

# **PUBLIC PETITIONS COMMITTEE**

Tuesday 2 December 2008

Session 3

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# **PUBLIC PETITIONS COMMITTEE**

## **18<sup>th</sup> Meeting 2008, Session 3**

### **CONVENER**

\*Mr Frank McAveety (Glasgow Shettleston) (Lab)

### **DEPUTY CONVENER**

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

### **COMMITTEE MEMBERS**

\*Bashir Ahmad (Glasgow) (SNP)

Bill Butler (Glasgow Anniesland) (Lab)

Nigel Don (North East Scotland) (SNP)

Marlyn Glen (North East Scotland) (Lab)

\*Robin Harper (Lothians) (Green)

\*Nanette Milne (North East Scotland) (Con)

\*John Wilson (Central Scotland) (SNP)

### **COMMITTEE SUBSTITUTES**

Claire Baker (Mid Scotland and Fife) (Lab)

Jamie McGrigor (Highlands and Islands) (Con)

Christina McKelvie (Central Scotland) (SNP)

Nicol Stephen (Aberdeen South) (LD)

\*attended

### **THE FOLLOWING ALSO ATTENDED :**

Ben Black (Berwickshire High School)

Tim Clancey (Berwickshire High School)

Richard Dryburgh (Berwickshire High School)

John Elliot

Robin Gillie (Berwickshire High School)

Bill Herd

Andrew Kaye

John Lamont (Roxburgh and Berwickshire) (Con)

Grant McWilliam (Berwickshire High School)

Anna Merryfield (Berwickshire High School)

Abbey Nevins (Berwickshire High School)

Janie Orr (Berwickshire High School)

Garry Pearson (Berwickshire High School)

Chris Walker

Ken Walker (Berwickshire High School)

Issy Warren (Berwickshire High School)

### **CLERK TO THE COMMITTEE**

Fergus Cochrane

### **ASSISTANT CLERKS**

Franck David

Zoé Tough

### **LOCATION**

Berwickshire High School, Duns

## Scottish Parliament

### Public Petitions Committee

*Tuesday 2 December 2008*

[THE CONVENER *opened the meeting at 12:38*]

### Petitions Process Inquiry

**The Convener (Mr Frank McAveety):** Good afternoon, everyone, and thank you for your patience. I welcome you all to the 19<sup>th</sup> meeting in 2008 of the Scottish Parliament's Public Petitions Committee, in Duns. I welcome particularly the young people from the high school here who will contribute to the discussion on the petitions process. We are delighted that, as part of our continuing process of engaging throughout Scotland, we expect to have more opportunities to visit other parts of the country to allow people to express their views on how the Public Petitions Committee can be developed and, I hope, improved over the next few years.

We are delighted to be here. I think that it is the first time that a committee of the Parliament has met in Berwickshire. I hope that the meeting will be of benefit to an area of Scotland that its people care passionately about, which will be reflected in the discussions this afternoon.

Apologies have been received from colleagues who have other parliamentary commitments. Bill Butler, Nigel Don and Marlyn Glen are all members of other parliamentary committees and, because of the travelling time involved, could not manage to be here. However, a fair cross-section of the committee is present this afternoon.

I welcome the local constituency member, John Lamont, who has been busy over the past 24 hours with challenging issues in his constituency. I am pleased that he has still managed to find the time to come here. He told me earlier that he has been in the school on a number of occasions and that he had a fruitful discussion with students this morning about the role of parliamentarians and the Public Petitions Committee.

A dinner bell might sound at some point during the meeting—I apologise for that. Even if there is a Pavlovian response from hungry members of the committee, they should remain seated. I expect the bell to ring at 1 o'clock. I hope that we will not be affected by it.

We are here for two major purposes. The first is to discuss the petitions process in general; the second is to discuss some specific petitions. We are keen for the Public Petitions Committee to do more each year. We do not believe that

democracy is static. We believe that participation and involvement are key elements of a genuine democracy. People will always express their views, and although some will not always believe that their views have been fully acknowledged, the fact that they are freely able to express them and bring them to the Parliament must be a positive benefit. However, the committee is keen to move its agenda forward over the next period, and we want to hear your views on how we might do that.

We do not hear enough views from young people about the petitions process, but I do not think that that is because young people do not have views about it. I know that it might be daunting for you this afternoon—we are away up here at the table and you are seated in the hall—but I would like to hear the views of the many young people here about how young people's perspectives can be expressed in the Public Petitions Committee process.

Because you are of a younger generation than us, you have expertise and knowledge that somebody of my generation does not have regarding new technology and the way in which information technology is developing—I often have to remind myself of that in relation to my children and the teenagers in my family. We welcome your views on how our engagement with young people can be improved.

I spoke to a couple of youngsters at lunch who told me that they had been looking at the recent American election as part of their modern studies project. We are intrigued by the way in which the internet and information and communications technology were effective in putting across the viewpoints of the candidates in the American election. The winning candidate, Barack Obama, who is now President-elect of the USA, used the web probably more effectively than any other politician to date. You might have views on that that can help the Public Petitions Committee.

As a former teacher, I apologise for the terrible habit among those of us who have either retired from teaching or moved on to other occupations of wanting to involve people in discussion. If anyone wants to express a view, they should just stick their hand up. It is a number of years since I was a teacher, so my skills will be rusty and I might not always be able to identify who wants to contribute. Nevertheless, we are keen to hear your views on the issues that we will be discussing.

If anyone wants to contribute to the debate, they should indicate so and a microphone will be passed to them by our able assistants in the hall. If you feel comfortable with standing up to speak, you can do so. If you are not comfortable with it, you can stay seated. You should first tell us who you are. If you are an adult or young person who is representing or involved in an organisation and

you want to mention that, you should feel free to do so. Essentially, we are interested in how you think the Public Petitions Committee can work more effectively over the next period.

Before we invite views from the public, do any members of the committee want to add to what I have said?

12:45

**John Farquhar Munro (Ross, Skye and Inverness West) (LD):** You have explained everything in minute detail. I am sure that there are many young people in the audience who are desperate to get hold of the microphone and pose a question. The sooner we allow them to do that, the happier they will be.

**The Convener:** I invite contributions from the audience. How could the Public Petitions Committee do things better? How do you feel that you could be more involved in the committee? I wish that Parliament was as simple as this. Coming down here today is one thing, but what sort of simple things could we do to ensure that you know more about the committee or can get involved in the work of the committee?

**Ben Black (Berwickshire High School):** Although we learned about the committee in modern studies, I did not really know anything about it until today. The best way of getting people like us involved in the committee is to do things like this. Everyone here now knows about the committee. If you want to speak to more people in the Borders and other places, taking the committee to those places is probably the best way to do it.

**John Elliot:** I read about the committee in the newspaper. I e-mailed the address that was given and was surprised to find that it was not available. I had to resend the e-mail to someone else, which was strange. The real point is that I did not get a response to the e-mail. I spent this morning trying to find out the time of the meeting, because I had taken only the e-mail address from the article in order to e-mail to ask about the meeting. Luckily, someone walked into the library and told me what time the meeting was.

**The Convener:** We are disappointed that that has been your experience. We will endeavour to resolve the problem. There are two basic issues here. First, you need access to key information and a quick response; and secondly, there needs to be an easy portal for those who are using the internet to find out exactly when and where things are taking place. You can speak to one of the staff later and they will try to find out whether a particular problem today or in the past couple of days made things difficult for you, or whether there is a structural problem.

Ben Black said that he knew little about the committee. An even simpler question is whether people know what a petition is.

**Janie Orr (Berwickshire High School):** I know quite a bit about politics, but I had never heard of the committee. I do not know whether the committee has campaigns, but perhaps it should. The petitions system is a very good one. Many people could take advantage of it, especially young people, whose voices are often not heard.

**The Convener:** That is a helpful comment. Feel free to comment, even if you think that what you say might upset people. Express your views. What could we do to help a young, informed person such as Janie Orr to know more about the public petitions process? The important words are public and petition. We need to ensure that you, as members of the public, get a chance to engage with the Parliament through the petitions process. Do you have any instinctive views about how we can do it better?

**Janie Orr:** The obvious area to look at is the internet. I know that the committee has a website, but most young people here have pages on Bebo, Facebook or MySpace. You could engage with them in that way—as you said, that is what Barack Obama did. When I visited the Parliament, I heard about the Health and Sport Committee, but I heard nothing about the Public Petitions Committee. I have heard of most of the MSPs who are here, but I have never seen that they are members of the committee. The Public Petitions Committee is one of the less well-known committees, but it is very important. If anything, it needs to be better known than the others.

**The Convener:** You are making us feel good about ourselves.

**Janie Orr:** I am just commenting—I am sorry if I was a bit harsh.

**The Convener:** No, you have given an honest opinion. When you are in the bubble, you think that the committee is really important—and it is—but it is not getting into the wider consciousness. Thank you for your comments, which are spot on. I will not ask you to sing now—you are all right.

**Andrew Kaye:** I represent Coopersknowe residents association. I appreciate the invitation to attend today's meeting, although I am not quite as young as most of the people who are here. I will address the issues that have been raised and describe our experience to you, as we have submitted two petitions to the committee. Convener, we were vaguely aware of the Public Petitions Committee, because occasionally on television we saw your good self or your colleagues receiving a petition at the door. However, we did not pay much attention to it until we really needed something—that is a factor.

As others have said, the petitions process is a revelation—it is excellent. I say that without knowing the final outcome of our two petitions. They will not go forward as submitted, but that is not the issue. For some years, we have been banging our heads against Scottish Water—with the help of Waterwatch Scotland, which Scottish Water also ignores—and Scottish Borders Council on issues that are fundamental to most people in Scotland. You are probably aware of the two petitions to which I refer—we could give you another raft of them. The Public Petitions Committee has made dramatic progress in securing responses from officialdom; very quickly, we have got answers and information that we have been trying to get for years. The underlying point is that officials, local authorities and bodies such as Scottish Water are not good at responding to the public's problems. All strength to your elbow—please keep up the good work. To engage the population for the future, you might consider running a competition for all schools to submit a petition, with a prize for the best one.

**Robin Harper (Lothians) (Green):** I am interested in the problem of getting out to everyone knowledge of what the Parliament and its committees do. I refer particularly to committees such as the Public Petitions Committee and the important Audit Committee, on which I served for a few years, which checks that the money that we spend is spent wisely. I heard mention of Facebook, MySpace and Bebo, all of which are a complete mystery to me, although my younger staff and colleagues use them a lot. I am genuinely curious to know which of those websites would be best for the Parliament to focus on to get knowledge of what we are doing out to the information technology generation—I do not think that committees can engage with all of them.

**Janie Orr:** It depends on who you are trying to reach, as different age groups use different sites. MySpace and Facebook are used by children and adults. Bebo is used mainly by younger people, so I do not know whether you would reach a wide range of people or people who are interested in the committee's work through that website.

**Issy Warren (Berwickshire High School):** There are more people on MySpace than on most other chat rooms. If you want to engage with one website, MySpace would probably be the best option, as it is viewed by the largest number of people.

**The Convener:** Hundreds of articles have been written about the recent election campaign in the United States, but three particular issues arose—this will echo points that have been made. First, there was an accessible communication system, so information could be exchanged and then passed on by individuals. Secondly, the candidate

who did better was the candidate who responded quickly. Thirdly, the communication was personal, which is why that candidate probably received more contributions from ordinary citizens than any candidate before. He made them feel that they were part of his campaign. The system was clear and simple.

We will have to discuss how best to use our resources. Young Scot has petitioned the Parliament, saying that we should be using information technology more effectively because that is how younger people communicate. I am now at an age where I reminisce every week, but the way in which a 16-year-old boy or girl communicates with others today is markedly different from even six or seven years ago. The technology is powerful and can be used effectively.

The question is whether politicians in the Parliament can get sufficiently up to date to deal with the ways in which your technology and methods of communicating are changing every couple of years. You will probably have put in tons of great requests for Christmas presents, and the automatic response from your parents will have been, "I can't believe how much that costs," but you will have said, "This is absolutely essential for me if I'm going to be part of wider groups of friends. None of my pals will talk to me if I don't have one of these."

You might not be able to give us answers today, but I would really appreciate it if the school students in particular wanted to take on a bit of work and send us some good suggestions on using information and communications technology and on interacting. We would certainly consider any such suggestions as part of our evidence on how to improve the public petitions system.

I am conscious that I am rabbiting on a bit. Does anyone else want to contribute?

**Richard Dryburgh (Berwickshire High School):** As well as the internet, a "Question Time"-style debate like this one could be used, so that you could hear the views of young people from around the Borders and other areas. Local radio and television could also be used to make everyone more aware of the work of this committee.

**Nanette Milne (North East Scotland) (Con):** Some issues affect not just the younger generation but all generations. One gentleman said that he had experience of petitions but had not really been aware of the Public Petitions Committee before he had an issue that he wanted to raise. There is inertia in the population at large.

Before I became an MSP, I was on a planning committee for years. Only when a planning application suddenly affected people's backyards

did they really become interested in getting involved with the planning process. I suspect that something similar happens with the Public Petitions Committee.

I fully appreciate that we need to modernise our methods of communication, but how can we work across the generations? Has anyone any suggestions on what we can do to advertise the Public Petitions Committee to bring it to everyone's attention, not just the attention of the average petitioner, who, in this country, is a middle-aged, middle-class man?

I recently went to a meeting of ethnic minority groups. Of the 60 people in the room, only three knew what a petition was. Communication is clearly an issue—across nationalities, across communities and across age groups. Any suggestions on how to improve that communication would be welcome.

13:00

**Bill Herd:** Hello. I am a councillor on Scottish Borders Council. I have listened with great interest to the comments made by the young people. One of the young lads said that he was interested in seeing more people such as committee members coming to the Borders and engaging with people. I attend an event every year called safety in the park, of which you might not be aware. The blue-light services put on that event, at which there are different scenarios related to safety, policing and all the rest of it. It is a wonderful event, and I am sure that some of the young people here or some of their friends have been to it.

Young people want interaction with people like you. I know that it is intimidating to sit in front of a dozen people in blue suits, but this is the way forward. My council has welcomed ministers and MSPs coming to the council to discuss problems. That is the way forward.

Nanette Milne talked about what a petition is. I will tell you what a petition is, because I submitted one to the Public Petitions Committee last year on post offices: it is stuffing 40,000 envelopes and doing all the work involved in delivering them. It takes a lot of hard work to get people to work towards an eventual end, but it is worth it because you are doing something for your community. Please do it in the future.

**The Convener:** I know that it is unfair to focus on the young people, but I have another question for them, because we do not have enough such engagement and we need more of it. Would it be helpful if people could text support for a petition? I see that a wee group of folk are saying, "Absolutely." One girl nodded straight away. The microphone has winged its way over to you. Why

is that so much simpler for you? Is it because you are never off the thing?

**Abbey Nevins (Berwickshire High School):** Yes. I am never off the phone and I always text. It is an easy way to support things.

**The Convener:** If our petitions system in future allowed us to interact by text—or through Facebook, MySpace or whatever the format will be in a year or two—and there was an accessible website that was a bit more interactive, would there be better opportunities for young people to engage with the process?

**Abbey Nevins:** Yes, definitely.

**The Convener:** That is helpful.

I come back to the other key point about how we get young people to feel that politics matters to them sufficiently to raise matters with their local members of Parliament or ask for issues to be brought before Parliament, which your local member can do on your behalf. How can we become a bit better at getting young people's viewpoints across when it comes to the raw meat of politics?

**John Farquhar Munro:** That is the crux of the problem. I was disappointed to hear from the youngsters that they were not aware of the Public Petitions Committee. That is not their fault—we as parliamentarians and the Parliament as an organisation should probably produce more information. Many of the youngsters here who were not aware of the Public Petitions Committee probably also do not realise that many other committees within the Parliament conduct business daily. They will see that Parliament meets on Wednesday afternoon and Thursday, but they might be of the opinion that that is all that happens. They probably do not realise that committees undertake a tremendous amount of work. Perhaps the Parliament has a selling job to do.

**Anna Merryfield (Berwickshire High School):** It is easy to get in touch with the school. We have a bulletin that is read every morning to everyone in the school. If you put something in there, we will see it straight away. You have the choice whether to contribute. It is really simple and it is available every day.

**The Convener:** I will give you an example. In January, the Public Petitions Committee is, for the first time ever, holding a special event in the chamber of the Parliament—not in a committee room, but in the chamber—relating to a petition that calls on the Parliament to tackle the problem of knife crime.

Victims of knife crime in Scotland are primarily aged between 15 and 26 and are mainly young men, although there are incidences of girls being



victims. We are trying to overcome the fact that, at present, the dominant voices in the debate are those of professionals and practitioners. We do not always get young people's views on the issues—their feelings of fear or of being unsafe in some communities because of the possession or use of knives. We would like to know what young people think should be done about those issues. If you had a menu of options in front of you—ideas about how to tackle the problem—what would you most favour?

My constituency faces challenges to do with the possession and use of knives and the victims of knife crime. However, the problem exists not just in cities but in small towns. If you have views on how we might tackle knife crime that you want to express, we would like to hear them. We welcome your ideas about how we can communicate with young people, perhaps through schools.

I want to pull the discussion together now. Does anyone have a compelling opinion on the petitions process that they want to express? If you have a eureka moment when you have walked out of the door—which often happens in life—you should feel free to communicate with us on the issue. You might not have mentioned it because you did not think of it at the time, but it would still be useful to have your opinion. Are there any final points that people want to raise about the petitions process? If not, we will move on to the next agenda item.

## New Petitions

### Enterprise Education (PE1216)

13:07

**The Convener:** A number of individuals have been looking forward to this item. I welcome to the committee some S3 students and two older gentlemen who are sitting to either side of them—I thought that you two had been kept back at school a wee bit. Appearing on behalf of the students at Berwickshire high school we have Mr Tim Clancey, who is calling on the Scottish Parliament to consider the need for new legislation to improve funding to promote and support enterprise education in schools. Accompanying him is another teacher, Mr Ken Walker, and two pupils, Robin Gillie and Grant McWilliam.

We spoke earlier today, which was useful. We also had a chance to look at the display of students' enterprise work on the table outside the hall. I do not know whether they managed to get a sale out of Robin Harper MSP. If they did, that should go in the bulletin, as it is the first time that I have ever seen him put his hand in his pocket in all the time that I have known him in the Parliament.

I welcome the pupils and their teachers to the committee. Tim Clancey will make an opening statement.

**Tim Clancey (Berwickshire High School):** I will keep my introduction brief. I am the main petitioner, and I am afraid that I conform to Nanette Milne's description of a typical petitioner in that I am middle class, middle aged and a man. Nevertheless, I emphasise that the petition has been very much a team effort. I have been involved with it in my role as a modern studies teacher at the school. Grant McWilliam and Robin Gillie represent the S3 modern studies standard grade class who did quite a lot of work on the subject in lesson time. They looked at source material, researched the issue and produced rough drafts of the petition, which were eventually collated into what you have in front of you.

Ken Walker is one of a couple of members of staff at the school who are responsible for enterprise education. They have been invaluable in providing expertise and taking a whole-school point of view, rather than just that of our year group.

I appreciate that, in the current financial climate, members are probably a little bit fed up with people asking for more money. However, I am afraid that that is the crux of the matter in enterprise education. In addition to the petition, we ask the committee to bear in mind not only the

case for providing more enterprise education than at present but the likelihood that the funding situation will worsen in the near future. For example, our school has faced a 2 per cent overall budget cut this year, which does not sound very much but, as with any budget, there are many parts that cannot be cut at all. When we consider what can be cut, that might involve only a small number of areas, so they tend to face much more severe cuts than a 2 per cent cut implies. Extra-curricular activities such as enterprise education are especially vulnerable to heavier budget cuts as a result.

We have sought and received, and we continue to seek and receive, financial help from local businesses, so we do not depend just on handouts from different levels of government. However, we must take into account the economic downturn and appreciate that we cannot rely on such businesses being in a position to give us as much help in the future.

**Ken Walker (Berwickshire High School):** Good afternoon, everybody. One of my responsibilities in the school is to run the young enterprise programme for senior students, whom members will have seen outside in the hall when they came in. Part of their programme is to manufacture products or provide a service that they sell to gain experience of running their own business.

I will take a moment to explain how funding for enterprise education can affect pupils. The basic programme involves producing a product or a service to sell and make a profit on. In each of the past years, pupils have always run a successful business. They have always produced a viable product or service and made a profit at the end of the year. On that basis, we consider the programme to be a success.

However, the curriculum is much broader than purely manufacturing goods in a school. I will give examples of activities that we are doing this year and which require funding. Pupils are undergoing health and safety training to equip them with the skills for manufacturing their products. That has been sponsored by one of our major employers in the Duns area. The employer will also return later in the year to deliver presentation skills workshops to those pupils, which it and not the school will fund. Students also have the opportunity to make industrial visits. Students will visit a local company—Ahlstrom—next week to see how a factory works from getting in the raw materials to quality checking and shipment of final products.

The young enterprise students will sit an exam next spring, which is run by the University of Strathclyde's business school, to assess the business knowledge that they have gained throughout the programme. Several companies in

the Duns area sponsor that exam; we rarely obtain funding for it in the school. Finally, pupils who are on the young enterprise programme gain opportunities throughout the year to make excursions and attend conferences that equip them with business skills and teamworking skills and allow them to see how other young entrepreneurs have started up and developed their own businesses.

Many such activities are run with the funding and support of local businesses. I would like to think that the Scottish Parliament could make more funding available to schools so that those elements were not almost an optional extra with local businesses' funding but an essential and key part of the curriculum. That would give local businesses the good will to focus on activities in schools that are over and above what we should be providing ourselves.

**Robin Gillie (Berwickshire High School):** As a pupil here, I do not think that there is enough for the younger portion of the school. After three years of being at the school, I have been offered only one enterprise education thing. It is not really acceptable. We are thinking about getting jobs now because we have just come of age. I am not sure what I am going to do. I do not have any experience in that area. I will not be able to work anywhere without some sort of enterprise education. It is not really fair on us.

13:15

**Grant McWilliam (Berwickshire High School):** I agree with Robin Gillie that the younger end of the school needs more enterprise education. Their social skills need to be developed throughout their time in the school. It is essential that they get enterprise projects so that they can develop those skills for later life.

**The Convener:** Committee members will ask you questions now, so whoever feels comfortable can come in first. You can share questions or, if someone is hogging the mike, you can just shove them out the road.

**Robin Harper:** Enterprise education has an enormous amount to offer within the framework of the curriculum for excellence. The personal and social development skills that are encouraged in enterprise education are particularly important. It gets young people out of school and cannot be assessed by examination. Like the old social and vocational skills, it has to be done through experience. I remember that, 15 years ago, Armadale academy in West Lothian insisted that all third and fourth-year students did social and vocational skills because it saw those skills as doing a great deal for pupils. Enterprise education follows on from the philosophy that was inherent in

social and vocational skills. Do Grant McWilliam and Robin Gillie agree that what is crucial is the confidence that you get from engaging in enterprise education? You might forget some of the detail, but you do not lose the confidence and experience that you gain from it.

**Robin Gillie:** I remember the first time that my mum said to me, "It's time for you to get a job." I worked at an ice rink and, after a few days of work, I was able to help younger children—it became natural. I had the same routine. It was brilliant and I really enjoyed it. It would be good if we could start that from an even younger age in schools—it is about the feeling of accomplishment you get, to see it in front of your eyes—

**Robin Harper:** A skill and a confidence that you will not lose. It is nothing to do with forgetting or remembering anything—it is part of you. Is that right?

**Robin Gillie:** Yes.

**Nanette Milne:** That response does not surprise me. These soft skills—I think they are called—are important. Many employers say that such skills are lacking in some school leavers these days. Have you had any feedback from local businesses about what they think of enterprise education? Are they seeing a difference in the young people coming out of Berwickshire high school?

**Ken Walker:** We have had people come out of the different enterprise projects in the school—for example, young enterprise—and go on to do seasonal work or longer-term work in some of those local businesses in order to gain further experience. Running the enterprise programmes in the school allows those businesses to see how pupils deal with customers and work in teams and so on. In one or two cases, the businesses have asked the school whether a pupil or pupils are interested in seasonal or longer-term work. It does not just benefit those one or two people. Everyone involved in any kind of enterprise activity in the school is gaining life skills that will see them way beyond school. That is why it is so important to have the appropriate funding in place.

**Nanette Milne:** I absolutely agree. The experience in my area, in the north-east of Scotland, would be much the same. At this point in the economic cycle, it is difficult to obtain funding, and Government funding is probably as difficult to obtain as any other funding. Have you exploited businesses in the area completely? Are there further opportunities to involve smaller or bigger businesses?

**Ken Walker:** We are always in contact with a number of local businesses—I am reluctant to use the word "exploit", but they show us a lot of good will, at considerable expense to themselves. I do not want to push our luck. If we can gain additional

funding for enterprise education, businesses in the area will continue to support us, but we may be able to expand our enterprise activities further into the school and, as Robin Gillie and Grant McWilliam said, further down the year groups—perhaps to first to third year. At the moment, much of our work is focused on the senior school.

**John Wilson (Central Scotland) (SNP):** I want to pursue the issue of who delivers enterprise education in the school. Mr Clancey, in modern studies, and Mr Walker have a share on the teaching side, but the petition that has been submitted to us makes clear that, before the start of the academic year, the headteacher decides what budgets are available. I assume that that decision is based on the budget that the local authority sets for the headteacher. What types of bids are made to the headteacher to get more enterprise education in the school, and who makes them?

**Ken Walker:** Bids can be made for events that are known in advance, at the start of the year or of a two-year period, but ad hoc opportunities may arise in the course of a year, depending on what is happening in the economy and the news, the ability of businesses to offer visits and the availability of speakers. Although the school has some funding at the moment, through initiatives such as determined to succeed, that is not guaranteed in the long term—it will be available until about 2011, when it will be reviewed. There is a need for additional funding in schools on a month-to-month or term-to-term basis to allow pupils to take advantage of ad hoc initiatives and experiences as they become available.

**Tim Clancey:** I know that, in principle, the rector of Berwickshire high school is extremely supportive of enterprise education, but often it comes down to how much money is left once all the essential requirements of the different departments and other areas of the school have been met. This year, it has not been possible to run some courses that have been run at the school in the past. I am sure that that is linked to the 2 per cent cut that has been made to funding at a general level. The school is making good use of the money that is available to it to provide enterprise education, but it has had to prioritise. The S4 year group—especially those pupils who are likely to leave education at the end of S4—has been targeted for the provision of life skills relating to enterprise education. That is one reason why enterprise education is having an uneven impact and there is not as much of it as we would like further down the school.

**John Wilson:** Is the determined to succeed funding that is available enough, as it filters through local authorities to the education system? The global budget for the initiative at Scottish

Government level is about £19.2 million. Is that funding sufficient by the time that it gets to local authorities and local high schools? I expect you to answer that it is not sufficient to meet your needs or to fund what you want to deliver. Do you think that the budget should be higher?

**Ken Walker:** It should definitely be higher. At the moment, we have to prioritise the activities that we can offer to students. Although a number of students benefit from enterprise education, we think that more funding should be available so that every pupil in the school can benefit from it to a much greater degree.

**John Wilson:** What is your estimate of the annual shortfall in your determined to succeed budget?

**Ken Walker:** I do not have the figures; I am responsible for only one aspect of enterprise education. It is difficult to put a figure on the ideal amount. I could say that, ideally, we should have double the available budget. I know that we could make very good use of that money by expanding enterprise education to all pupils.

**Robin Harper:** I am well known for my campaigning on another area that delivers similar skills to those that enterprise education delivers—outdoor education. I do not think that that undermines the case for enterprise education.

Earlier, you spoke about having a certain shyness in asking for funds from business. You have an educational product that delivers confidence, decision making, the ability to assess risk, good communication skills and the ability to get on with others. Those are attributes that local businesses would die for. It is very much in the interest of local businesses to encourage those skills through working with young people so that they stay in the area and use the skills and experience that they have gained in enterprise education.

Businesses will never give more than they can afford to give. Surely a selling point in talking to a local business would be to say, "If you help us to develop these skills in our young people, they are more likely to stay in the area. You will do well out of retaining them in the area." The school's English department may shoot me for saying this, but we should face up to the fact that someone who knows how many Ms, Ts and Es there are in the word "committee" is of less use to a businessperson than someone who has all those skills. Do you agree?

**Ken Walker:** Fully.

**The Convener:** Unless they are being asked to sell books.

**John Lamont (Roxburgh and Berwickshire) (Con):** In going about my constituency, I have

witnessed at first hand the great importance and value of these projects. The key issue is not only the funding but ensuring that we have suitably motivated staff who are willing to get involved in these projects and see them delivered. At Berwickshire high school, we are very lucky to have staff who are willing to do that, but I know that there are other schools that are not so fortunate and which do not have staff with the desire to achieve these worthwhile projects.

Why are these projects so important? As has been said, they are good at developing the skills that young people who are about to enter the workplace need, particularly in the current economic climate. Having spoken to many local employers in my constituency, I know the value that they place on students who come through these schemes. When those students enter the workplace, they are able to add value beyond that which an employer might expect of the average student who has not had the same experience.

**The Convener:** How are you finding the process of trying to get the cash? The fundamental point is that you want the money. You believe that you can do things with it that will benefit students in the school. You also know that the more money you get, the more things you can do and the more youngsters who will benefit. Are the funding streams overcomplicated? If there have been funding cuts and you can no longer access certain funding streams, are there other ways in which you can access funding from other parts of national or local government? Those questions may be more for the teachers who deal with the process, but I have a couple of questions for the youngsters, which I will put later.

13:30

**Tim Clancey:** I do not necessarily think that the process is overcomplicated. The biggest issue for us is that we are unable to plan in advance. Funding is often available for enterprise education-related projects that we want to do, but we cannot guarantee far enough in advance that that money is going to be available. That makes it difficult to plan what is going to happen year on year. If we could be sure—or, at least, more sure—of what funding was going to be available, that would be helpful to us. At the moment, we are overdependent on what is left over from the school's general budget allowing us to carry out such projects.

**Ken Walker:** As Tim Clancey says, it is not always possible to plan in advance because of the number of initiatives that can come up on a yearly basis. It also depends on the number of pupils who express an interest in April in doing courses the following year. The budgets are often set quite a bit before that, and what subjects or activities

pupils are able to undertake as they move up a year in school is often dictated by budget limitations that have determined course availability for months or even a year beforehand.

**The Convener:** Are the pupils worried that they might not get the same opportunities that older pupils have had as they have gone from fourth year into fifth year?

**Robin Gillie:** Yes. I was halfway through first year when I saw the child care course. That was about the last time that I saw it. It looked so interesting that it seemed impossible that we would lose it. The amount that the fourth-years learned from it made it a benefit. Why was it taken away if it was doing them some good?

**Grant McWilliam:** We have the S6 express, which you might have seen in the canteen. That is useful in helping the sixth-years to develop their social and mathematical skills. I am not sure whether that will be secured for my age group, but I think that I would enjoy such an experience. It would be useful if we could secure it and other enterprise projects like it.

**The Convener:** Thanks very much.

We have had a presentation and a cross-examination—that sounds terrible. It was a question-and-answer session, although it was more like a question-and-question session. What do we want to do with the petition? I invite members of the committee to make suggestions. This is the first stage of the process—it is not the end game; it is the beginning of the journey that the petition will make as we seek responses to the concerns that it raises.

**John Farquhar Munro:** It is a difficult one. You will realise that MSPs are constantly bombarded with complaints from councils and councillors about the lack of appropriate funding from central Government. The other complaint that we keep getting is that councils do not want the money to be ring fenced for specific projects or enterprises; they want its use to be left to the discretion of local authorities. Therefore, we face a bit of a dilemma. Is the problem a reduction in funding from central Government or is it to do with the allocation of funding within the local authority?

I wonder whether there should not be more funding for enterprise education. The more an enterprise develops, the more viable it becomes, hopefully, but the more support it needs to keep it viable. You have quite a dilemma ahead. I think that we should support the petition and raise the matter with the appropriate parliamentary committee. I do not know whether it should be directed to the Education and Sport Committee or to the Finance Committee, but we should certainly make a plea for it.

**Robin Harper:** We have a list of organisations to which we could write to seek their views on the issue. Irrespective of the effect on funding in the short term, the spirit of the curriculum for excellence is delivered in the long term by enterprise education, outdoor education and a few other subjects. The aim of the curriculum for excellence is to rebalance Scottish education in favour of developing personal skills as well as delivering basic education. The higher the profile we can get on the back of the petition for enterprise education, the better it will be in the long term for enterprise education and the curriculum for excellence, because we will begin to deliver on their aims.

Among the organisations to which I would like to write are Young Enterprise Scotland, which has experience in the area, the Prince's Trust Scotland, which does tremendous work with young people, World of Enterprise Scotland, the Enterprise Education Trust and Careers Scotland. We should seek the view of each of those organisations on what importance enterprise education should have in the curriculum for excellence throughout Scotland.

**Nanette Milne:** We should seek a ministerial opinion on the issue, too, by writing to the Cabinet Secretary for Education and Lifelong Learning through her civil servants. It would be interesting to know what emphasis the Government puts on enterprise education, which is clearly important for young people going out into the community and seeking jobs.

**John Wilson:** I support Nanette Milne's view that we should ask the Government what it is doing on enterprise education. John Farquhar Munro suggested referring the petition to the Education, Lifelong Learning and Culture Committee, but we might also want to chap on the door of the Economy, Energy and Tourism Committee regarding the petition.

The two main organisations that are charged with developing enterprise in Scotland are Highlands and Islands Enterprise and Scottish Enterprise. We should approach those bodies, too, to find out how they support the delivery of enterprise education in schools. We have heard today about courses in which young people can participate but for which money is not available. However, there may be other ways of getting young people to participate in such courses that might not cost the education and training department money.

I suggest that it would also be worth while contacting the Confederation of British Industry Scotland and the Federation of Small Businesses in Scotland. We should also contact the Educational Institute of Scotland to get a view from the teachers' perspective. We have heard from Mr

Clancey and Mr Walker about the commitment in Berwickshire high school to trying to deliver enterprise education. However, as John Lamont indicated, other schools in Scotland may be unable to deliver enterprise education because they do not have the teaching staff. If that is the case, it is a condemnation of the education system. We should ask the EIS whether it has identified problems in Scotland's education system that should be addressed in order to encourage the delivery of enterprise education in all our educational establishments.

**The Convener:** Those are helpful and useful suggestions. I am hesitant about inviting Robin Harper back in, but he seems to be desperate to speak again. I will set a time limit on this occasion, Robin—hurry up.

**Robin Harper:** I suggest that we also contact Learning and Teaching Scotland and Skills Development Scotland. John Wilson's suggestion that we contact the EIS reminds me that the colleges of education might have something useful to say to us on the issue. It could be helpful to write to the four colleges of education for their observations on the training of teachers in that respect.

**The Convener:** Okay. Those are useful suggestions.

**Bashir Ahmad (Glasgow) (SNP):** I have heard for a number of years that without money you cannot do much. However, at the same time, money is not everything. To take the nation forward, we should make people willing to take part wherever they can do so. My way of thinking might be different, because I was brought up differently from what happens here. For me, money is not everything. If you are willing to take part and work and if you have the will power to make something work out, you can do so. I suggest that people should do that, rather than ask for more and more money. It is not the case that without money we cannot do anything. I am not saying that money is not important—it is very important but, at the same time, it is not everything.

**The Convener:** You are going to be a cruel granddad this Christmas. I have been having conversations about that with my weans this week. That is a strong message.

To add to what Bashir Ahmad said, the youngsters are demonstrating an enterprising spirit. Schools want to create space and some money could help with that, to allow those young individuals to flourish and perhaps make a career in enterprise. We are all doomed if we do not create young entrepreneurs for the future who have the dynamism and experience that Bashir Ahmad showed in his business activities prior to

being a parliamentarian. He started with very little other than sheer hard work and determination and a belief that he had something that people would want to pass over money for so that he could benefit and his business could grow. That is what enterprise education would develop in youngsters, as well as social skills.

I know that the adults will be familiar with some of the process, but I will explain it for the students, who are just exploring it in the classroom. We will write to all the agencies and organisations that members have mentioned and we expect to get answers back from them. We should probably also write to the local authority, Scottish Borders Council, to ask about its experience of its budget and whether, given its priorities, it can release more money for education. I am loth to do that because, as John Wilson knows, I am always respectful of the historic concordat that has been struck between local government and the Scottish Government. However, that is like the draping round the room, whereas I have always been concerned about what happens inside the room and where the chairs are allocated. I am interested in getting a wee bit of information on that, which would help a bit with some of the issues.

We expect the responses to come back to the committee in due course. Mr Clancey, as the core petitioner, will be kept informed about what is happening. He can feel free to communicate with the clerk at any time. We expect to discuss the petition further at a future meeting. Obviously, that will take place in the Parliament, but your elected member will track some of the issues. I am sure that he will follow through the petition on your behalf. As a member, he can be invited to participate in the discussion although he is not a member of the committee. I am sure that Mr Lamont will ensure that that happens in due course.

I hope that that was not too frightening or intimidating for the witnesses—I am speaking to the two adults. Robin Gillie and Grant McWilliam did very well. Robin, you were really nervous before you came to the table, but you were fantastic. You can have a big sigh of relief now.

13:45

### **Bus Services (Rural Areas) (PE1215)**

**The Convener:** Thank you for your patience. I worried when I saw you taking the microphone, Janie, but you are a seasoned veteran.

The next petition is PE1215, in the name of Janie Orr, whom I welcome to the committee. The petition calls on the Scottish Parliament to urge the Government to improve the frequency of, access to and routes of buses in rural areas in

order to increase mobility and to open up communities' access to social, entertainment and education outlets.

A number of students are here with Janie: I welcome Ben Black, who made a contribution earlier, Abbey Nevins, who has also made a contribution, and Garry Pearson. I invite Janie Orr to make opening remarks.

**Janie Orr:** I am the member of the Scottish Youth Parliament for my area. We are all higher modern studies students who want our voices to be heard on improvements in frequency, routes and access to bus services in rural areas.

As we say in the petition, we have spoken again to Michael Russell, the Minister for Environment. I have a quotation from him here. He said:

"As someone who lives in a rural area, I know how difficult it is to transport members of family to various places. It would be intelligent to reduce carbon emissions by providing an integrated rural bus service and would drastically reduce the need for so many vehicles to be on the country roads."

I will give an example of a rural service, which shows why we need more. I and other students have extra after-school tuition, which means that our parents have to drive us 8 miles to Duns, drive back home, and then repeat those journeys to get us back home again. An 8-mile journey becomes a 32-mile round trip, which is costly. Better access to bus stops and routes and more regular times would ease a huge amount of strain, especially during these tough economic times.

It is a simple equation, really: if more people used buses, there would be fewer cars on the roads, less traffic congestion and less air pollution. Increased bus use would also lower transportation costs for individuals and would mean more money for bus operators and local councils. Members—especially John Farquhar Munro, as an MSP for a rural area that is similar to the Scottish Borders—will know that this is a problem for many constituents in the countryside. We know that the issue affects every age group, from the young to the elderly, so improvements need to be made now.

**Abbey Nevins:** MSPs, local councils and bus companies need to find out exactly what the demand is for rural bus services. Why do they not ask what everyone in the countryside wants? That would improve bus services and encourage more people to use buses in the first place. More rural bus stops are the key, which would mean that more people could finally use this vital service for whatever they require.

I would like to comment on what Michael Russell said about carbon emissions. We agree that environmental as well as social factors are involved. Good rural bus services can offer an

alternative to car use that will cut traffic and carbon emissions. Cars are heavily relied on in rural areas, which has a large environmental impact. People who live in rural areas might have the option of using bus services but cannot do so because most would have to drive to get to the bus stop, which completely defeats the object. There needs to be improvement in rural bus services.

**Garry Pearson (Berwickshire High School):**

As young people in a rural area, we rely heavily on bus services because we cannot always rely on parents or friends to take us everywhere. The lack of buses in rural areas means that it is quite hard for us to get to shops or our places of work at weekends, for example. The services could do with an overhaul.

**The Convener:** My son tells me that he does not always want me to know where he is going. If I have to take him there and back, I know exactly where he is.

Do you have anything to add, Ben?

**Ben Black:** It would be good to have more buses in the area, which is very rural. It would be a good thing for me because, as well as coming to Duns for school on school buses, I come in at night during the week for activities such as rugby training and at the weekend for rugby. It puts quite a strain on my mum having to drive me in every night and every weekend. I am not necessarily asking for more buses; it would be better if the existing services had a wider span so that they could bring people into the bigger towns in the area.

**The Convener:** Well done. Thanks for that.

I invite questions from committee members.

**Nanette Milne:** I am not familiar with the detail of bus services in the area. How many bus companies run services? Have you had the opportunity to make direct representations to the companies to find out what their plans are and to put your case?

**Janie Orr:** Off the top of my head, I believe that two companies run services in the area: FirstBus, which runs services for Scottish Borders Council, and Wait's buses, which I think is a local company. We chose to submit the petition because of our experiences. For example, the bus stop for getting to Galashiels is 3 miles from where I live, so when I wanted to get to Galashiels, I had to get my mum to drive me. Everyone in our class has had similar experiences. The buses do not run at decent times. As Abbey Nevins said, the latest bus she can catch if she wants to stay out later is at 20 past 8. I will let her explain.

**Abbey Nevins:** If I want to stay out late with my friends in Berwick, for example, the buses home

are at 8.20 or 10 past 10 at night. There is a big gap in between when there is no way of getting home, so more frequent buses would be a great advantage.

**Nanette Milne:** If the bus companies are to make a livelihood, they must consider whether routes are profitable. Some routes have to be subsidised as social bus routes, whereas others are operated competitively. Are you in a position to prove to the bus companies that there would be sufficient demand to make them think that your request was a competitive proposition?

**Ben Black:** The bus companies have probably looked into that, although I have had no indication that they have done so where I live. They have probably looked at the little areas of housing around the Borders, especially in Berwickshire, and thought that there is not enough demand for buses. I have seen research on the topic that shows that not just young people like us, but elderly people who live in the area would find it extremely beneficial to have bus services to and from the bigger towns, such as Duns and Coldstream, which would make it much easier for them to go out and get shopping and be brought back again. That is probably the biggest concern. Such services would offer an alternative to having to get in the car and drive everywhere, and would probably be cheaper to use.

**Nanette Milne:** You make an interesting point about older people. An interesting presentation was made to Parliament about a community bus service in the area; I was only able to hear part of it, but your MSP John Lamont was there.

I find community buses interesting. They are run by the community as—I hesitate to say this—almost a social service, and can probably cater for local demand better than the bigger bus companies that are trying to make profits. Do you have any comments to make about community bus services? Would they be of any use?

**Janie Orr:** I am sure that all the witnesses would say if they were asked that they would love to be able to use local transport links. I attended a Transport, Infrastructure and Climate Change Committee meeting in which community transport and, specifically, elderly people were discussed. People can call up a bus company, which will pick them up an hour later. That is a brilliant idea, but it seems that there are no such services for our age group—they are only for the elderly, although I am sure that everyone would love to use them. We would.

We also want to use buses because we have the advantage of having Young Scot cards, which give us discounts of around 25 per cent on fares. We would prefer to use local bus links, but would

definitely consider using community transport if we had the option of doing so.

**Nanette Milne:** There could be a possible tie-up in that context.

**Robin Harper:** There is no doubt in anybody's mind that a real issue was not addressed in the Transport (Scotland) Act 2001, which was the first transport act to be passed in the first session of the Parliament, from 1999 to 2003. Sarah Boyack was the Minister for Transport, and I served on the Transport and the Environment Committee at the time. I called the bill the "buses and other bits and bobs bill". It introduced quality contracts and quality partnerships. At the time, it was hoped that many bus companies would engage with local authorities in quality contracts, which would have guaranteed services in a way that quality partnerships do not, but there are very few quality contracts; rather, there are mainly quality partnerships. Under such arrangements, if the bus company provides a service on a route and finds that it is not profitable, it can simply withdraw it at its own will. It is an open market.

An artificial distinction is involved in considering whether a service qualifies for a subsidy. If a service is socially necessary, it will qualify for a subsidy; if it is not, it will not. Of course, I would argue that all bus services are social and socially necessary and that such a distinction is unhelpful, to say the least. Some 40 per cent of the people of Scotland do not own cars; therefore, it is increasingly necessary to view all bus services as being socially necessary. We should not think of buses as a luxury or an extra, especially in rural areas, where the distances to be travelled are much greater but people still have a right of access to libraries, cinemas and shops, for example. We should provide proper transport for people in those areas.

The petitioners have brought to us an important consideration that is even more important from their point of view—it is important for young people in areas that buses do not serve. They cannot jump into cars, unless they have very understanding and generous parents who are prepared to drive them anywhere, any day of the week. I am sure that some of the petitioners' parents do so, but that is a burden on them.

We should certainly progress the matter, although I do not know whether there will be any quick answers, because I fear that legislative changes will be required. The Scottish Government cannot, for instance, simply say that it will provide more money and that subsidies will ensue. That will not necessarily be an outcome because of how the legislation on the provision of bus services is framed. I fear that a lot of attention will need to be paid to the issue over the next couple of years.



14:00

**The Convener:** I do not know whether others have mentioned it, but an MSP is proposing a member's bill on regulation of bus services. The purpose of that bill proposal is to set standards that would apply to all independent bus operators. It will have an interesting journey through Parliament, but it raises issues that that will affect all of us, regardless of our party-political perspectives, or if we have none. Perhaps that provides an opportunity.

Do youngsters feel very constrained? Janie Orr mentioned that she is a member of the Scottish Youth Parliament, so she will speak to others from throughout the country. How sharply do their life experiences contrast with yours? How are the choices that you and the other witnesses make constrained by limited bus services?

**Janie Orr:** Several of the committee members—including the convener—are from Glasgow or other urban areas. Glasgow has many transport opportunities. It has more demand, so it has much more regular services. We all want that kind of service. I have been to Strathclyde, where the bus services are fantastic.

**The Convener:** I need you to come to public meetings in my area and say that on my behalf when I get absolute pelters.

**Janie Orr:** Bashir Ahmad said earlier that money is not everything. We do not necessarily want money, but a bit of common sense: we want bus times that are not stupid. For example, I got the bus from Berwick to Galashiels and had to wait two hours for the bus to Edinburgh. Common sense is all that is needed.

**Abbey Nevins:** People whose work starts at 9 o'clock in the morning have no buses that get them there on time. They would be half an hour to an hour late if they took the bus because there is not a suitable one.

**John Lamont:** I support the petition. I get a lot of casework about the matter, but I will expand the discussion beyond buses and talk about public transport in the Borders.

There seems to be a view among parliamentarians from outside the Borders that the Borders railway will be the answer to all our public transport problems, but that will not necessarily be the case. I recently sent a Borders railway survey to all my constituents, to which 57 per cent—27,000—responded. The results of that survey show clearly that for people who live in villages that do not have bus services to take them to Galashiels, there is no hope of their being able to use the railway.

It is important for Parliament to realise that the Borders railway will go some way towards

improving public transport in Galashiels and Tweedbank, but will do nothing to improve it for many villages in Berwickshire. The buses are part of the bigger equation: the railway will work better and be more productive if there is a bus network that allows people from Paxton, Hutton, Duns and so on to get to it. Do the petitioners agree?

**Janie Orr:** Yes.

**The Convener:** That was one that you prepared earlier, John.

**John Wilson:** Miss Orr assumes that everybody in Strathclyde is well served by buses, but as a parent, I know how difficult it is. I have to transport my 17-year-old daughter around because of where we live. Recently, the operator of the regular bus service to the village where I live decided to retire, which meant that the service ceased and another operator had to be brought in to operate the route at a reduced service.

The legislation is in place but, as Robin Harper indicated, there seems to be no joined-up thinking about different transport methods, such as buses and trains.

As I was saying to someone earlier, in my previous life I did a piece of work in the Borders on transport links in relation to employment. Clearly, Edinburgh is the big centre for employment for many people from the Borders. However, as the petitioners have indicated, links within the Borders can be very haphazard. School leavers hoping to enter employment or further or higher education need transport links that take them to the main centres where that employment or education is available.

Clearly, there is a need to review how the legislation is operating and what local authorities are doing, so that we ensure that people are well served. As John Lamont said, the Borders railway will not deliver a panacea for the Borders, as many people seem to hope. People will be sadly disappointed if, as Abbey Nevins said, there are no links between the buses and the trains. If people need to wait two hours for a connecting bus, it is clear that the system is not working. We need to look at the system to ensure that it works for the people whom it is designed to serve.

**The Convener:** I think that there is a consensus on the committee about the need to make progress on the two issues that the petition raises. The first issue is the need for integrated transport, which one or two people have amplified. The second issue—the essential argument—is about increasing the effectiveness of young people by providing connections between the communities in which they live and the places where long-term employment is available. Given that we are moving into a very different economic climate, we need to maximise those opportunities. Mobility will

be a key requirement in the difficult period ahead if people are to overcome the challenges.

I think that the committee has a lot of sympathy for the petition. Given the time, we should perhaps pull together some constructive suggestions about what to do with the petition.

**Nanette Milne:** It is important to get in touch with the regional transport partnership. Co-ordination is needed between bus operators on matters such as timetabling and ticketing. I suggest that we contact the south-east of Scotland transport partnership to ask whether such arrangements are in place and, if so, why they are not working. SEStran should be our first port of call.

**Robin Harper:** We should also contact the Scottish Government and the Confederation of Passenger Transport. We could suggest to local authorities that they find out more about where demand exists for bus services. Perhaps they could do more in terms of negotiating with the bus companies to fulfil those demands in a way that would meet the needs of people, particularly young people.

**Nanette Milne:** Perhaps John Lamont can tell us whether there is a community bus service in this area. Were we being told about a different part of the Borders?

**John Lamont:** Some communities have community bus services, but those services are for people who have specific needs—who are over a certain age, or who have disabilities that entitle them to such a service. With the price of fuel continuing to rise, I know that the council is facing financial difficulties in keeping those services going. In the whole of the Borders, only three routes are commercially viable. Operators need to be subsidised by the council for the others.

**Nanette Milne:** Is it therefore unlikely that there could be any possibility of a tie-up with younger people to allow them to use that sort of service?

**John Lamont:** That would depend on political will. The Borders railway gives us an opportunity to link up the Borders, which could be the catalyst for further development of such services.

**Nanette Milne:** Is that a point—sorry to ask all these questions—that we should put to the Government or to the council?

**John Lamont:** I think that the point needs to be put to the Government because management of the Borders railway is now with Transport Scotland. I am keen to see Transport Scotland working with Scottish Borders Council—which is not currently happening—to develop the bus network so that the railway can be accessed by as many people as possible.

**Nanette Milne:** We should put that point to the Scottish Government.

**The Convener:** I agree. That is a helpful suggestion.

**John Wilson:** I suggest that we also contact the Public Transport Users Committee for Scotland along with—despite the fact that it might sound relevant only to urban areas—Strathclyde Partnership for Transport. My understanding is that, unlike the dial-a-bus service that has been explained to us by the petitioners, the dial-a-bus service in Strathclyde is open to anyone who registers for it. There are limitations on when the bus can be used, but it might be useful to get information on that service to see whether it could be mirrored in other parts of the country.

Given the interesting comments that have been made about community bus services, we could perhaps ask the clerks to find out where community bus services operate. Are there rural parts of Scotland in which viable community bus services operate? How do they link to local communities, and how are they funded?

**The Convener:** Those are helpful suggestions.

**Bashir Ahmad:** Buses can often be big things, so if minibuses were run frequently, that could help the problem.

**The Convener:** Yes, although we have to remember that there is a carbon issue in respect of frequency of services.

Those were useful suggestions. I suggest that we also pass the petitioners' submission to Charlie Gordon, who has proposed a member's bill on regulation of buses, so that there can be some overview. The bill's core issues are integration of services and the responsibility of bus service providers to look after interests in rural and urban communities.

The petitioners will have heard what I said earlier to other petitioners. We are in the first stage of the process, and we want to move forward, so we will keep you fully up to date on what happens. I am sure that John Lamont will want to track the issue as it comes back to the committee.

I hope that that was not too unbearable. Are you feeling better after that?

**Janie Orr:** Yes—fine.

**The Convener:** You can now tell folk that you have been in front of the Public Petitions Committee. If other members of the Scottish Youth Parliament start bragging, you can tell them that. Well done to Janie and all the others.

## Licensing Reform (PE1217)

**The Convener:** The next petition is PE1217. I welcome Christopher Walker to the committee. Alongside him is John Lamont MSP, who is working for his parliamentary salary this month—I hasten to add that I am not saying that he does not do that at any other time, but he is certainly participating a lot today.

The petition calls on the Scottish Parliament to urge the Scottish Government to revise its proposals to introduce new licensing regulations under the proposed criminal justice and licensing bill to protect local tourism and businesses in rural areas from unnecessary regulation and charges.

Others were meant to accompany Chris today, but because of illness and other commitments they are unable to be present. It is disappointing for them as I am sure that they would have liked to be here.

**Chris Walker:** They send their apologies.

**The Convener:** That is noted.

Members should also note that we have received a letter from Alex Fergusson, in his capacity as a constituency member in the South of Scotland, to indicate his support for the petition—we say that because we may need the indulgence of the Presiding Officer in future.

Without any further ado, would you like to make an opening statement, Mr Walker?

14:15

**Chris Walker:** I thank the Public Petitions Committee for inviting me to speak and for considering my petition.

I will give the committee a brief history of what brings me here and the reasons for the petition. Although the Licensing (Scotland) Act 2005 was created by the previous Administration, it comes into force on 1 September 2009. All council licensing boards have issued a policy statement to outline the fundamental principles of the act. Scottish Borders Council's fundamental principles are to promote the following objectives, which are important to consider: to prevent crime and disorder; to secure public safety; to prevent public nuisance; to protect and improve public health; and to protect children from harm.

Most councils are well on their way to completing the transition between licences by 1 September 2009. Licensed businesses are busy submitting operational plans, risk assessments and scaled layout plans and attending personal licence holder courses. Scottish Borders Council has followed the guidelines on fees, as set out by the Scottish Government, but has discounted the

one-off application fee by 20 per cent, realising the impact that the legislation will have on rural businesses.

Three scenarios relate to the legislation. I start with the example of a small caravan park, complete with a small shop that has a glass-fronted fridge that stocks two or three wines and half a dozen types of beer. The park will be forced to reapply for its liquor licence at a cost of £1,040, which is 604 per cent more than its current annual fee of £172. Thereafter, the annual fee for its application, which comes with layout plans and risk assessments, will be £500, which is a 290 per cent rise. The reason for the increases is that the fees are now based on rateable value.

The second scenario concerns a small deli that sells ham, cheese, breads, olives and other delicatessen products, along with a couple of local beers and perhaps the odd bottle of sloe gin. Like the caravan park, the rateable value of that business will not reflect the true ratio of liquor to other sales, yet both businesses will have to decide whether the profit made on such small sales justifies the council's new fees. The deli, whose rateable value is in category 3, will have a joining fee of £880 followed by an annual fee of £280.

The third scenario involves a hotel whose rateable value is in category 5 and which faces an application fee of £1,360 and an annual fee of £700. That is a 400 per cent increase in the annual fee alone and is a cost that some businesses are not prepared to bear. In the Borders, applications for off-sales licences have dropped by a third.

None of the fundamental principles that are set out in the policy statement is threatened by the caravan park, the deli or the hotel. All councils have capped their fees, and in the Borders the maximum application fee is £1,600 and an annual fee of £900, depending on businesses' rateable value. That means that the Tescos and Asdas of this world—the very culprits who promote loss-leading drinks promotions—get away with multimillion pound liquor sales and chip into the local purse a pittance, or £900 to be exact. The deli chips in £280, the caravan park £500 and the hotel £700. Where is the fairness and how do such anomalies promote the fundamental principles of the act?

The act has failed to tackle those principles and adds another layer of red tape and bureaucracy to an industry already suffering from the effects of the smoking ban and the credit crunch—although I fully support the smoking ban. The Licensing (Scotland) Act 2005 misses the point that it set out to achieve and instead will be viewed as a source of revenue for the local authority.

The legislation has been costly and unfair on many small businesses. The fee structure should be based on turnover specifically attributable to alcohol sales. The 3,000 signatures of licensees throughout the Borders that have been put to my petition speak volumes. They send a message to Parliament via your good selves that publicans, hoteliers and small business owners are not prepared to be buried under another set of red tape and unnecessary costs.

**John Lamont:** I will expand on a few of Chris Walker's points using my experience of casework received from several licensees, whether they are pub owners, off-licences or clubs.

There are two main issues. The first is the significant increase in the fees that such licensees now have to pay. The bottom line is that many licensed businesses, which provide jobs and enterprise in the community, are no longer able to continue. For example, delicatessens in Hawick are closing and the Royal British Legion club in my home town of Coldstream faces being unable to serve alcohol anymore because it cannot afford the licence fee. The reality for many businesses is that they stop serving alcohol or cease trading completely. As Chris Walker pointed out, there is great unfairness in the lack of difference between what large supermarkets and small licensees pay. I do not think that that was the intended outcome of the legislation, but that is the reality, which is causing problems for many rural businesses.

The second consideration is interpretation of the guidance, which is causing many problems. The issue is not just the licence fees that people must pay, but the cost implications of some local authorities' interpretation of the guidance notes. For example, some councils insist that licensees produce architects' plans of their premises to accompany the licence application. Large organisations such as supermarkets and big hotels will have architects' plans, but the off-licence in Duns, for example, will not have an architect's plan. The cost of employing an architect to draw up a plan is prohibitive. A hotel was asked to draw up an architect's plan for its garden area because it uses it during the summer for weddings. That kind of request is daft and unpractical, but it causes significant costs for businesses.

Some councils have interpreted the guidance notes to suggest that legal advice must be sought on submitting the application and that specialist licensing lawyers must be instructed. As a former solicitor, I am well aware that lawyers like to get as much money in fees as they can. However, from a parliamentary perspective, I do not believe that that was the intention of the legislation.

We must be clear that we do not necessarily want a complete overhaul of the Licensing

(Scotland) Act 2005 or for it to be repealed. We want the guidance notes to be interpreted consistently across the board, whether on legal advice or architects' plans. We also want a more practical and commonsense approach to the licence fee system so that there is more of a difference between what the supermarkets and multinationals pay and what, say, local delicatessens and Royal British Legion clubs pay. As it stands, the 2005 act does not accommodate that.

**The Convener:** Thank you for that contribution.

**Nanette Milne:** You have made valid points, John. In particular, you said that different councils are interpreting the guidance differently. Is that because it is badly worded? I have not seen the guidance, but can it be easily misinterpreted? If so, does the guidance need to be changed?

**John Lamont:** I think that the relevant officers in councils have discretion in deciding what they will require, and I think that some councils have been taking the most cautious approach, as opposed to a more practical approach, to make applications as watertight as possible. Perhaps giving the officers too much discretion has worked against the licensees on this occasion.

**Nanette Milne:** You would prefer guidance that is more prescriptive.

**John Lamont:** Yes, provided that it does not require architects' plans on every occasion or that someone must instruct the most expensive licensing lawyers in Edinburgh, for example. There should be a more practical approach that takes into account the nature of the business making an application, as opposed to insisting that everybody must have architects' plans and specialist advice just to submit an application.

**Nanette Milne:** Could the guidance be reworded so that it differentiated between different sizes of property according to rateable value, for example?

**Johann Lamont:** Chris Walker's point about the level of alcohol sales might be a way forward in that regard because it would reflect the importance of the licence to a particular business in relation to the rest of the business and its sales.

**Nanette Milne:** It certainly sounds to me as if the situation that we have heard about is an unintended consequence of the legislation.

**The Convener:** The legislation predates the present Administration and the arrival of some new members. I was not a member of the committee that considered the Licensing (Scotland) Bill, but I presume that the debate was about how to tackle the regulation of licensing, given the consequential problems that were arising. I think that Chris Walker was trying to say that the way in which the legislation is being

interpreted is having a detrimental impact on individuals who are not contributing in any way to the difficult social problems that elected members were trying to grapple with through the Licensing (Scotland) Act 2005.

Some people will say that when the bill went through the Parliament, some of the views that we have heard will have been articulated. However, we are now at the sharp end and the implementation is causing disproportionate problems. If I picked Chris Walker up correctly, that is the core of the petition. We will want to ask a few more questions on the reality. I invite members to ask some questions and then Mr Walker can respond to the totality of points.

**John Wilson:** I must admit that I was a member of the Justice Committee when it considered the subordinate legislation on fees and that the issues that we have heard about today were raised then. We were assured by civil servants and the Cabinet Secretary for Justice that the consequences for existing licence holders would not be too detrimental. However, what we have heard today does not support what the civil servants and the cabinet secretary said at the time. We need a review of the system. There are issues to do with local interpretation. Asda, Tesco and other major supermarkets are being compared to local corner-shop traders. As Chris Walker said, the licence fees do not seem to bear any relation to the expected turnover of the operators.

Nanette Milne made a point about interpretation by local authorities. The 32 local authorities have, in many respects, taken 32 different opinions on how to implement the legislation. One argument that local authorities raised with the Justice Committee was that the fees would not recover enough money to allow them to operate their licensing operations, which include staff and the licensing board. From what I have heard today, we have grounds for asking the cabinet secretary to carry out an immediate review of the fees, to protect small operators. A caravan park operator should not have to stop providing a service that benefits users of the site simply because the fees outweigh the annual profits from the operation.

**Robin Harper:** I am sure that Chris Walker agrees that the jobsworth approach is a real possibility in many local councils—we see that in other contexts. Does he also agree that a knock-on effect, particularly in rural areas, could be that more and more people make journeys to supermarkets because fewer local shops will survive? The ability to buy a bottle of beer or wine along with the rest of the groceries is one determinant in whether people visit a local shop or get into their car—or on a bus, if one is available—to travel to a supermarket. Therefore, do you agree that the situation might accelerate the decline of Scotland's rural areas?

**Chris Walker:** Yes.

**Robin Harper:** Do you also agree that if, as you say, it costs £500 just to renew a licence for a fridge with a few bottles of beer in it, the licensing board must be seriously inefficient? It cannot possibly cost £500 to look at a few bits of paper and send them back saying, "That is fine, your licence is renewed for next year." I can understand such a fee for supermarkets, particularly if it is assessed on the basis of turnover.

Do you agree that the licensing boards should review the efficiency with which they operate, if there is a justification for fees of between £500 and—what was the maximum?

**Chris Walker:** £1,600.

**Robin Harper:** That is quite excessive.

14:30

**Chris Walker:** I agree entirely with Mr Harper. All the licensees I have spoken to who have taken my petition on board have made the point that they never saw the legislation as being a revenue stream for local authorities. Bar the delivery by local authorities, the licensees do not have a problem with the legislation because, in itself, it is relatively sound; the problem is with the fee structures.

The A B C D fee structure can only be moved pro rata, so if 20 per cent is dropped from A, D has to drop 20 per cent as well. Movement of the bands is very tight, especially for Scottish Borders Council. So, for example, the supermarket would be in the top rateable value band, and if the bottom band that the deli is in is dropped by 20 per cent, the capped rate would also drop by 20 per cent. I believe that the capped rate has been a Scottish Government guideline for local authorities, so perhaps there is an issue there that needs to be looked at. Can the cap be taken off for the bigger supermarkets that have multimillion pound turnovers as opposed to the turnover of the little deli or the caravan park?

**Robin Harper:** I have one final point. In fact, we may not need a change of legislation. If the issue is with the guidance, the Government can change it just like that.

**The Convener:** So we now need to enter into a serious dialogue with the Cabinet Secretary for Justice about the process for the guidance.

I was going to ask something else but I am getting too old and forgetful. There are a couple of other issues that we will touch on before we conclude.

**John Lamont:** I want to respond to John Wilson's point about the licensing boards needing to recover their costs. That was one of the ideas

behind the fee structure, and I suppose that ties into Robin Harper's point. The point about cost recovery is not disputed, but if the boards were running more efficiently, costs would be reduced. Also, this is about more than the licence fees; it is about the fees for architects and legal fees beyond that. The licensees might have less of an issue if they were only paying the licence fee, but many of them take exception because of the bundle of other costs and add-ons that result from interpretation of the guidance.

**The Convener:** I have remembered what I was going to say.

Anyone who has been in public service or who has had the opportunity to serve in government will recognise that this situation is a classic example of the issues with joined-up government. The local tourism action plans are about reducing bureaucracy and maximising efficiency, knowing that areas such as the Borders always operate in a competitive environment given that the cities or the Highlands are more easily marketed. The Borders needs to find its niche, so we want to reduce the number of barriers. Joined-up working should be about reducing bureaucracy and red tape; some of us were talking about that on the way here, and the UK and the Scottish Governments have given commitments to look at regulations and red tape. However, licensees are getting wrapped up in red tape and it is costing them, so we must open up the debate with the cabinet secretary and others and show them the real implications for Chris Walker's network.

Chris, is the local authority willing to engage with you in that process, even though it is the interpreter of the guidance? What is your relationship with the local authority on that point, given the fact that there should be partnerships around tourism and so on?

**Chris Walker:** The local authority seems to be fairly set on the fee structure that is in place. As I said, we are heading towards 2009. It is difficult for the licensees to see how anything can be changed. We must jump through the hoops. We do not mind doing that, because the legislation is sound; the issue is the fee structure that is attached to the legislation and how it is interpreted.

There is another area that I would like to mention, given that Mr Wilson was involved in the Parliament's consideration of the subordinate legislation. Personal licence holders are an issue that came up with many licensees. Again, the issue is interpretation. The Licensing (Scotland) Act 2005 says that alcohol must be served by a personal liquor licence holder, but Glasgow City Council has said that that does not need to be the case as long as there is a personal licence holder on the premises. Some councils expected that

everyone who served alcohol would have to be a personal licence holder. That would have a significant impact on a small deli that had several part-time staff—as opposed to a one-man business—licences for whom would have to be put through at £75 or £80 a shot. There would also be implications for the larger supermarkets.

**John Wilson:** I agree with Robin Harper's point and with what the petitioner and John Lamont have said about the way in which the subordinate legislation was presented to the Justice Committee. Architects' fees were not mentioned, because it was thought that agreement would be reached between the local licensing clerk and the licence holder on identifying where the sale of alcohol would take place. That is where architects' fees come in. Part of the 2005 act is about restricting the areas in which alcohol is sold. When the subordinate legislation was considered, we asked about the issue and were told that a sketch plan of the layout of a small licence holder's premises would be fine and would be sufficient for the local licensing board.

Regulation is in place, but it is clear that guidelines need to go along with that to instruct local licensing boards and clerks on the Government's intention because, as the petitioner has pointed out, what seems to have evolved is a process whereby local licensing boards and clerks are taking it upon themselves to insist that it is necessary to have all the documents—including architects' scale drawings of where the alcohol will be sold—in place. In a small corner shop, it is fairly straightforward where the alcohol will be sold; in most cases, that will be done from behind the counter. One gets into difficulty when one enters the realm of large supermarkets.

It is clear that the issue is the interpretation of the regulations. We need to tell the cabinet secretary that a review is necessary. If the situation is not clear to licensing boards and clerks, we must give them clear guidance on what was intended, which differs from what seems to be happening. The cost of paying for the licences alone could sound the death knell for many small storekeepers.

**The Convener:** I think that I have a clear view of where the committee wants to go on the petition, but I invite Chris Walker to make a final comment.

**Chris Walker:** Many licensees have given up their grandfather rights because they viewed the impact of the current fee structure as too much of a burden. If the licensing fee structure is changed in the future, I ask the committee to consider whether that could be done in such a way as to give back to small shops and delis the grandfather rights that they have given up because they found the costs prohibitive.

**The Convener:** John Farquhar Munro wants to come in—I do not know whether he responded just because the word “grandfather” was mentioned.

**John Farquhar Munro:** You are putting me off my stroke.

**The Convener:** I couldnae resist.

**John Farquhar Munro:** The cabinet secretary has stated that he will review the situation once the regulations are in place. I find that a strange position to adopt. It seems that, rather than the regulations, the Government will review the costs that have been incurred as a result of them. How do you view that statement?

**Chris Walker:** I see it as extremely unfortunate in that, as I have just said, those businesses that have decided not to continue with their licence have given up years and years of rights. As Mr Harper said, the fact that the fees are prohibitive could be tackled now just by changing the fee structure; the cabinet secretary would not necessarily have to change the legislation. If a change can be made now, before we hit 1 September 2009, some businesses will have the opportunity to remain in business. Many have had to jump through red tape and bureaucratic hoops because livelihoods are involved and the business would cease to trade without a licence.

**John Farquhar Munro:** So what you are suggesting would give people far more confidence that there is willingness to consider and change the regulations. Once provisions are implemented in law, I cannot see much change happening.

**The Convener:** There is a general willingness in the committee to pursue the matter that the petition raises. We have picked up a number of key points that members have made. Members may want to make new or additional suggestions, but I think that we have picked up the key elements that we want to pursue and focus on.

We will take on board the issues that the petition raises. We want to interrogate at least two issues: the discretion to change and the framework of the fee structure; and whether the continuity for those who have taken cautious decisions because of the impending legislation can be revisited. I am sure that others will make representations to the committee following today's deliberations on the matter.

I hope that the discussion has been constructive. We genuinely want to progress matters. I thank the witness for his time and the other two individuals who were to speak to the petition. If they are ill, I wish them well.

## Autism Spectrum Disorder (PE1213)

**The Convener:** The next new petition, on which we will not take oral evidence, is PE1213, from Annette Masson. The petition calls on the Scottish Parliament to urge the Government to review the current assessment, diagnosis and appeals procedures for children with autistic spectrum disorder to ensure that they fully meet children's needs, and to consider whether all the support that is necessary within the education system is in place to support children who have been diagnosed as having ASD. The petition raises a number of issues.

**Nanette Milne:** Given that the Education, Lifelong Learning and Culture Committee is considering the Education (Additional Support for Learning) (Scotland) Bill, would it be sensible to refer the petition to it for its information and consideration?

**John Wilson:** I am happy to support Nanette Milne's suggestion that we refer the petition to the Education, Lifelong Learning and Culture Committee, but if it is going to deal with the petition, it should involve organisations such as the National Autistic Society Scotland and the Scottish Society for Autism.

I have recently had to deal with a couple of constituency cases involving such issues. There seem to be problems with the guidance and guidelines to local authority education departments on, in particular, how they deal with the support plans that should be in place for people who have been identified as having ASD. We should ensure that there is uniformity throughout Scotland in how local authorities address ASD so that children do not become involved in a postcode lottery, and so that receiving the services that they require will not depend on where they live and their particular education department or school.

**The Convener:** We will take that point on board, keep it as part of the focus, and accept Nanette Milne's recommendation.

## Right of Appeal (PE1214)

**The Convener:** The final new petition is PE1214, from Emiko Okoturo. The petition calls on the Parliament to urge the Government to take all necessary action to remove the requirement that an appellant must require two Scottish counsel to sign the appellant's petition before it can be presented to the appeals committee of the House of Lords, as that is contrary to article 6 of the European convention on human rights. Do members have any suggestions about how the committee should deal with the petition? Perhaps we can invite the Scottish Government to make representations to the UK Government to remove

the requirement. That suggestion might be worth pursuing.

**John Farquhar Munro:** Yes. I suggest something as simple as that.

**Robin Harper:** I am not sure whether that is the feeling of the committee.

**The Convener:** I am just expressing my view as convener. I am not guiding members in any way whatsoever.

14:45

**Robin Harper:** I am not sure that we should put the Scottish Government in the position that was suggested because the requirement in question is not within the remit of the Scottish Parliament or the Scottish Government and any decision on it must be taken in another place. We should bear it in mind that a consultation was held on the rules for the new supreme court and that the issue in the petition was not brought up in that conversation. If we refer the issue to the Scottish Government, we should recognise that we may simply get the response: "We note the subject of the petition that you have referred to us." That might be all that the Government can do.

**The Convener:** Can I ask a heretical question? I might get drummed out of the brownies for this one. The issue might not be within the remit of the Scottish Parliament, but the Secretary of State for Scotland might be able to raise the issue with the UK Government. Are we allowed to write to the secretary of state on the petition?

**Robin Harper:** We would have to seek guidance on that.

**Fergus Cochrane (Clerk):** There would be nothing to prevent the committee from writing to the Secretary of State for Scotland.

**The Convener:** We could draw the issue to his attention. We could say that it was raised in a petition that was presented to the Scottish Parliament's Public Petitions Committee, but that it concerns a matter that is for the UK Government to determine.

**Fergus Cochrane:** Would the committee write directly to the Secretary of State for Scotland, or would it ask the Scottish Government to make representations to him?

**The Convener:** I am relaxed about that.

**John Wilson:** I would be happy if we wrote to both the Secretary of State for Scotland and the Scottish Government to seek their views on the issue. In time, there may be new thinking on the right of appeal referred to in the petition and on how it is dealt with, particularly in the civil courts in Scotland. I suggest that we draw the petition to the

attention of the Secretary of State for Scotland and the relevant department in the Scottish Government.

**The Convener:** Do we accept that recommendation?

**Members indicated agreement.**



## Current Petitions

### Oil Depots (Public Health) (PE936)

14:47

**The Convener:** We have a range of current petitions to consider. However, we should keep in mind—in case we are overrun with school students on the way out—the school's guidance on time.

The first current petition is PE936, from Simon Brogan. The petition calls on the Scottish Parliament to urge the Scottish Government to review, in light of the Buncefield oil depot explosion in December 2005, the public health implications of siting oil depots in residential areas. We have a letter from the Scottish Government on such health implications. I do not think that we have got full information on some elements of the petition. We could perhaps ask for an update on a number of areas—for example, on any action that has been taken and on the public health implications. Are members comfortable about exploring such issues?

**Robin Harper:** Yes, indeed. That is all that we can do in the circumstances because we are still waiting for the major incident investigation board's recommendations to be published.

**The Convener:** Does the committee agree to keep the petition alive?

*Members indicated agreement.*

### Information Plaques (PE1012)

**The Convener:** PE1012, from Frank Beattie, calls on the Scottish Parliament to urge the Scottish Government to adopt a nationally co-ordinated and nationally funded scheme for marking people, events and places—you have to pronounce that accurately in case you get into trouble with the police—by erecting informative plaques at sites of local, regional, national or international importance.

I note that the Scottish Civic Trust is looking at some of the issues and that the petitioner is involved in discussions with Historic Scotland. Committee members have given their views on the petition before. I think that Robin Harper wants to add to those.

**Robin Harper:** With all due regard for the petitioner's sensitivities, I think that the issue is very much one for the many organisations that have an interest in such matters and for local authorities. Whom local authorities choose to honour should continue to be a matter devolved to local authorities rather than decided at national level.

**The Convener:** I know. The alternative does not bear thinking about.

Do we accept the recommendation to close the petition on the ground that dialogue is on-going with local agencies and with national agencies that have relationships at a local level? Are members happy to close the petition?

*Members indicated agreement.*

### Village and Community Halls (PE1070)

**The Convener:** PE1070, from Sandra Hogg, on behalf of the Scottish Council for Voluntary Organisations, is on the importance of village and community halls in rural Scotland. The petition identifies ways in which grants and funds could be made available for the refurbishment and modernisation of such halls. The petition also highlights the impact of changes to the water charges relief scheme for rural halls and communities.

Do members have any strong views on what to do with the petition? Some of the issues are in the ether, so we might want to keep the petition open.

**Nanette Milne:** It appears that research is being done on the usage and condition of community facilities. It would be sensible to suspend our consideration of the petition until we receive the results of that research.

**The Convener:** Another suggestion is that we invite Scottish Government ministers to meet the petitioner to discuss the issues. I am sure that the Government has already made overtures, but we can recommend that.

**John Wilson:** I would like to think that SCVO is involved in such discussions, but we can certainly remind the Government that it should engage with SCVO on the issue.

### Education Maintenance Allowance (PE1079)

**The Convener:** PE1079, from Laura Long, calls on the Parliament to urge the Government to review the eligibility conditions for the educational maintenance allowance programme to take account of the number of children in a household who are between the ages of 16 and 19.

I understand that the minister has announced that the Government intends to conduct a review of the EMA. In that review, some elements that are mentioned in the petition will be considered. Obviously, further discussion will still be required.

**John Wilson:** As with the previous petition, I suggest that we should keep the petition open until the review has reported. Rather than close the petition at present, we should wait to see the results of that review.

**The Convener:** The clerks are howling in anguish—

**John Wilson:** I noticed that.

**The Convener:** We make the decisions here. They should remember that.

John Wilson makes a fair point. Government ministers will need to grapple with some difficult resource issues. Obviously, some of us have views on the EMA and how it should operate. I am happy to keep the petition open while the review is undertaken.

### Local Museums (PE1083)

**The Convener:** PE1083, from John Arthur, calls on the Scottish Parliament to urge the Scottish Executive to support the creation of local museums, such as the proposed Leith museum.

Malcolm Chisholm is unable to attend our meeting today, but he has previously expressed an interest in the issue as the constituency member for Edinburgh North and Leith. I know that he is keen to keep the petition open and is still willing to support the proposal.

Do members have any strong views? Although it is possible for us to close the petition, do members agree that we should keep it open until we see further developments?

*Members indicated agreement.*

### Kinship Carers (PE1085)

**The Convener:** PE1085, from Caroline Garrett on behalf of You Are Not Alone, calls on the Scottish Parliament to urge the Scottish Government to provide total recognition for kinship carers. I think that every member has been lobbied on the issue by constituents.

**John Wilson:** Can we write to the Scottish Government to find out, following recent reports in the press, what budgetary constraints might be faced by local authorities that the Government believes could cause problems for the delivery of its kinship care policies?

**The Convener:** I suggest that we write to the UK Government about the tax system and, in particular, about the way in which calculations are made. I am starting to see a higher number of individuals in my constituency who fall within a category in which they could receive grant from the local authority in the next financial year. However, the grant could be irrelevant, because it would then be taken back off them when the Department for Work and Pensions and others make judgments about whether the money should be part of their calculations. I would like to get a view on that. I know that we are waiting to see a broader, more coherent picture from the Scottish

Government, as it is working on its early years framework. Are members happy to accept that recommendation?

*Members indicated agreement.*

### Parking Charges (Hospitals) (PE1086 and PE1091)

**The Convener:** PE1086 and PE1091 will be considered together as they both relate to car parking charges at national health service premises, about which we have had extensive discussions. We have looked through the papers in great detail, particularly those that relate to PE1086, from Chris Paterson, who is a health board employee. She has asked the committee to close her petition.

The cabinet secretary has indicated that the position for all NHS hospitals is that they do not charge for parking. She has also encouraged hospitals that have private finance initiative or public-private partnership car parking contracts to review parking arrangements. There has been substantial progress on the petitions. Do members have views?

**John Wilson:** I support the proposal to close the petitions. In saying so, I hope that the NHS boards that have PFI car parks take on board the views of previous Public Petitions Committees and seek an urgent remedy to the on-going problem of car parking fees.

**Robin Harper:** I agree totally with John Wilson. We are entitled to say that petition PE1086 has been remarkably successful, in that as much has been accomplished in getting rid of hospital car parking charges as we could expect. I hope that, following John Wilson's suggestion, the remaining PFI agreements will be modified as soon as possible.

**John Farquhar Munro:** If the petitioner wants it closed—

**The Convener:** We are considering two petitions. One of the petitioners wants to close their petition. The other petition, PE1091, was essentially to do with Stobhill, which has received an exemption following the cabinet secretary's intervention. We are talking about one or two other hospital car parks. In my constituency, which is served mainly by Glasgow royal infirmary, there is a particular challenge as the hospital has a PFI arrangement. From memory, there is another example in Dundee, and one other elsewhere. By drawing attention to the situation, we are saying to the health boards concerned that, although they have to make hard choices about their resources, if they thought that they could raise money through car parking contracts to invest in other areas, they

will have to reconsider. The situation is worth exploring.

**John Wilson:** Given the convener's comments about an earlier petition, we should have regard to the contribution of Paul Martin MSP to the Stobhill debate. His contribution both to the work of the committee and elsewhere was useful in progressing the debate. I am just trying to make sure that you do not get into trouble with him, convener.

**The Convener:** I do not know whether he will think that it is great news when I tell him that an SNP member was giving him 100 per cent praise. He will probably get upset.

**John Wilson:** I think that he will accept it with good grace.

**The Convener:** Yes, he will. I appreciate John Wilson's comments because Paul Martin raised the issue in partnership with one or two of his constituents and there has since been a welcome policy shift that several people felt was overdue.

### National Proof-of-age Card (PE1090)

**The Convener:** PE1090, from John Drummond, on behalf of the Scottish Grocers Federation, calls on the Scottish Parliament to urge the Scottish Government to introduce a free national proof-of-age card for all 12 to 26-year-olds. Do members have any views?

**Nanette Milne:** This is another petition that we could close happy in the knowledge that progress has been made. The Government is now in active dialogue with people to raise awareness of the Young Scot card, which has been generally accepted as a good way forward. There is a continuing campaign to improve awareness of the card. Perhaps we could close the petition, but write to the Government to ask it to give high-profile backing to the Young Scot card, so that more youngsters take it up.

15:00

**The Convener:** Okay—we accept that recommendation. I echo the point that Nanette Milne made: there is a real issue about ensuring that the Young Scot card is used much more predominantly throughout Scotland and that young people get their entitlements.

### Community Prisons (PE1150)

**The Convener:** The next petition is PE1150, from David Wemyss, on behalf of Aberdeen prison visiting committee, which calls on the Parliament to urge the Government to consider whether large prisons that are remote from prisoners' families offer the best way of rehabilitating offenders or

whether, as an alternative, localised community prisons should be supported much more strongly to maintain genuinely easy access to family links and other community virtues. Are there any strong views?

**Nanette Milne:** As a member for North East Scotland, I have been involved in the will to submit the petition. There are several issues. I have no problem with the proposed new prison at Peterhead, but to say that it is community facing is not correct. Peterhead is 30-odd miles from Aberdeen. There is no railway and, although there is a bus service, it is not brilliant. Many of the people who will go to the new prison will be based in the city of Aberdeen, which will cause all sorts of practical problems. Also, many of the prisoners will come from the more deprived communities in Aberdeen. Getting to and from Peterhead will put a strain on families. It is well known that family visits are key to rehabilitating prisoners in the community at the end of their sentence.

Another issue is that the police have said that there is a risk of prisoners escaping while they are being transported to and from the new prison. Above all, the police are actively contemplating providing new remand facilities in the city, because the proposals are inadequate. There are all sorts of issues. I am interested in the minister's reasoning in deciding to go ahead with a new prison in Peterhead and to close facilities in Aberdeen. I accept that Craiginches prison does not appear to be fit for purpose, but perhaps the reason is that it is so overcrowded. We should ask the cabinet secretary to come to a meeting and give us an insight into his reasoning. The members of the visiting committee, who are knowledgeable people and see the situation on the ground, feel strongly about the issue.

**Robin Harper:** I have strong views, convener. I declare an interest as a member of the Howard League for Penal Reform. We should invite the cabinet secretary to discuss the broader policy about community prisons and reforming the prison service in a big way. I would like to draw the cabinet secretary's attention to a small but important observation by Kathleen Marshall, Scotland's Commissioner for Children and Young People, who said that the issue is not about prisoners' prerogatives but about children's rights to visit their fathers—we are talking mainly about fathers although, in the case of Cornton Vale, it is mothers. The issue is about children's rights and about a more enlightened justice system that focuses on returning prisoners to society in a better state than when they were incarcerated.

**The Convener:** As there are no other comments, we will accept Nanette Milne's recommendation. Given the nature of the petition, we need to consider the broader implications of

the difficult decision and how it relates to the broader national strategy.

### **Public and Voluntary Sector Services (Cuts) (PE1158)**

**The Convener:** The next petition is PE1158, from Kevin Hutchens, on behalf of Aberdeen Trades Union Council, which calls on the Parliament to urge the Scottish Government to review whether it is making adequate and sufficient funding available for the provision of public and voluntary sector services. The petition has been in front of us before, and we have taken oral evidence on it.

**Nanette Milne:** The petition definitely raises issues, but I am not sure how to take it forward. The Government considers that it is making adequate and sufficient funding available to local authorities for the provision of public and voluntary sector services, but what has come to my ears from my local council and other councils is that it is not.

Members may be aware that I recently secured a members' business debate on Community Service Volunteers, which is losing its core funding and is being asked to go through councils for funding to train volunteers. It will be incredibly difficult for it to deal with 32 local authorities, which are saying that they do not have sufficient funding.

I worry about the future of the voluntary sector. The country would be in serious trouble without it, because it provides a huge number of services that we have come to rely on.

Perhaps other members have ideas about how to progress the petition. I am not sure exactly how we should do that, but I certainly would not like to close it at this point.

**John Wilson:** Nanette Milne is right. The jury is still out on how voluntary sector organisations are faring under the concordat agreements. The Convention of Scottish Local Authorities has said that it does not have any remit to advise local authorities on how to spend their money, but it was involved in negotiating the concordat, so it is incumbent on it to show that local authorities are delivering to voluntary sector organisations in their areas the budgets that we would expect. As Nanette Milne suggests, real fear exists. The voluntary sector provides a range of services that cannot be provided by others. For many voluntary sector organisations, if core funding is removed, they will not be able to deliver the services that we expect to be delivered in many communities.

I suggest that we write to COSLA again, to ask it what research it is undertaking to ensure that voluntary sector organisations are not being put at risk as a result of decisions by its members. Not

only local organisations depend on local authorities for much of their core funding—national organisations also depend on them. It takes only one local authority to step out of line for the whole edifice to fall apart and a range of local services to disappear overnight—and those services may not be replaced because no one else seems to have the capacity or ability to replace them.

**The Convener:** I think that there is good agreement in the committee on the matter. The unspoken bit of the local government agreement is that we do not know its implications. It would be best to keep the petition open and make the inquiries that John Wilson and Nanette Milne have suggested. Let us see whether we can interrogate the matter a bit further.

**Nanette Milne:** Can we also write to the Scottish Council for Voluntary Organisations, which is the voluntary sector umbrella organisation, and to the Society of Local Authority Chief Executives and Senior Managers?

**The Convener:** Okay.

**Robin Harper:** We could ask the SCVO to hammer away at added value. For every pound that is invested in the SCVO, we probably get £10 to £15-worth—or more—of value back in delivered services.

**The Convener:** I thank members for their contributions.

### **National Concessionary Travel Scheme (PE1162)**

**The Convener:** The next petition is PE1162, from Sally Ann Elfverson, on behalf of the Learning Disability Alliance Scotland. The petition calls on the Scottish Parliament to urge the Scottish Government to amend the national concessionary travel scheme to ensure that people who are in receipt of the lower rates of the mobility and care components of disability living allowance are eligible for a national entitlement card.

I understand that a review of the concessionary travel scheme is under way. I therefore suggest that we suspend consideration of the petition until the review is complete. Meanwhile, we can submit copies of the written submissions to the Scottish Government so that they can be considered as part of the review.

**John Wilson:** I was not a member of the committee when this petition was originally considered. The petition calls for people on the lower rates of the mobility and care components of the disability living allowance to be eligible for a national entitlement card, but wider issues arise, to do with who is entitled to concessionary travel cards. There used to be something known as the

companion card; I am not sure whether the petitioner referred to it in earlier submissions. Someone on a lower rate could apply for a companion card if they needed someone to escort them on public transport. I understand that that card has now been taken away, so people will no longer be able to get a card for an escort, let alone a card for themselves. If that point has not been raised in submissions, it might be worth throwing it into the hat for the review.

**The Convener:** The clerk has just told me that he does not know whether that point was raised in the original submission. We will check. I agree that issues arise. Each local authority had a different interpretation of concessionary schemes, and companions may have received a raw deal. If the point has been raised as part of the petition, we will be happy to take it on board. It might be something that we can follow up anyway.

### **Graduate Endowment Abolition (Scotland) Act 2008 (PE1166)**

**The Convener:** The next petition is PE1166, from Elaine Ramsay, which calls on the Scottish Parliament to urge the Scottish Government to amend the Graduate Endowment Abolition (Scotland) Act 2008 because of the unfair financial burden it places on all graduates, particularly those who continued with postgraduate study after April 2007 to seek vocational training.

**Robin Harper:** It is difficult for me to comment because I am a former rector of two Scottish universities, but retrospective legislation is always thought to be difficult and inadvisable, shall we say. The Government has explained clearly why it is not in a position to do anything. I therefore do not think that we have any option but to close the petition. If there were a way of taking it forward, I would be only too glad to pursue it.

**The Convener:** I appreciate that you are making that suggestion reluctantly, but I agree that, from the information that we have received, it would be appropriate to close the petition.

**Members** *indicated agreement.*

### **Billy Liddell (PE1172)**

**The Convener:** The last current petition on our agenda today is PE1172, from Bill McCulloch, on behalf of the Billy Liddell memorial campaign. The petition calls on the Scottish Parliament to urge the Scottish Government to consider what support and assistance can be provided to local authorities to erect lasting memorials to local sporting legends.

During our earlier discussion on blue plaques, we felt it appropriate that certain decisions be taken at local level. However, Billy Liddell was

recently honoured in the Scottish Football Association hall of fame, and I think that that was partly as a result of the petition. When the petition came before the Public Petitions Committee, it highlighted the importance of the application for a place in the hall of fame. We should also note that Fife Council has set out a mechanism that might assist the petitioner to achieve the aim of recognising Billy Liddell in his home area. On those grounds, I think that we can close the petition.

## New Petitions (Notification)

I wish everyone a safe journey home. Thank you.

*Meeting closed at 15:15.*

15:14

**The Convener:** We come now to item 4 on our agenda. Members have in front of them a paper indicating the new petitions that have been lodged since our previous meeting. They will be timetabled to come before us at the earliest opportunity.

That brings us to the end of our meeting. I want to put on record our appreciation of Berwickshire high school here in Duns. I thank the rector, the teachers and the pupils for allowing us to use their main school assembly hall. Some poor students have probably been exiled somewhere, but perhaps students are not as radical as they used to be—in the past there would normally have been a sit-in protest at rights being taken away like that.

I would also like to thank other staff of the school. Half my relations were involved in janitorial work in Glasgow, so I appreciate the work that has been done to prepare for the visit of the parliamentary committee today, allowing access for all the equipment to make things run smoothly.

I thank everybody for participating. We have had some good contributions to our inquiry into the petitions process, and interesting comments on the petitions that we have considered this afternoon.

The next meeting of the Scottish Parliament's Public Petitions Committee will be on home ground, at 2 o'clock on Tuesday 16 December.

**John Wilson:** Home ground? Is that in Glasgow?

**The Convener:** In Edinburgh. As a Glaswegian, I should have picked my words more carefully.

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