

PUBLIC PETITIONS COMMITTEE

Tuesday 6 February 2007

Session 2

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PUBLIC PETITIONS COMMITTEE

3rd Meeting 2007, 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)

Colin Fox (Lothians) (SSP)

Phil Gallie (South of Scotland) (Con)

*Rob Gibson (Highlands and Islands) (SNP)

*attended

THE FOLLOWING ALSO ATTENDED:

Christine Grahame (South of Scotland) (SNP)

CLERK TO THE COMMITTEE

David McGill

ASSISTANT CLERK

Richard Hough

LOCATION

Committee Room 1

Scottish Parliament

Public Petitions Committee

Tuesday 6 February 2007

[THE CONVENER *opened the meeting at 10:15*]

The Convener (Michael McMahon): Good morning, everyone, and welcome to the Public Petitions Committee's third meeting in 2007. I have received a few apologies. Sandra White is at the Equal Opportunities Committee and Rob Gibson, whom I welcome, is here as her substitute. John Farquhar Munro has submitted apologies, as has Helen Eadie, who might not be able to make it as she is stuck in traffic. Jackie Baillie and Charlie Gordon phoned me as I was coming here to say that they were stuck on a train, so it is obvious that problems are being experienced in travelling to Edinburgh.

Current Petitions

Solvent Abuse (PE580)

The Convener: The first current petition is PE580, from John O'Brien, who calls on the Scottish Parliament to recognise the serious problems with solvent abuse in Scotland and to introduce preventive safety measures to help to combat it.

At its meeting on 27 September 2006, the committee agreed to seek the petitioner's view on the Scottish Executive's response. In response, the petitioner submitted a report by the Lee O'Brien Solvent Trust, which has been circulated to members. The report sets out the trust's recent achievements as well as its short and long-term aims. It also contains financial information and other information about the trust. Do members have any comments on how to deal with the petition?

John Scott (Ayr) (Con): The petition has been long running and is good, because it has highlighted solvent abuse. The petition has been successful. It is appropriate to welcome the work that LOST has done to bring the issue into the public domain. It is regrettable that the Executive is not prepared to embark on a public awareness campaign, but that is understandable, because the Executive thinks that that might encourage solvent abuse and make the situation worse rather than better. Against that background, we should formally welcome LOST's work, acknowledge that the petition has succeeded by modestly raising public awareness and close consideration of the petition. Does Rob Gibson have views on the petition?

Rob Gibson (Highlands and Islands) (SNP): I tend to concur. Awareness appears to have been raised, but it is hard to know where to go from here with the petition.

The Convener: Do we agree to close consideration of the petition?

Members *indicated agreement.*

Sports Academy (Scottish Borders) (PE849)

The Convener: Our next petition is PE849, from Kayleigh Boyd, on behalf of St Ronan's primary school. It calls on the Scottish Parliament to urge the Scottish Executive to establish a sports academy in the Scottish Borders.

At its meeting on 26 June 2006, the committee agreed to write to the Scottish Executive, whose response has been circulated to members. The response sets out the background to the Glasgow school of sport and the issues that relate to the

development of sports comprehensives. The correspondence suggests that the issue is largely for local authorities. Current rules provide for local authorities to develop sports academies in whichever way they see fit.

John Scott: It is obviously for local authorities in the Borders to take up and run with the idea. The petition has been successful. I remember well the children who came to present it, who did that well. As the convener said, Glasgow has a centre of excellence that seems to be working well. Notwithstanding all that, the interest in sport and particularly in rugby in the Borders is enormous. Perhaps councils in the Borders, or even the Scottish Rugby Union, should think about establishing training centres of excellence there. However, I would not dream of teaching grannies how to suck eggs; those organisations probably have such matters well in hand.

The petition has probably run its course. It has highlighted an issue involving exercise, delivering excellence, developing healthier and better athletes and achieving better outcomes for the health of the population. It has been welcome, but I cannot see any point in keeping it open.

The Convener: Is it agreed that we close the petition?

Members indicated agreement.

Civil Court Proceedings (Audio Recording) (PE958)

The Convener: Petition PE958, from William Smith, calls on the Scottish Parliament to urge the Scottish Executive to make mandatory the provision of an audio recording of civil court proceedings to those parties with special needs, such as dyslexia. At its meeting on 3 May last year, the committee agreed to seek views on the petition from Dyslexia Scotland, the Scottish Court Service, the Disability Rights Commission and the Scottish Executive, and to seek the views of the petitioner on those responses once they had been received. The responses have now been received and circulated.

The response from the DRC indicates to me that it has considered the subject seriously. None of the responses indicates that the case for what the petition calls for has been established, so I think that we might have pursued the issue as far as we can take it.

John Scott: I think that that is right. The Disability Rights Commission has given the matter careful consideration, as has the Scottish Executive. The petitioner should take heart from that, even if the outcome is perhaps not the one that he was seeking. The DRC, which is predisposed towards helping people with such

disabilities, has considered the issue seriously and come to a view. It is reasonable that we respect that view as well as the view of the Executive. We should probably close the petition. Having had it considered by everybody—but not, regrettably, having received a response from the petitioner—I cannot see any point in keeping it open.

The Convener: Is that agreed?

Members indicated agreement.

Swimming Pools (Investment) (PE966)

The Convener: Petition PE966, from Robert A Lambert, on behalf of Glenrothes community action group, calls on the Scottish Parliament to consider and debate the lack of investment in swimming pools in Scotland, what action is being taken in response to sportscotland's report "The Ticking Time Bomb", which was published in 2001, and how the goal

"To increase and maintain the proportion of physically active people in Scotland"

is being met.

At its meeting on 31 May 2006, the committee agreed to seek views on the petition from Fife Council, sportscotland, Scottish Swimming and the Scottish Executive, and to seek the views of the petitioner on those responses once they were received. Responses have now been received and circulated.

Rob Gibson: We need to get the Scottish Executive's further response, I think.

The Convener: Yes. Particular funding issues were raised by Fife Council and sportscotland. There are strategies in place, but the money must be there to take them forward and there seem to be doubts about whether it is.

John Scott: I am concerned that the income from the national lottery has decreased from £32 million per annum to £21 million per annum. Questions are being raised about the diversion of more of that £21 million to the Olympic games. It is bizarre that swimmers here in Scotland might not be able to prepare for the Olympic games in London because all the lottery money, or certainly some of it, is being used to create the Olympic village and other facilities in London. That would be the worst of all worlds for us here in Scotland. Scottish Swimming has taken that view.

It is important that our young people should not be deprived because of the staging of the Olympics. We should seek the views of the Scottish Executive on the responses that have been received, in particular on the funding difficulties that have been described by Fife Council and sportscotland. I am certain that the

Scottish Executive would want our swimmers to be properly trained and funded.

The Convener: Are members agreed that we do that?

Members *indicated agreement.*

The Convener: We will write to the Executive on the matter.

Vulnerable Adults (Medication) (PE867)

The Convener: Petition PE867, from W Hunter Watson, calls on the Scottish Parliament to provide adequate safeguards against vulnerable adults being given, by surreptitious means, unwanted, unnecessary and potentially harmful medication.

Members will recall that, at our meeting on 3 May last year, we agreed to await the publication of the revised code of practice that accompanies part 5 of the Adults with Incapacity (Scotland) Act 2000 before considering what further action to take on the petition. The petitioner has since provided additional material, which has been circulated to members.

Despite considerable progress on the issue, the revised code of practice has not yet been published. We understand that the delay is due to technical difficulties with other parts of the code that are not connected with the issue of surreptitious medication. The Executive has pointed us in the direction of the Mental Welfare Commission for Scotland's recently published guidance, which we understand the Executive supports. That guidance has been circulated to members.

I suggest that we keep the petition open until the revised code under the act has been published. Although that might happen before the end of the current parliamentary session, we should perhaps keep the petition open and pass it to our successor committee to ensure that the revised code is scrutinised. We will probably not get a chance to look at the code before the end of the session, so I suggest that we ask our successor committee to keep an eye on the issue and consider it at a suitable opportunity.

John Scott: I suggest that we write to the Executive to ask whether it has a timescale for delivering the revised code. Notwithstanding the good intentions behind the Adults with Incapacity (Scotland) Act 2000, there certainly have been problems with the legislation. Indeed, the committee has heard evidence that various parts of the act—in particular, part 5—are not working as they were intended. As a committee, we should continue to press the Executive on the issue. I appreciate that the Executive has many other things to do but, notwithstanding that, I think that it is reasonable to ask for a timescale for the work.

I agree that we should keep the petition open until such time as the revised code is delivered.

The Convener: Do members agree that we should do what has been suggested?

Members *indicated agreement.*

Play Strategy (PE913)

The Convener: Petition PE913, from Debbie Scott, on behalf of To Play or Not to Play, calls on the Scottish Parliament to urge the Scottish Executive to adopt a play strategy that recognises the right of all children in Scotland to a safe, accessible and challenging play environment.

At our meeting on 30 October last year, the committee agreed to seek the views of the petitioner and the Deputy Minister for Education and Young People on the responses received. The responses from the deputy minister and the petitioner have now been received and circulated to members.

From the Executive's comments, it appears that the issue that is raised in the petition has received active consideration by the Executive, which is broadly in sympathy with the petitioner's aims. In the petitioner's comments, the case for a formal play strategy is reiterated. The petitioner also requests that, when the strategy is being developed, her organisation and others should be included in that process.

I suggest that the committee note the deputy minister's position and keep the petition open until after the election so that the committee can then approach the Scottish Executive for an update on its position on a play strategy for Scotland.

Do members have any views?

Jackie Baillie (Dumbarton) (Lab): The approach that the convener has suggested is sensible. There is a lot of merit to the petition and it deserves further scrutiny, but it would not be realistic or sensible at this juncture to seek a further response from the Executive on the development of a play strategy. Keeping the petition open should satisfy the need to consider the issue further in the future.

John Scott: I agree with Jackie Baillie. Having a play strategy seems to be universally regarded as a good idea. Apparently, Wales has one—and if Wales has one, we want one too. I hope that any play strategy that is produced will be valuable. Somewhere in the shadows of my mind I have doubts about encouraging the production of such a strategy but, notwithstanding those doubts, I am happy to support the proposal given that so many august bodies appear to think that it is a good idea.

The Convener: Are members agreed that we should keep the petition open?

Members indicated agreement.

Duchenne Muscular Dystrophy (PE965)

10:30

The Convener: Petition PE965, from Dean Widd, on behalf of Parent Project UK Muscular Dystrophy (Scotland), calls on the Scottish Parliament to urge the Scottish Executive to ensure that sufficient funding and resources are in place to combat Duchenne muscular dystrophy and to ensure that the care requirements of those with the disease are met.

At its meeting on 31 May last year, the committee agreed to seek views on the petition from the Scottish muscle network, the chief scientist office, NHS Quality Improvement Scotland and the Minister for Health and Community Care and to seek the views of the petitioner on the responses received. Those responses have now been received and circulated. In addition, the petitioner has submitted comments on the responses. Members will notice that the petitioner raises a number of new questions arising from the responses that the committee received. We should note the work of the Scottish muscle network and the access to United Kingdom-wide research. However, because of the additional information that has been provided by the petitioner this morning, it might be wise to keep the petition open and to put the petitioner's questions directly to the Executive. We should continue to consider this subject while questions remain open.

John Scott: Convener, I am not aware of the additional information and I apologise for not having noted it or read it. Notwithstanding that, I think that your suggestion is good. This petition has had positive results: an independent report has made 40 recommendations. All those involved with the petition can congratulate themselves. Awareness has been raised.

The Housing (Scotland) Act 2006 will change the ways in which local authorities can improve private sector housing. That is positive and I hope that it will benefit people with Duchenne muscular dystrophy.

The existence of a postcode lottery has been acknowledged: the likelihood of receiving adequate care boils down to where someone lives and the luck of the draw. However, in the light of the new information, we should keep the petition open.

The Convener: Will we write to the Executive and ask for responses to the petitioner's specific questions?

Members indicated agreement.

The Convener: When we get responses, we will pass them on to the petitioner and ask for his comments. We will then consider the petition again.

Sleep Apnoea (PE953)

The Convener: Our next petition is PE953, from Jean Gall, on behalf of the Scottish Association for Sleep Apnoea. It calls on the Scottish Parliament to urge the Scottish Executive to increase awareness of the health problems that are associated with obstructive sleep apnoea, to promote proper diagnosis and treatment, and to provide sufficient resources—including resources for adequately funded sleep centres.

At its meeting on 26 June 2006, the committee agreed to seek views on the petition from the Sleep Apnoea Trust, the Edinburgh Sleep Centre, NHS National Services Scotland, NHS Health Scotland and the Scottish Executive, and then to seek the views of the petitioner when responses were received. We received responses from most of the organisations and from the petitioner. Do members have any comments?

John Scott: Christine Grahame has an interest in the petition.

The Convener: Christine?

Christine Grahame (South of Scotland) (SNP): I am sorry—I do not know what responses you have received.

John Scott: The petitioner highlights the cost effectiveness of treatment. She also mentions the positive impact that effective treatment has on sufferers, whose quality of life is improved, and on non-affected partners and family members. She stresses the benefits of mandibular repositioning devices—which Christine is probably an expert on. I take it that that device is a kind of face-mask.

Christine Grahame: It is.

The Convener: The organisations that wrote back have made suggestions, and the Deputy Minister for Health and Community Care has identified a number of services that the Executive provides. However, questions were raised about NHS Health Scotland's position, and it was suggested that it had no useful part to play at present.

If all those services are out there, and if organisations are looking into the issue, I would have thought that NHS Health Scotland would have taken a position. The committee might want to write back to it to ask whether it will consider its answer in the light of the other responses that we received.

John Scott: This petition is very important indeed, as 55,000 people are affected by the

condition. We therefore have to await the findings of the chief scientist on the project that is looking into sleep apnoea, and then see what ministers say thereafter. We should keep the petition open, and acknowledge Dr Renata Riha's expertise in the field and the help that she gave us when she came to the committee to give evidence.

Christine Grahame: Petition PE953 is a very important petition. I heard what was said about the figures but, of course, that is the tip of the iceberg. We are unable to determine the number of fatalities on our roads that are caused by people falling asleep at the wheel. A post mortem cannot tell us whether someone was asleep; we can only surmise that. The cost to the public purse of a fatal accident is around £1 million. We need to think of the costs involved in fatal accidents that are caused by people falling asleep on our roads or at work. Lorry drivers can suffer from sleep apnoea. I got my biggest scare when I found out that a chap—I cannot remember what he is called; I must be sleeping myself this morning—who brings in the planes at the airport—

John Scott: The pilot?

Rob Gibson: The air traffic controller?

Christine Grahame: He was an air traffic controller—thank you, team—who also had sleep apnoea. He was given priority treatment. We are talking serious stuff here. I would be happy to take forward the petition. Mrs Gall and others—including Dr Riha and the Edinburgh Sleep Centre—have been fighting for years to get sleep apnoea taken more seriously.

The Convener: I remember that we discussed the subject when we met in the Borders. The discussion that we had at that time was important.

Jackie Baillie: When a national service is changed to what is essentially a local service, the matter gets handed over to individual health boards. We have no idea about the consistency of provision in one or other part of the country. In his response, the deputy minister names a number of health boards, all of which are doing different things. I note that my health board, NHS Greater Glasgow and Clyde, is not included.

Based on the view that there is a need for consistency and the fact that the chief scientist office reported on the matter in August 2006, we should go back to the minister and say, "We understand that the matter is under review. However, given that we are now seven months on, what are you going to do to take this forward? Are you going to produce guidelines for health boards to follow?" The Executive is to be commended for setting up the Scottish sleep forum, but there is still a lack of a framework for health boards to take this forward. Perhaps we could pose those questions.

The Convener: We should ask those questions. Is that agreed?

Members indicated agreement.

Listed Buildings (PE962)

The Convener: Our next petition is PE962, from Julie Logan, who calls on the Scottish Parliament to urge the Scottish Executive to ensure that the Planning etc (Scotland) Bill, currently being considered by the Scottish Parliament—and now, of course, passed by the Parliament—provides greater protection for listed buildings and conservation areas and greater community involvement, including consideration of alternative community proposals, in the decision-making process.

At its meeting on 17 May, the committee agreed to seek views on the petition from Historic Scotland, the Convention of Scottish Local Authorities, Planning Aid for Scotland, the Institute of Historic Building Conservation and the Scottish Executive, and to seek the petitioner's views on those responses. We have now received the responses. I suggest that we look at them in light of our consideration of a detailed planning bill, during which time all the issues were aired.

John Scott: That is the fact. Perhaps we misjudged this one—perhaps we should have passed it directly to the committee that was considering the Planning etc (Scotland) Bill. We should also note that the issues that are raised in the petition were discussed fully during the passage of the bill. I hope that the petitioner is satisfied that, notwithstanding the fact that we did not pass the petition to the appropriate committee at the time, the issues were nonetheless raised during the passage of the bill. Given that the bill has now been passed, I cannot see any real point in carrying on petition PE962.

The Convener: Do members agree?

Members indicated agreement.

Speed Restrictions on Inland Water (PE964)

The Convener: Our next petition is PE964, from Kevin Lilburn, on behalf of Fairplay Loch Lomond, who calls on the Scottish Parliament to urge the Scottish Executive to review the operation of speed restrictions on inland water in Scotland.

At its meeting on 31 May 2006, the committee agreed to seek views on the petition from the Loch Lomond and the Trossachs National Park Authority, Friends of Loch Lomond, the Royal Yachting Association, the Lake District National Park Authority, the Scottish Chambers of Commerce, Strathclyde police, Central Scotland police, the Loch Lomond Association, the Keep

Windermere Alive Association and the Scottish Executive, and to seek the petitioner's views on those responses. We should probably also have written to Friends of the Earth Scotland to check how many trees were cut down in writing to all those organisations.

All those organisations have responded, giving their differing views on the petition, and the petitioner has commented on the submissions that have been made. Jackie Baillie might have an interest in the petition.

Jackie Baillie: I have a tiny interest in it, thank you. Trees have indeed been felled, but the matter is complex and there are differences of opinion in the assertions that have been made on both sides.

It is clear that byelaws and speed restrictions are causing some consternation around Loch Lomond. I do not want to prolong the committee's consideration, but I suggest that until the minister makes a decision on the byelaws, we should keep the petition open. As we have a new minister and as a decision may be imminent, I would like the petition and all the responses that have been received to be forwarded to the minister for her consideration.

The Convener: Do other members have comments on the petition, or do we agree with Jackie Baillie's recommendation?

John Scott: It is, essentially, Jackie Baillie's petition, and I am happy to support that.

Jackie Baillie: Let me correct that, for the *Official Report*. The petition came from one of Sylvia Jackson's constituents—I have not annexed the Stirling constituency yet. However, it is an issue that interests both Sylvia and me, as we both cover part of the Loch Lomond area.

The Convener: Are members happy with Jackie Baillie's recommendation that we keep the petition open on that basis?

Members indicated agreement.

Use of Jet-skis (PE978)

The Convener: Our next petition is PE978, from Diana Cairns, on behalf of Portobello community council, who calls for 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 in residential areas.

At its meeting on 6 September, the committee agreed to seek views on the petition from the Royal Yachting Association, the City of Edinburgh Council, Forth Ports plc, Lothian and Borders police and the Executive, and to seek the petitioner's views on the responses received. Those organisations have responded and the petitioner has submitted comments on the

submissions that have been made. Do members have comments on the petition?

Rob Gibson: I wonder whether we should take advice on jet-skis from the Loch Lomond and the Trossachs National Park Authority—however, that might not help the petitioners in Portobello. I have some sympathy with the petitioners and believe that the use of jet-skis needs to be regulated. Given the fact that bathers and clean beaches are being encouraged, it is essential that there is no close-in interference from such vessels. That is important for the development of beaches in other parts of Scotland, too.

John Scott: Essentially, it is a zoning issue. I have been lucky enough to spend a little time abroad on beaches where jet-skis are used. They do not appear to be a real problem provided that they are far enough away from the beach and there are bits of the beach that are cordoned off for their use. We have received an interesting response from the police, who take a very balanced view on the issue. I think that the Executive could learn from best practice in how the issue is dealt with abroad, where there are many more jet-skis than are used on Portobello beach, although it is a wonderful beach. We should consider copying the petitioner's response to the Executive and seeking further information on the proposed action by the Maritime and Coastguard Agency, including a timetable for that action.

Jackie Baillie: I was going to suggest that we write to the Maritime and Coastguard Agency.

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

Members indicated agreement.

Police (PE968)

The Convener: The next petition is PE968, from Nicola Hardie, on behalf of Lenzie Moss primary school, who calls for the Scottish Parliament to urge the Scottish Executive to increase the number of police officers on the beat.

At its meeting on 14 June 2006, the committee agreed to seek views on the petition from the Association of Chief Police Officers in Scotland, Strathclyde police, the Scottish Police Federation, Victim Support Scotland, the Scottish Youth Parliament, East Dunbartonshire Council and the Scottish Executive, and to seek the petitioner's views on the responses received. Responses have been received from those organisations, and I ask for members' comments on them.

10:45

Jackie Baillie: I used to live in the area, but have moved, so I understand some of the

problems the petitioners raise, but the visibility of policing is an operational matter for Strathclyde police rather than us politicians; the division is clear. I suggest that the young people who have lodged the petition should be congratulated on doing so, but it is up to East Dunbartonshire Council to work with the police to ensure that the petitioners' experience of antisocial behaviour does not continue. Perhaps we could write back to the petitioners in those terms, because they make the valid point that all the agencies are talking about high-level policy whereas their interest is in young people in the vicinity of Lenzie Moss primary school. Could we direct them back to their local police and East Dunbartonshire Council?

Mr Charlie Gordon (Glasgow Cathcart) (Lab):

I go some of the way with Jackie Baillie on that. It is certainly true that the police must have the operational flexibility to make decisions about the deployment of their resources to tackle crime because more than one incident can be going on at any one time, but fear of crime is also a police responsibility. Figures on fear of crime as well as on crime are published annually. The police must respond to the fear of crime, and one of the best ways to do that is to have police officers on the beat. We all know of people who have a limited quality of life because they are afraid to go outside their doors. That is an example of the fear of crime. Often, people live in communities in which there is not a great deal of crime but become apprehensive about crime, perhaps because of media coverage.

That is the only caveat that I would add to what Jackie Baillie said. I am not saying anything that I have not said personally and recently to the chief constable of Strathclyde police. I have held those views for a long time. Although I accept that chief constables must have operational flexibility to deal with crime, if we want to make an impact on the fear of crime statistics as we have made an impact on the crime statistics in recent years, we must always keep in mind the fact that people feel reassured and less afraid when they see police officers walking down their streets.

John Scott: I agree with everything Jackie Baillie and Charlie Gordon said. There is unanimity on the point that there should be a greater police presence if that is at all possible. That is a matter for the police, but I am sure they will take note of what we say.

Alex Baird represents the view of many of my constituents, and perhaps that of many other people throughout Scotland, when he says:

"I have at least a half a dozen examples of how the anti-social behaviour laws are NOT working and are a waste of time and money".

Sadly, that is the perception, notwithstanding the best intentions behind the legislation. Those laws

are working better in Glasgow than they are in some other places because the police and the local authority are working hand in glove to solve antisocial behaviour. More of that approach is needed. It is not always happening and the problem is not always being resolved, so people live in fear of crime, as Charlie Gordon said.

The Convener: Shall we take up Jackie Baillie's suggestion that we advise the petitioners of the responses and indicate that it is a matter for the local police?

Jackie Baillie: They have received the responses, unless I am mistaken.

John Scott: In that case, should we leave the petition open or close it?

Jackie Baillie: I suggest that we close it, but indicate to the petitioners that some of the issues, particularly the visibility of policing, are best resolved locally and encourage them to pursue the local police and the local authority more.

Mr Gordon: That is fine, but it would be helpful to send them a note of the discussion.

The Convener: That would be useful.

Members indicated agreement.

Housing (Scotland) Act 2001 (Compliance) (PE971)

The Convener: Our next petition is PE971, from David Minnery, on behalf of East Renfrewshire tenants and residents federation. It calls on the Scottish Parliament to urge the Scottish Executive to review the implementation of the Housing (Scotland) Act 2001 to ensure that local authority landlords are complying with the act, particularly with regard to tenant participation and consultation in the management of housing and related services.

At its meeting on 14 June, the committee agreed to seek views on the petition from Communities Scotland, the Tenant Participation Advisory Service Scotland, COSLA, East Renfrewshire Council and the Scottish Executive and to seek the petitioner's views on the responses. We received responses from all the organisations except COSLA and they have been circulated to members.

It has become quite common that COSLA does not bother to respond, but we will note that and move on.

Jackie Baillie: I suggest that we close the petition. The response from Communities Scotland on behalf of it and the Executive deals with the substantive issue of local authority landlords' compliance with the 2001 act in relation to tenant participation. Communities Scotland states that

the act has been in place for five years and that it intends to review progress on the matter. Research is scheduled to be undertaken between November last year and August this year. That addresses the petitioner's point, so on that basis I recommend that we close the petition.

The Convener: Do members agree to close the petition?

Members *indicated agreement.*

Community Hospitals (PE972)

The Convener: Our final petition this morning is PE972, from the Rev Jim Watson, who calls on the Scottish Parliament to urge the Scottish Executive to fulfil its partnership agreement commitment to develop the important role of community hospitals and develop a strategy for sustaining small, rural and community hospitals especially in areas such as the Scottish Borders.

At its meeting on 26 June 2006, the committee agreed to seek views on the petition from NHS Borders, Scottish Borders Council and the Scottish Executive and to seek the petitioner's views on the responses. The responses have been received, so members are free to comment on them.

Rob Gibson: It is clear that the Minister for Health and Community Care has set out a strategy and that people are engaging with it. In many parts of the country, people are trying to bolster the role of community hospitals. The climate is right for that to happen. I do not think that the petition can go much further.

John Scott: I am concerned that there is a recurring theme. In Ayrshire, the consultation was meaningless. When the committee met in the Borders, Mr Watson made an impassioned plea and I agreed with him. If so much importance is—allegedly—attached to a consultation, it must be taken into account by those who make the decisions, but that did not happen in the Borders or in Ayrshire. It is a real problem if the Government is not prepared to pay heed to consultations. It could attach less importance to them in the first place, but it cannot have it both ways.

The Convener: So we do not need to do anything further with the petition.

John Scott: I am reluctant to close it, but I am not sure what more we can do with it.

The Convener: Do we agree to close it, as there are no suggestions about what else we can do?

Members *indicated agreement.*

Meeting closed at 10:53.

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