that were asked by Mr Gordon were particularly enlightening. We cannot have distribution mechanisms for goods and even some services without roads. Buses run on roads. We cannot have a bus service unless there are roads. If the roads are to be only for buses and not for lorries or cars, we will have a very strange city indeed. Aberdeen is unique in that it is the only one of our major conurbations that does not have something like a western peripheral route.

The figures that have been produced demonstrate significant improvements in journey times. In the north of the city, which I represent, we are talking about a reduction in the average morning peak-time journey from Stonehaven to Dyce from 63 to 28 minutes—a 56 per cent reduction in travel time. That means 35 minutes in which cars would not be sitting idling and pumping out pollution. Much of the pollution is caused by vehicles not actually moving. If we get to where we want to go a little earlier, we will reduce pollution.

One of the other significant sets of statistics shows the impact that the new route will have on some of the city centre sites that already have very high levels of air pollution. The proposals will offer significant reductions in that.

One of the petitioners—I think that it was Mr Imhof—talked about the Haudagain roundabout, with which I am extremely familiar because the office that I share with Maureen Watt is right on it. Traffic can build up at the roundabout at any time of day, not just at peak times. However, significantly, when the schools are on holiday, the traffic problems become minimal.

Achieving minimal traffic problems would require a 10 per cent reduction in traffic flows. For almost all the major routes, the western peripheral route will offer traffic reduction flows well in excess of that figure, which will remove the major elements of the congestion at a stroke.

For rural roads, we already have a bypass. It exists but it is not a proper dual carriageway. The impact of the western peripheral route on those rural roads will be significant. We are talking about a reduction in traffic flow on the existing unofficial bypass not of 10 or 20 per cent, but of 70 to 90 per cent. We are talking about a reduction in traffic flow of 71 per cent between Kingswells and Newhills in my constituency; the route will remove 11,000 vehicles per day from that road. At the moment, the traffic on that road is wholly inappropriate and the road is not safe. Other segments of the unofficial bypass go through other MSPs' constituencies. We need the new road, which will offer environmental benefits.

10:45

Shiona Baird (North East Scotland) (Green): I am aware of the time, so I will be brief. I am the only north-east MSP—I stress that I represent the whole of the north-east—who is opposed to the road. I have been opposed to all the routes all the way through.

When I became an MSP and this issue raised its head again, there was a feeling that the Myrtle route was just the wrong route and that the road needed to go somewhere else. That opinion has changed. There is absolutely no doubt that there is a growing body of people—some of the newspaper polls have evidenced this—who are opposed to any road at all. They recognise that this road will not do any of the things that Brian Adam has said that it will do. That is one reason why we need to refer the petition to the Local Government and Transport Committee.

The present proposal has been mired in controversy. Many questions have been asked but have not been answered, and many issues surround the route. The fact is that we are now in the 21st century and we need to consider alternatives—and it is in the Executive's plans to consider alternatives. In answer to Charlie Gordon's point, I stress that it is not about having no roads; it is about how we can most effectively reduce the congestion on roads. It should be borne in mind that the issues of rising oil prices and climate change require us to tick those boxes as well.

All those issues persuade me to urge the committee to take the matter forward and to have some of the questions answered.

The Convener: Thanks. We have given the matter a good airing this morning.

John Farquhar Munro (Ross, Skye and Inverness West) (LD): I am rather confused. It is all very well for the MSPs who are acquainted with the arguments and proposals that are going on. According to the papers, the consultation started

many years ago but took place specifically in 2005. At that time, as has been suggested, the Myrtle route was considered to be the preferred option. However, in December 2005 the current Minister for Transport announced that the Executive had decided on another route, which was not part of the original proposals at all. There was some further thinking at that time and the minister announced a more precise proposed road alignment in May 2006. All those options were open.

Today, the group from the area is suggesting to the committee that the route is not acceptable for various reasons. Which route are we talking about? Mr Adam talked about the western peripheral route, which is the general term.

The Convener: I will let Mike Rumbles answer, but I do not want a dialogue between MSPs across the table. It is a specific question, and if Mike Rumbles can answer it that might be helpful. We will then move on.

Mike Rumbles: It is straightforward. The Myrtle route was the original route. To get it right, before deciding on the Myrtle route, the then Minister for Transport, Nicol Stephen, put five routes out to consultation, one of which was the Milltimber Brae route. In December, the current Minister for Transport came down in favour of the Milltimber Brae route; however, he added a nine-mile trunk road from Stonehaven to join the Milltimber Brae route. That came as a surprise to me, the local MSP—that was the first time that I had heard of it—as well as to everybody else. That is the issue.

John Farquhar Munro: Thank you.

The Convener: Do members have suggestions on how we can take the matter forward? We need to move on, as we have had a good airing of the issues.

David Robb: Convener, I think that it is only fair that I be allowed a quick comeback on what has been said. Friends of the Earth is not against all road building; it is against only inappropriate road building. We have the concerns of the—

The Convener: I do not want a speech about the position of Friends of the Earth. We have details of the route and that is what we are here to look at, not whether Friends of the Earth supports roads. Can I have suggestions on how we take the matter forward?

Ms White: I would like the petition to be sent to the Local Government and Transport Committee, but I wonder whether this committee should take evidence first. Somebody mentioned that NESTRANS has produced a document. I would quite like to see that document. I suggest that we write to Transport Scotland, NESTRANS, TRANSform Scotland and the Scottish Executive.

I was going to ask that we write to the minister, Tavish Scott, about the meeting in question, but that depends on whether the convener thinks it appropriate to write to the Executive in the first place.

The Convener: I asked the question because I was concerned by the accusation that minutes had not been kept of certain meetings. I, for one, want to know the minister's view on that allegation, if for no other reason than to nail the matter or, if it turns out that minutes were not kept, to explain why not. It is only right that the Executive and others have the opportunity to respond to that specific question.

On Sandra White's suggestion, as a member of the Local Government and Transport Committee, I know that it has a big workload to deal with between now and the election, and it would be unfair of us to ask that committee to examine the issue without having done some preliminary research ourselves and writing to all the organisations that have been mentioned.

John Scott: We should also try to shed light on the source of the proposal for a nine-mile road that Mr Rumbles referred to. We might start by writing to the local authorities that will be most affected to find out whether they are in favour of the proposal; whether or not it has any benefits; and why the extra link has been added.

Rosie Kane: It is a shame that an SSP representative had not been at the meeting, because they would definitely have taken the minutes.

The Convener: But you might not have agreed them.

Rosie Kane: In 1998, the Scottish Office carried out a sustainable transport study that suggested that combinations of low-cost measures such as park-and-ride facilities, extended bus priority and improvements to cycling and walking priorities would reduce traffic levels in Aberdeen by 29 per cent by 2011. I would like to know why the Scottish Executive has decided to ignore or trash that report in favour of the motorway alternative.

The Convener: The question is certainly worth asking.

Are members happy that the suggested actions cover the issues that need to be addressed in the petition? I am not against the suggestion that the Local Government and Transport Committee be asked to look at the matter; however, we have to do some work on it ourselves before we reach that point. Are members agreed?

Members indicated agreement.

Paddy Imhof: In response to Brian Adam's fair comment, I have to say that I am not totally

against road building. However, I hope that reviewing this decision—which would include addressing my main gripe and examining alternative possibilities—will allow the proposal to be scrutinised more closely and a different solution to be agreed. Some years ago, a mass transit system was suggested—

The Convener: I think that we have given the issues a real airing, Mr Imhof. I really do not want to go over the whole matter again. You have had the chance to answer Brian Adam's assertion.

We will take the matter forward on the basis that has been agreed. Before we consider the petition again, we will seek Mr Imhof's comments on any responses that we receive. I thank him for bringing his petition to the committee.

Building Warrants (PE979)

The Convener: Petition PE979, from Najem Al Hasan, calls on the Scottish Parliament to review the Building (Procedure) (Scotland) Regulations 2004 and the Local Government (Scotland) Act 1973 in order to permit competition between neighbouring local authorities in relation to the provision of building warrants. Before being formally lodged, the petition was hosted on the e-petitions system, where it gathered 1,458 signatures and 22 discussion comments.

Najem Al Hasan will make a brief statement to the committee in support of the petition. He is accompanied by Stewart Douglas and Grahame Barn. Welcome to the committee. You have a few minutes in which to address the committee, after which we will discuss the issue.

Najem Al Hasan (Expressplans.com): I am joined by Stewart Douglas, a former qualified building control officer who has been in the building control field for the past 20 years, and Grahame Barn, who represents the Federation of Master Builders in Scotland.

The Building (Scotland) Act 2003 allowed the appointment of what are now known as verifiers. Previously, local authorities took in applications for building warrant approval for any construction work throughout Scotland. At the moment, ministers have appointed local authorities as verifiers in their own geographical areas. My issue with that is that, although the legislation is the same throughout the Scotland, it is applied differently in different local areas according to the leadership in individual departments. Some local authorities are progressive and proactive and facilitate the faster processing of building warrant applications; others can be quite obstructive and take much longer to process building warrant applications.

I do not know whether committee members are aware of this, but in Scotland it is illegal to carry out any building work without a building warrant—it is a criminal offence for which people can be prosecuted and go to jail. The problem that most of the public face is in deciding whether to wait for the building warrant to be approved so that they can carry out the works legally or whether just to go ahead with them if they have a builder ready and have submitted a warrant application that is going back and forth between the architect and the local authority—on occasion, it can take up to a year or more for a simple home extension to be awarded a building warrant.

Let me put the situation into perspective. In Scotland, 80 per cent of applications have a build-cost value of less than £25,000. That covers the average home extension by Mr and Mrs Joe Bloggs who cannot afford to move because of house prices and who want to extend their home for the right reasons—they want to stay in the area where they live—but cannot do so until they have the legal piece of paper that says that they can.

The function of building standards departments, as they are now known, is to maintain the standards that are set by the Scottish Building Standards Agency. It is our intention that the committee should consider the idea of allowing building warrant applications to be made to neighbouring authorities, so that people are not stuck with the current postcode lottery situation whereby they can apply only to their own local authority. There is absolutely no reason why an application from, for example, South Lanarkshire cannot go to North Lanarkshire Council. The departments in both authorities process exactly the same type of application, but one authority is more progressive than the other. In one authority, the applicant will get their warrant within two months; in the other, they could wait for six or eight months for exactly the same warrant. That is the basis of the petition.

11:00

Mr Gordon: Some people would find the subject arcane, but I find it interesting as I used the system fairly recently in Glasgow. Did you seek any alternative forms of redress before you came up with the idea of opening up internal competition between local authorities? The paperwork expresses a view that building standards officials in some local authority areas behave in an arbitrary or slow way. However, those people are ultimately accountable to elected councillors. Have you tried going down that road first? One of the problems with your proposal is that, if people are carrying out work across local authority boundaries, that democratic accountability becomes harder to track. Do you see my point?

How could a councillor in South Lanarkshire hold to account an official who is employed by North Lanarkshire Council?

Stewart Douglas (Expressplans.com): Local authorities have been appointed as verifiers for their geographical areas but, as the legislation stands, the local authority does not have to be the verifier.

Mr Gordon: I accept that.

Stewart Douglas: The verifier could be a private individual or body, as long as they were qualified.

Mr Gordon: I am sorry to interject, but let us be clear about this. Are you advocating the privatisation of the building standards service in local government?

Stewart Douglas: It is not me; the Scottish Executive has already set that out in the existing legislation.

Mr Gordon: Yes, but the petition talks about opening the system up to competition from neighbouring local authorities. Privatisation would be a whole different ball game.

Stewart Douglas: We would prefer local authorities to deal with the applications, but the legislation that was created by the Scottish Executive states that the work could be done by private individuals or private bodies.

Grahame Barn (Federation of Master Builders): I represent 670 small and medium-sized building companies throughout Scotland, and this is an issue that our members face. Frankly, they are not interested in whether the system is privatised; they just want to get their building warrants as quickly as they can. They feel that, in some areas, the processing is done quickly and efficiently, whereas, in other areas, it is not. They want a solution to that. If a neighbouring authority is working well and can process applications quickly, why can they not go to that authority for the same bit of paper? Local authority competition might encourage a poorly performing authority to take a look at itself and resolve some of the issues in its departments.

Mr Gordon: Do you accept that there is often a close relationship between building standards functions and town planning functions and that that could be seen as another advantage of having the verifying function within local government? Often, if someone is having major alterations done, the next step will be the submission of a planning application.

Stewart Douglas: At the moment, local authorities are required to keep what is known as a building standards register. If we ever had verifiers outside the local authorities, by law they

would have to report to the local authorities for the works to be entered into the building standards register. That would happen when an application was lodged and when an application was approved. At no stage would the local authority not be aware that a building warrant application had been submitted.

John Scott: Where else have you aired your proposal? Did you make a submission in 2003 to the consultation on the Building (Procedure) (Scotland) Regulations 2004 or did the idea come to you just recently?

Najeem Al Hasan: The idea surfaced recently, although the procedure has existed in England for some time, where it works well.

Competition can only enhance the quality of service that the consumers that the system serves should expect. At the moment, we have a take-it-or-leave-it situation; people can either grin and bear it or just not do any building work. That is what a lot of people end up doing, and companies—both within and outwith the FMB—lose out as a result.

John Scott: For the avoidance of doubt—I am sorry, but I cannot hear you terribly well—is your proposed procedure standard practice in England and Wales?

Najem Al Hasan: It is not standard practice in England, but it happens.

Stewart Douglas: There are approved inspectors in England and Wales.

John Scott: And that works perfectly well, apparently.

Jackie Baillie (Dumbarton) (Lab): Why is there such a difference?

Najem Al Hasan: In my view, it comes down to leadership. In some local authorities, the leadership is progressive, proactive and serves the best interests of the applicant. Other local authorities see themselves in a dictatorial light and aim to be as obstructive as possible with the simplest of applications. To me, that is not cost effective. I am a businessman, so I would consider how many times I had to touch an application, and there would come a point at which we would either break even or lose money. I cannot imagine some local authorities making any money. If a building warrant application, for which there is a £100 fee, has to be touched six or seven times, there is absolutely no way that that is cost effective; it is certainly not efficient.

Jackie Baillie: It strikes me that you are describing a cultural problem within certain departments.

Stewart Douglas: A new building standards system was introduced in May 2005. Prior to that

there was building control, which was more bureaucratic and more like the police service of the building industry. The role of local authorities is to ensure that the minimum standards are met to ensure the health and safety of people in and around buildings.

Jackie Baillie: I understand that absolutely; I also understand that a set of technical processes, rather than a political process, are at play. This might well be a project in which the Executive would be interested from the perspective of efficient government. I do not understand why there could not be one Lanarkshire building standards department that operated to the same standard, given that we are talking about the same set of technical processes. That might change the experience on the ground.

Campbell Martin (West of Scotland) (Ind): Mr Al Hasan, in your petition you say that you would like neighbouring local authorities to be able to compete with one another. You do not say that there should be greater choice; you use the word "competition." How would local authorities compete with one another for business? Would you like them to compete on the basis of cost, undercutting one another?

You also said that some authorities are quicker than others. I presume that people would want to submit their application to the quicker authority. That would increase the volume of work that it had, which could slow it down. Would that not defeat the purpose?

Do you think that the criterion for building standards work should not be how quickly it is done, but whether it is done properly? However long the process takes, if that is the proper length of time, that is how long it should take.

The issue of approved inspectors came up. Ultimately, who would they answer to? Who would have control over them? Would they have *carte blanche*?

Najem Al Hasan: Your first question was to do with costings. The costs for building warrant applications are set by the ministers, so there would be no question as far as a decrease—

Campbell Martin: So how would authorities compete?

Najem Al Hasan: They would compete on the quality of service that they provide.

Campbell Martin: Are you saying that some are not providing a quality service?

Najem Al Hasan: Absolutely. That is exactly what I am saying.

Campbell Martin: In what way? If they are doing the job to the standards set, how are they not providing a quality service?

Najem Al Hasan: The standards are the same throughout Scotland. An application for a conservatory of 10m² might go into North Lanarkshire Council and be approved within two months. The same application for a similar house for a conservatory with the same construction materials might go into South Lanarkshire Council—

Campbell Martin: And take longer. Have you checked why?

Najem Al Hasan: Absolutely.

Campbell Martin: And what is the answer?

Najem Al Hasan: It boils down to the leadership within the department. It boils down to the instructions—

Campbell Martin: Is it not that one authority has a bigger volume of work?

Najem Al Hasan: We all have a big workload. It does not affect—

Campbell Martin: So is the answer that local authorities should take on more qualified people to deal with the work?

Najem Al Hasan: That is not for us to answer.

Campbell Martin: But it is an answer, is it not?

Najem Al Hasan: It is, but the question is not for me to answer. If I, as a businessman, see an increase in my workload, I will outsource the work or bring in more staff, either temporarily or permanently. If the local authority is not doing that, it is not providing the quality of service that is expected of it. As such, it is for local authorities to come up with an answer. It is not for me to dictate to them.

Campbell Martin: So we need qualified people rather than competition between local authorities.

Grahame Barn: I do not agree. In many cases, there are sufficient people in building control work around the country to do the jobs that must be done and to deal with applications that have been made, but some are simply better than others at doing the work. A vast number of new building standards officers is not needed—it is simply a case of operating the existing officers better. A bit of competition is not bad for anybody—it keeps people on their toes and makes departments more efficient in delivering services to their customers. Some of our members are deeply concerned that they are working illegally and that they are being forced to start work without a building warrant. They could go to jail for doing so.

Campbell Martin: They are not forced to start work.

Grahame Barn: They are.

Campbell Martin: Who forces them to do so?

Grahame Barn: Small businesses are faced with decisions—

Campbell Martin: Excuse me, but you have just said that people are forced to start work. Who forces them to do so?

Grahame Barn: The clients.

Campbell Martin: So clients force people to break the law.

Grahame Barn: Yes—or somebody else will do the work.

Campbell Martin: So they cannot say no.

The Convener: Campbell, we do not need to get into a debate about that. We are trying to—

Campbell Martin: But accusations are being made that local authority employees are incompetent, and that builders cannot say no to their clients and are prepared to break the law.

The Convener: I do not think that that accusation has been made.

Najem Al Hasan: Nobody has used the word “incompetent”.

Campbell Martin: It was said that there are incompetent people.

Najem Al Hasan: I would never use that word.

Campbell Martin: If you are saying that the leadership is the only reason why work is not being done quickly enough, the leadership is incompetent. Are you not saying that?

Najem Al Hasan: No, I am not. I am saying that the leadership in some local authorities is not efficiently minded. That is not incompetence—the matter is cultural.

Campbell Martin: I think that you are playing with words. [*Interruption.*] Did I say something funny?

Najem Al Hasan: I am not here for a fight.

Campbell Martin: Who would monitor the approved inspectors? Are we talking about the private sector?

Stewart Douglas: The Scottish Executive, through the Scottish Building Standards Agency, is ultimately in charge of building standards in Scotland.

Campbell Martin: So a person must go to central Government with a complaint rather than to a local authority.

Stewart Douglas: They must go up the tree. The Scottish Executive has appointed the Scottish Building Standards Agency to advise it on the building standards system.

Campbell Martin: So a person would go to central Government. Okay. Thanks.

The Convener: Nobody else wants to speak.

I am a bit concerned because I do not like leaving meetings in which an atmosphere has developed. I have been a member of the committee long enough to have heard aggressive petitioners with attitudes, but I did not think that the three petitioners in front of us have been aggressive or have had an attitude. I thought that Campbell Martin was a bit oversensitive to comments that were made. Perhaps we should reflect on whether it is appropriate to harangue petitioners in such a manner. He was entitled to ask the questions that he asked, but he asked them in a rather aggressive manner.

Campbell Martin: Like me, you are entitled to your opinion, convener, but I did not think that I harangued them. I thought that my questioning was legitimate.

The Convener: Your questions were legitimate, but other members of the committee were beginning to feel uncomfortable with the manner in which you asked them. That is the point that I am trying to make. You put your questions in an inappropriate manner to petitioners whom I did not think aggravated you to the point at which such a degree of—

Campbell Martin: Surely I am entitled to ask appropriate questions.

The Convener: I am trying to get you to reflect on the manner in which you asked your questions.

Campbell Martin: If we are reaching the point at which the convener is telling me how I can ask my questions—

The Convener: Yes—I am telling you how you can ask them. You must treat people with respect, but you did not do so.

Campbell Martin: I treat everyone who comes to the committee with respect.

The Convener: We will now discuss how we will deal with the petition.

Jackie Baillie: The petition has considerable merit. Like Charlie Gordon, I am not an anorak, but I think that the issue is worthy of further exploration.

We should seek views from a number of bodies: the Scottish Building Standards Agency; the Scottish Association of Building Standards Managers; the Convention of Scottish Local Authorities, which represents local authorities; the Royal Incorporation of Architects in Scotland; and, in particular, the Scottish Executive. The petition may fall under the communities portfolio, but I wonder whether we should write to Tom McCabe

because there is merit in exploring the proposals in an efficient government pilot.

The Convener: As members have no other suggestions, we will write to all those organisations and will let the petitioners see the responses that we get, on which we would welcome their comments before we consider the petition further. We look forward to considering the petition at the next stage and we thank the petitioners for speaking to it.

Prescription and Limitation Legislation (PE976)

11:15

The Convener: We have no more witnesses to hear from this morning.

Petition PE976, which was submitted by Peter Kelly, calls on the Scottish Parliament to amend the Prescription and Limitation (Scotland) Act 1973 and the Prescription and Limitation (Scotland) Act 1984 to ensure that people who wish to raise personal injury cases in relation to events that occurred prior to 1964 are able to do so. In light of what our papers say, do members have any suggestions on how we should proceed?

Jackie Baillie: Constituents of mine have been affected by the issue and are keen that the law be changed. The Scottish Law Commission is considering the matter and is due to report in early 2007, so I suggest that we simply send the petition to the commission.

The Convener: Are members happy with that suggestion?

Members indicated agreement.

Jet-skis (PE978)

The Convener: Petition PE978 was submitted by Diana Cairns on behalf of Portobello community council. It calls on the Scottish Parliament to urge the Scottish Executive to consider how best to restrict the use of jet-skis in the vicinity of public beaches, particularly those in residential areas. The petitioner considers that the antisocial nuisance caused by jet-skiers is getting worse and that the use of jet-skis should be completely prevented around beaches that are in residential areas. She is also concerned about the safety risk that jet-skis pose. Before the petition was formally lodged, it was hosted on the e-petition system, where it gathered 315 signatures and seven discussion comments.

This morning, I was contacted by Susan Deacon MSP, who has an interest in the petition, but unfortunately she has not been able to make it to the meeting. For the record, I note that she has indicated her support for the petition.

Do members have comments?

Mr Gordon: This is the second time in recent months that we have dealt with a petition that refers to the abuse of jet-skis—the previous occasion was when we considered a petition to do with Loch Lomond. Although the context at Portobello is rather different from that at Loch Lomond, it is clear that there is an issue. I think that we should consult the Royal Yachting Association, the City of Edinburgh Council, the port authority—Forth Ports—Lothian and Borders police and the Scottish Executive.

John Scott: It seems to me that perhaps the Environmental Protection Act 1990 needs to be updated. When the provisions in that act were first envisaged, I do not think that jet-skis were as popular as they are now.

Mr Gordon: The deputy convener makes a valid point. There are probably members of the Scottish Executive who believe that existing legislation to do with noise nuisance might be applicable in such circumstances, but we must bottom that out.

The Convener: Are members happy with the proposal on how we should proceed?

Members indicated agreement.

Neuropsychological Provision (PE981)

The Convener: Petition PE981 by James Japp calls on the Scottish Parliament to urge the Scottish Executive to ensure that the recruitment and appointment of psychologists to NHS Scotland is based entirely on skills, competency and experience; and to initiate an independent review of neuropsychological provision in NHS Scotland. The petitioner is concerned that many experienced and relevantly qualified psychologists are prevented from applying for relevant posts because the national health service demands that post holders have a qualification in clinical psychology. Before being formally lodged, the petition was hosted on the e-petition system, where it gathered 10 signatures and one discussion comment.

Do members have views on how to deal with the petition?

Ms White: It is a pity that the petitioner is not here to give evidence because there are some questions that I would have liked to ask. The petition is interesting. We need some feedback from Neuropsychologists UK, NHS Education for Scotland, the British Psychological Society and the Minister for Health and Community Care. I have specific questions about the process that applicants have to go through.

The Convener: If you pass those questions on to David McGill, I am sure that he will incorporate them in the correspondence.

Ms White: Thank you; I will do that.

John Scott: The key issue is the acute shortage of all psychologists. There are 409 whole-time equivalents, but I am aware that there is a problem in Ayrshire and, given the number, I am sure that it is a problem throughout Scotland. Perhaps we could ask the Government what measures it is taking to address that deficiency.

The Convener: Under the new methods by which we operate, the petitioner will receive copies of the correspondence and will be able to comment on it. If you ask for specific questions to be put to the people to whom we will write, the petitioner will see the responses to those questions. If the petitioner wants to make additional points to us, we will see them in due course.

Ms White: We will send our questions to David McGill.

The Convener: We will proceed in the proposed manner.

Protection of Health Care Professionals (PE980)

The Convener: Petition PE980, which is by Mev Brown on behalf of the NHS First Party, calls on the Scottish Parliament to adopt the yellow card, red card policy that was drafted under the Department of Health's zero tolerance guidelines on the treatment of violent and abusive patients and to amend the Antisocial Behaviour etc (Scotland) Act 2004 to allow hospitals and other national health service facilities to apply for antisocial behaviour orders against such patients.

Before being lodged, the petition was hosted on the e-petitions system, where it gathered 134 signatures and seven discussion comments. In addition, Mr Brown has submitted 2,814 signatures in hard copy.

Do members have views on how to proceed with the petition?

Ms White: The petition is good and interesting. I am pleased that the card system has been adopted in Glasgow. I suggest that we write to ask Greater Glasgow and Clyde NHS Board, Unison and the Royal College of Nursing for their comments on what is happening. Does Jackie Baillie have anything to add?

Jackie Baillie: I agree with your suggestions, but the Executive is another obvious suggestion, and it would be useful to hear from the British Medical Association.

The Convener: Are members happy with that?

Members indicated agreement.

The Convener: That concludes our consideration of new petitions.

Current Petitions

Dalkeith Northern Bypass (PE900)

Dalkeith Bypass (PE928)

11:22

The Convener: The first two current petitions are connected. Petition PE900, which is by Jade Allison on behalf of the save Dalkeith park campaign, calls on the Scottish Parliament to urge the Scottish Executive to ensure that the proposal for the Dalkeith northern bypass is comprehensively and properly assessed with data from 2005 and that the results are published and consulted on before any contract is let. Petition PE928, which is by Margot Russell on behalf of Dalkeith and Danderhall Labour Party, calls on the Scottish Parliament to support the Scottish Executive's proposal to build the Dalkeith bypass.

At its meeting on 7 December 2005, the committee agreed to seek the views of the Scottish Executive, Midlothian Council, TRANSform Scotland, Friends of the Earth, the Woodland Trust Scotland and Whitecraig community council. Responses were received. In addition to the papers that were circulated to members last week, a response has now been received from Friends of the Earth. Do members have views on that correspondence?

John Scott: The reality is that the work is now in place. There is no point in pursuing PE900, so we should close it.

Rosie Kane: I am a bit concerned that the work is going ahead when so many questions have been asked about the road. I see that Mark Ballard is here; I do not know whether he can enlighten us.

The Convener: I do not know either, because he has not told us why he is here. Are you here to speak about the petitions?

Mark Ballard (Lothians) (Green): Yes. Having read the responses from the Scottish Executive and Midlothian Council, I am a bit concerned that they do not seem to address the questions that petition PE900 raises, which are not about the advantages and disadvantages of the A68 northern bypass, but about the procedures that were followed. Concerns are expressed about the lack of public inquiries and the fact that, although environmental assessments were done, they were done after the minister had said that he would support development of the road.

The petition makes the point that, instead of informing the ministerial decision on whether to approve the road, the environmental assessments

were undertaken after the road was agreed on, to mitigate the road's environmental impact. Those points are still outstanding and do not appear to have been substantially addressed by the responses from the Executive and Midlothian Council, which focus on the perceived advantages of the A68 northern bypass.

Having spoken briefly to the petitioners, I know that they are concerned that their points have not been fully addressed in the responses from the Executive and the council.

The Convener: Do members have any comments on those points? I wonder whether it is a fait accompli and whether we can do anything purposeful.

Rosie Kane: I know that the works are going ahead, but given what Mark Ballard has said we should seek the views of the petitioners to establish how they feel about what has happened, about the procedures and about the responses. Their petition is for the greater good of the environment in the long term. We should seek their views on the issues that Mark Ballard has raised.

The Convener: The petition was initially dealt with under the old system, when we did not contact petitioners, so we do not have the petitioners' perspective. You are right to suggest that the petition was heard before we automatically contacted petitioners.

Jackie Baillie: If we link petitions PE900 and PE928, it would be worth getting the perspective of both sets of petitioners. The argument is that the timing of the environmental report is the key consideration. I note from the Executive's response that following production of the environment mitigation report it identified mitigation measures that have been incorporated into the project. I am much more interested in the outcome than the timing. If appropriate mitigation measures have been taken following the report, environmental concerns should have been satisfied. The issue is not the process but the outcome. I agree that we should send the responses to the petitioners, but it is the outcome that matters.

The Convener: We will seek the views of the petitioners and consider that point when we see their responses. At that point, Mark Ballard will have the opportunity to comment.

Singing Tuition (PE860)

The Convener: Our next petition is PE860, by Marilyn de Blicke, on behalf of Ayrshire Voices, calling for the Scottish Parliament to urge the Scottish Executive to develop a coherent national policy in relation to the teaching of singing and in

particular to ensure adequate provision of vocal tuition for young people throughout Scotland.

At its meeting on 18 January, the committee considered responses from the Scottish Arts Council; the youth music initiative reference group; the Voice of Chief Officers for Cultural, Community and Leisure Services—VOCAL; Her Majesty's Inspectorate of Education; the Convention of Scottish Local Authorities; the Scottish Executive; East Ayrshire Council; North Ayrshire Council; and South Ayrshire Council. We agreed to seek the views of the petitioner on the responses received. The response from the petitioner has now been received and circulated to members. Do members have any comments on the responses?

John Scott: The responses are all very positive. The fact that the Executive is putting in a further £20 million must be worth while. The sum is probably not enough, but it never is. The petition has been worth while as it has drawn attention to the matter and done a lot of good by airing the issues and drawing attention to the benefits of singing. There is probably not much more that we can do with the petition, but it has been successful.

The Convener: Do members agree with those comments or should we raise any other issues? Are we happy to close the petition?

Members indicated agreement.

Urban Regeneration (PE911)

The Convener: The next petition is PE911, by Paul Nolan, on behalf of Craigmillar community council, which calls on the Scottish Parliament to consider and debate the implications of the Scottish Executive's support for market-led urban regeneration projects and the operation of privatised urban regeneration companies and, in particular, to consider the mechanisms through which local communities can influence and hold such companies to account.

At the committee's meeting on 18 January, we agreed to seek the views of the Scottish Urban Regeneration Forum, Communities Scotland, the Scottish community planning organisation, the City of Edinburgh Council, Promoting and Regenerating Craigmillar—PARC—and the Scottish Executive. Responses have been received. I welcome comments from members.

11:30

Jackie Baillie: I suggest that we send the responses, which are comprehensive, to the petitioner for comment.

The Convener: Okay. We look forward to receiving their comments.

High Voltage Transmission Lines (Potential Health Hazards) (PE812)

The Convener: The next petition is PE812, by Caroline Paterson, on behalf of Stirling Before Pylons, which calls on the Scottish Parliament to urge the Scottish Executive to acknowledge the potential health hazards that are associated with long-term exposure to electromagnetic fields from high voltage transmission lines and to introduce as a matter of urgency effective planning regulations to protect public health.

At the committee's meeting on 8 February, we agreed to seek the petitioner's views on the Deputy Minister for Health and Community Care's latest correspondence and to write to the deputy minister to ask him to keep the committee updated on developments. A response has been received and circulated to members.

The petitioners have been asked to join the stakeholder advisory group on extremely low frequency electromagnetic fields—SAGE—which is considering the matter. We should perhaps await the outcome of the report of that group before we consider the petition further. We will keep the petition open until we receive the SAGE report. It is worth noting that the petitioners are actively involved in the discussions.

NHS Dental Services (PE920)

NHS Dentistry (Remote and Rural Areas) (PE922)

The Convener: We will take the next two petitions together. PE920, by Helen Smith, calls on the Scottish Parliament to urge the Scottish Executive to commit further resources to the provision of national health service dentistry, in particular for the recruitment of NHS salaried dentists to provide emergency and comprehensive care and for the provision of dedicated NHS dentistry facilities. Petition PE922, by Peter Thomson, calls on the Scottish Parliament to consider implementing a different model from the current plan to ensure that NHS dentistry is available in remote and rural areas in the medium to long term.

At the committee's meeting on 30 January, we agreed to link consideration of the petitions and to write to the British Dental Association, Fife NHS Board, the Glasgow dental school, the Dundee dental school and the Scottish Executive. Responses have been received. Do members agree to send them to the petitioners?

Members indicated agreement.

The Convener: We look forward to receiving their comments.

Criminal Law (Sexual Offences) (PE885)

The Convener: The next petition is PE885, by Mark McCabe, which requests that the Scottish Parliament amend Scots criminal law relating to sex offences, in line with the rest of the United Kingdom and Ireland, so that there is a statutory offence of male rape. The petitioner also wants the law to be changed so that there are no offences that may be committed exclusively by gay men and that all sex offences apply equally to everyone, whether man or woman, gay or straight.

At the committee's meeting on 8 March, the committee agreed to seek the views of the petitioner on the correspondence that we had received.

Ms White: The matter is another success story for the committee. Mark McCabe comments that he is pleased with the Scottish Law Commission's proposals. Obviously, no further action needs to be taken.

The Convener: Do members agree to close the petition?

Members indicated agreement.

Traffic Calming (PE840)

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

At the committee's meeting on 30 January, we agreed to invite the petitioner's views on the responses that we received from Road Safety Scotland, the Mobility and Access Committee for Scotland, the Disability Rights Commission, Capability Scotland, the Scottish Executive, the Scottish Ambulance Service, the Chief Fire Officers Association Scotland and the Association of Chief Police Officers in Scotland. The responses have been received.

John Scott: I welcome all the responses—especially the one from the Disability Rights Commission. The new legislation that comes into force in December will have a big impact on all these issues, and the public at large should take note of that. The legislation will impact not only on road humps but on roads authorities and on this building. However, I am not sure that any further action is required on the petition.

Members indicated agreement.

Out-of-hours Medical Services (Rural Communities) (PE776)

NHS 24 Services (Rural Areas) (PE814)

NHS Services (Rural Areas) (PE826)

The Convener: Next we have three connected petitions. Petition PE776 is by John Macpherson on behalf of Braemar community council. It calls on the Scottish Parliament to investigate the merits of proposed new arrangements for out-of-hours medical services in remote rural communities such as Braemar. Petition PE814 is by John MacPherson on behalf of Killin community council. It calls on the Scottish Parliament to consider and debate the implications for rural areas of the introduction of NHS 24 services, particularly in relation to ambulance cover and time scales in getting medical assistance to patients in those areas. Finally, petition PE826 is by Mr W D R Chalmers. It urges the Scottish Executive to ensure that NHS services in rural areas such as Mid and Upper Nithsdale are adequate, equitable and acceptable, as required by the National Health Service Reform (Scotland) Act 2004, particularly in relation to out-of-hours services.

At its meeting on 22 February, the committee agreed to write to the Scottish Executive and the Scottish Ambulance Service. Members might recall that an issue arose about part of the Scottish Ambulance Service's earlier submission being kept private. That issue has now been resolved and the responses received have been circulated to members.

John Farquhar Munro: The service is improving and the suggestion is that no further action is required on these petitions.

John Scott: We should welcome the Scottish Ambulance Service's willingness to provide the further information that was requested. We should thank the service for that.

The Convener: Okay—will we close the petitions?

Members indicated agreement.

Draft Report

11:37

The Convener: Item 3 on our agenda is the committee event of 26 June in Jedburgh, where the committee held the fifth event in its rolling programme of events. A draft summary of the event has been circulated to committee members. Do members have any comments on the summary, or can we sign it off as an accurate report? Are there any concerns?

John Scott: I presume that there is no word on finding the tapes from the meeting?

The Convener: No.

John Scott: That is obviously a great shame because a lot of good evidence was given that has now been lost. It is a matter of great regret that the loss has disrupted the functioning of this Parliament.

The Convener: There is no question that it was a big disappointment.

John Scott: I assume that new procedures will be put in place to safeguard witness information and that lessons have been learned.

Mr Gordon: We will use Air Force One and Air Force Two.

The Convener: The clerks have been in discussions with parliamentary authorities and it has been acknowledged that procedures had to be amended. I think that that work is in hand.

Are members happy for us to sign off the summary?

Members indicated agreement.

The Convener: I thank everyone for their attendance.

Meeting closed at 11:39.

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