

# **SOCIAL JUSTICE COMMITTEE**

Wednesday 10 January 2001  
(*Morning*)

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# CONTENTS

Wednesday 10 January 2001

	Col.
CONVENER .....	1669
FUEL POVERTY .....	1672
SOCIAL JUSTICE ANNUAL REPORT .....	1692
PETITIONS .....	1695

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## SOCIAL JUSTICE COMMITTEE

### 1<sup>st</sup> Meeting 2001, Session 1

#### THE OLDEST COMMITTEE MEMBER

\*Bill Aitken (Glasgow) (Con)

#### CONVENER

\*Johann Lamont (Glasgow Pollok) (Lab)

#### COMMITTEE MEMBERS

\*Brian Adam (North-East Scotland) (SNP)

\*Robert Brown (Glasgow) (LD)

\*Cathie Craigie (Cumbernauld and Kilsyth) (Lab)

\*Karen Whitefield (Airdrie and Shotts) (Lab)

\*Ms Sandra White (Glasgow) (SNP)

\*attended

#### WITNESSES

Kevin Dunion (Scottish Warm Homes Campaign)

Liz Nicholson (Scottish Warm Homes Campaign)

Maureen O'Neil (Scottish Warm Homes Campaign)

Andrew Warren (Scottish Warm Homes Campaign)

#### CLERK TO THE COMMITTEE

Lee Bridges

#### SENIOR ASSISTANT CLERK

Mary Dinsdale

#### ASSISTANT CLERK

Rodger Evans

#### LOCATION

Committee Room 1



## Scottish Parliament

### Social Justice Committee

*Wednesday 10 January 2001*

*(Morning)*

[THE OLDEST COMMITTEE MEMBER *opened the meeting at 10:00*]

### Convener

**Bill Aitken (The Oldest Committee Member):**

Good morning, ladies and gentlemen. I wish all committee members a very happy new year and, on behalf of the committee, wish the same to all those officials and members of the public who watch over us so zealously.

It might come as a great surprise to everyone, but I am the oldest member of the committee. As such, in the absence of a convener or deputy convener, it is up to me to get the proceedings going. The committee now has a new name and has been truncated. Margaret Curran, the convener of the old Social Inclusion, Housing and Voluntary Sector Committee, has gone to the Executive and Fiona Hyslop has resigned. It falls upon me to preside over the election of the new convener. I understand that there will be no nomination of a deputy convener today.

The Parliament has laid down that the convener should be drawn from the ranks of the Scottish Labour party and, as a result, it is for the Labour party to put forward a nomination for the position. Do I have a nomination?

**Karen Whitefield (Airdrie and Shotts) (Lab):** I nominate Johann Lamont.

**Bill Aitken:** Are you willing to accept the nomination, Johann?

**Johann Lamont (Glasgow Pollok) (Lab):** I am indeed. Can I say something?

**Bill Aitken:** Certainly.

**Johann Lamont:** I thank the committee for the nomination and am very honoured to accept it. However, I want to make a statement, as I am aware that there has been some controversy about my taking over the convenership of the committee, which will be dealing with the Housing (Scotland) Bill. I currently sit on the management committee of the Glasgow housing association. I have always said that if a conflict of interest were identified in carrying out both functions, I would resign from one of them. It is very clear from the advice that has been given to me and to the GHA,

and through the Parliament, that there is no such conflict of interest. In fact, I have been quite upset by the suggestion that carrying out this role within the GHA on behalf of my constituents in Glasgow to find the best possible package for the tenants would somehow prevent me from doing the very serious work of this committee. I am certainly content that the tenants of Glasgow will make the final decision on any proposal made by the GHA board.

However, I have always said that I wish to do nothing that will damage the important debate on housing ahead of the committee and across Scotland, or to damage the important work that has been done in Glasgow to find a lasting solution to the problems faced by tenants in the city. As I am also aware of the level of commitment that the convenership of the committee will entail, I have taken the decision to tender my resignation to the GHA so that I can focus my attention on the work of the committee and to ensure that there is no opportunity for those who seek to do so to obscure further the very important debate on the future of housing in Glasgow. I have informally informed the GHA of my decision and will be writing formally to the organisation today. My resignation will have immediate effect.

**Bill Aitken:** Thank you.

*Johann Lamont was chosen as convener.*

**Bill Aitken:** Do members have any comment on Johann Lamont's statement?

**Brian Adam (North-East Scotland) (SNP):** I welcome Johann Lamont's appointment today. I know that you are very able and look forward to working with you over the next few months and perhaps years, depending on whether we reorganise the committees yet again. Your decision with regard to your position on the GHA is wise and welcome. Whether or not there is a real conflict of interest, such a conflict could be perceived. Once again, I congratulate you on your appointment.

**Ms Sandra White (Glasgow) (SNP):** I welcome Johann Lamont to her current position and am very pleased that she has tendered her resignation from the GHA. Honesty and integrity are paramount in this Parliament and particularly in the running of the committees, which are the Parliament's most important aspect. It is excellent that every member, no matter which party they belong to, can work together. I look forward to working with Johann in future.

**Robert Brown (Glasgow) (LD):** I also congratulate Johann Lamont on her appointment and look forward to working with her. It is worth while to add that, on the subject of the GHA's position, this is a major issue and she has taken

the right decision. It is of supreme importance that conveners of parliamentary committees are seen to be independent of other interests. With an organisation such as the GHA, which executes policy in the housing field, although there is clearly no conflict of interest, Johann's decision today is appropriate. With the decks now cleared, the committee can proceed with a very interesting agenda over the next few months.

**Bill Aitken:** It was my view that there was a potential for some difficulty here. Although I have absolutely no doubt that Johann Lamont would have carried out her duties as I would have expected of her, the Parliament has to operate on the basis of the Caesar's wife syndrome. Not only must we be carrying out our duties impeccably, we must be seen to be doing so. As I said, there was a possibility of a conflict of interests. The decks have now been cleared, which is a relief to us all, and I congratulate Johann both on her stance and on her appointment as convener of the committee. I invite her to take the chair.

**The Convener (Johann Lamont):** I thank committee members very much for those kind words. I hope that, now that people have seen the decks being cleared, the opportunities for mischief-making in Glasgow will be put to one side and that people can now engage in the hard debate about housing instead of chasing red herrings and obscuring people's motives and intentions concerning proposals for the city.

We now move to item 2 on the agenda, which is to agree whether we will take items 3, 8, 9 and 10 in private. Are members agreed?

**Members indicated agreement.**

10:07

*Meeting continued in private.*

10:12

*Meeting resumed in public.*

## Fuel Poverty

**The Convener:** I welcome our guests and the public. You will be aware that the committee has already undertaken work on the issue of fuel poverty. I am grateful to the Scottish warm homes campaign for appearing today. We considered its petition on 26 April last year when, to a large extent, we were quite a different committee. It was decided at that stage to consider the matter further in the light of the Housing (Scotland) Bill.

I welcome our witnesses: Kevin Dunion, the director of Friends of the Earth Scotland; Andrew Warren, the director of the Association for the Conservation of Energy; Liz Nicholson, the director of Shelter Scotland; and Maureen O'Neil, the director of Age Concern Scotland. They are well represented here today by people who have an important role in this field.

You have the opportunity to make a statement if you wish, after which there will be questions from the committee. Does somebody want to start off?

**Kevin Dunion (Scottish Warm Homes Campaign):** Thank you, convener. Our approach is first to make a brief contribution on an issue that the Scottish warm homes campaign agrees should be central to any initiative to tackle housing in Scotland. Each of us will then make a brief contribution on aspects of the bill that lie within our individual areas of expertise. It is important to get into play the collective knowledge of our four organisations.

We think that, in combination, the points that we will make would improve the proposed legislation and ensure, in particular, that it addresses what we think is the most widespread housing problem in Scotland: the issue of fuel poverty. We believe that it is essential that the Housing (Scotland) Bill explicitly commits itself to tackle fuel poverty. We cannot believe that this flagship legislation will allow that opportunity to pass.

The numbers, with which we are all familiar, are stark: around 730,000 homes are classed as being fuel poor under the Scottish house condition survey. We need Scottish Executive confirmation of the scale of fuel poverty and its definition of fuel poverty. Although we are grateful for them, we are concerned that the current initiatives to tackle fuel poverty are insufficient to the task. As individual organisations, we have all welcomed the initiatives that have been announced, but they do not add up to the commitment to eradicate fuel poverty with which we thought we were entering into the new

Parliament.

10:15

The Scottish warm homes campaign would like the Housing (Scotland) Bill to be amended to provide a target date for the eradication of fuel poverty. We think that the appropriate time scale for that would be 10 to 15 years. That would be consistent with what is happening in Westminster—Andrew Warren will speak about that later—and with the commitment in the Labour party's manifesto for the Scottish Parliament to eradicate fuel poverty within two parliamentary sessions of the Parliament. As far as we can see—this is confirmed by the Executive—the current initiatives will bring about 250,000 Scots out of fuel poverty within two parliamentary sessions of the Parliament. We think that that is both insufficient and inconsistent with what is happening elsewhere.

Once that target date has been established, we believe that the bill should require measures to be developed within one year to bring about the necessary improvement to the Scottish housing stock, and to the income of Scotland's families, to allow that target to be met. Our primary and collective concern is that fuel poverty should be addressed in that fashion.

I now ask the members of the campaign to address specific aspects of the bill.

**Liz Nicholson (Scottish Warm Homes Campaign):** As a member of the Scottish Warm Homes Campaign, Shelter Scotland fully supports a target to end fuel poverty in Scotland. We see the Housing (Scotland) Bill, and especially the proposal within the bill to amend the current tolerable standard for housing, as the vehicle for achieving that. I want to address the tolerable standard this morning.

The current tolerable standard dates back to the 1960s and addresses the problems that were faced then with slum clearance programmes. In 1998, the Scottish Office issued a consultation paper, "Beyond the Tolerable Standard". At that time, Shelter called for radical consideration of what the minimum standard of housing for the 21<sup>st</sup> century—to which many of us have become accustomed—should be. We have waited a long time for that.

The Housing (Scotland) Bill published just before Christmas contains an amendment to the tolerable standard. However, unfortunately I consider that it does not go far enough. My colleagues in the Scottish warm homes campaign feel the same. There is one change only to the tolerable standard, which is that a fixed bath or shower and washhand basin, with a satisfactory supply of hot and cold water, should be provided

and should be suitably located in the house. That will not bring many of the houses that are in disrepair and suffering from condensation, and fuel poverty households, within the definition. We wanted a much wider definition of the tolerable standard.

At the beginning of the consultation period on the paper that was issued by the Scottish Office we held a conference with the Royal Environmental Health Institute of Scotland, at which the delegates came up with three proposals. The first proposal was for the current standard amenities that are included in the bill. The second proposal was for a standard measure of condensation dampness in the tolerable standard. I am sure that many members are aware that condensation is a major problem in Scottish housing and has been excluded from the standard. The third proposal was for a minimum standard of energy efficiency to be incorporated in the revised standard.

We are disappointed that the standard has not taken condensation and energy efficiency on board. An amendment to the tolerable standard has been produced, as has an index of housing quality, which is out for consultation. That includes some of the matters that I raised, but has no statutory force. It will be up to local authorities to set their targets as part of their local housing strategies to bring houses in their areas up to the standard. There will be nothing to signify that a house is unfit for human habitation.

The bill must include measures that will tackle condensation dampness. Energy efficiency ratings must be included in the tolerable standard. We cannot leave the matter to local authorities' housing strategies and provide an unlimited period in which the standard can be met. Scotland has some of the worst housing conditions in northern Europe. People's health and children's education are suffering because of the poor quality of the housing. We want the first bill on housing in the Scottish Parliament to address the worst and most widespread problem that faces Scottish housing.

**Maureen O'Neil (Scottish Warm Homes Campaign):** On behalf of Age Concern Scotland, I welcome the opportunity to give evidence as part of the Scottish warm homes campaign. We gave the committee fairly detailed evidence on 15 November. We welcome the Scottish Executive's central heating initiative, but we recognise that it is only the first step in a planned programme to eliminate fuel poverty in Scotland. That is one element that needs to be taken into account, but we must also ensure that advice is provided to people who take part in the initiative and that proper complementary services and programmes support it.

Older people play an important part in the

development of a strategy for housing in Scotland, especially in relation to fuel poverty. Their position must be taken into account alongside improvement grants for properties. In Scotland, 20 per cent of the population is over 60. In the next 20 to 30 years, such figures will rise significantly, particularly the figure for those who are aged over 80. Therefore, it is important that we begin to get the strategy right as the population gets older.

The Scottish house condition survey revealed that 69,000 households containing an older person faced extreme fuel poverty. Given the income difficulties that some older people experience, it is important to develop solutions to that issue, as we have said. When we consider fuel poverty, we must take it into account that at least 70 per cent of older people do not claim the benefits to which they are entitled. That makes heating and maintaining a warm house difficult and it means that paying for repairs is also difficult.

Older people who are on the margins of entitlement to state benefits, or who have small occupational pensions, are particularly affected. Older people are a crucial element of below-tolerable housing and fuel poverty. Getting the measures right will have a strong effect on community care services, on what people can expect from them and on what people need to take out of them.

Age Concern Scotland is also disturbed about a proposal in the bill that was not in the original plans—the bill will take away the right of private tenants to receive improvement grants. We would like that provision to be seriously reconsidered, because older people who occupy private tenancies live in the worst housing in Scotland. Of those homes, 8,000 are below tolerable standard. That issue must be addressed, so making such a proposal in the bill is not acceptable. The juxtaposition of improvement grants with fuel poverty is very important for older people.

**Kevin Dunion:** Before I hand over to Andrew Warren, I will add a comment on behalf of Friends of the Earth Scotland. The Housing (Scotland) Bill's policy memorandum considers the effects on sustainable development of the proposed policies and concludes that they will

"contribute in both the short and longer terms to the development of sustainable housing policies for Scotland."

As with so many claims about sustainable development, we are concerned about how the claim will be measured. The bill does not make provision for measurement of that claim to be tested for the future. It is essential that good quality housing in Scotland makes a contribution to sustainable social, economic and, of course, environmental development. In particular, it must contribute to the Government's targets for

reducing climate change emissions, of which we have heard much recently.

Overall, the UK Government is committed to a domestic target of reducing climate change emissions by 20 per cent. It is estimated that the Scottish domestic residential sector increased its emissions by between 1 and 2 per cent between 1990 and 1995. That figure is set to continue to increase. It is clear that if housing is to contribute to reduction of those emissions, we must begin to reverse that trend. We can do that by ensuring that the houses that we build and improve are energy efficient and that we begin to reduce our demand for energy in heating buildings. We therefore call for the bill to require energy auditing of Scotland's properties to take place over a suitable time. We need to know the CO<sub>2</sub> output and the energy efficiency of not only broad swaths of properties, but individual properties.

Energy auditing and labelling, particularly on a change of occupancy, would allow a buyer or tenant to know about the property that they were taking on. They would know what it cost to run it and what improvements might be required. That would give us a detailed picture of the condition of Scotland's housing and it would measure the efficacy of initiatives, such as the bill, in improving housing. It would assist local authorities in drawing up local housing plans as part of their strategies and allow resources to be targeted at those who require them most and earliest. If buyers knew that a house was difficult to heat, home owners would have an incentive to invest in improvements, because their properties might otherwise be unattractive to purchasers. Tenants would be given information about the homes that they were offered and the nation would be given a key sustainability indicator on whether we were tackling sustainable development. We commend such a provision for the bill, as has been made elsewhere in the UK.

That is an appropriate point at which to ask Andrew Warren to talk about what is happening outside Scotland.

**Andrew Warren (Scottish Warm Homes Campaign):** Good morning. The Association for the Conservation of Energy is also proud to be part of the Scottish warm homes campaign. Normally, we are represented by our Scottish campaigner Malcolm Sayers, who is sitting behind me and who I think is known to several members. I am the UK director of the association and I hope that it is pertinent to talk about my recent experience. I chaired the steering committee that has met in Westminster for the past three years, and which included parliamentarians of all parties and a variety of organisations from the private sector, including my association, non-governmental organisations and unions. That



committee was geared towards the Warm Homes and Energy Conservation Act 2000.

10:30

The steering committee helped to organise the campaign that led to the cause being successfully taken up through a private member's bill during the past year of the UK Parliament, which has become the Warm Homes and Energy Conservation Act 2000.

It is simple to crystallise what that act is about: the intention is and its achievement has been to establish a duty on the UK Government to ensure that, in England and Wales, fuel poverty will be abolished—not ameliorated—within a given period of time. The Deputy Prime Minister has defined that period as 10 years. Under the legislation, the UK Government has a duty to produce by November a detailed plan that will illustrate how that will be achieved. The legislation currently applies only in England and Wales.

On behalf of European Union President Prodi, in Brussels, I have been chairing a task force on sustainable development and energy conservation. I am also serving on a working party that is dealing with climate change programmes for the 15 European Union member states. Kevin Dunion referred to that imperative, a key part of which—throughout Europe—will be initiatives for buildings that are responsible for just over 40 per cent of Europe's energy usage and, therefore, for carbon dioxide emissions. One of the most likely initiatives to come out of that will be a directive that I anticipate will be tabled in the next six months, during the current Swedish presidency. That directive will require that, when the occupancy of buildings changes or they are sold, the future occupants will receive details of the likely energy performance of those buildings. Assuming that that directive goes ahead—and the Council of Ministers, in a resolution last month, declared that it was in favour of such initiatives—it is likely that it will become law in all the member states.

**The Convener:** Thanks very much for that comprehensive statement. I am sure that it contained much that members will want to reflect on, not only through questioning now, but later. We have also read the Scottish warm homes campaign's initial petition, and we will address some of the points that are contained in it as they relate to the Housing (Scotland) Bill.

I would like to get a sense of the impact of the decisions that have been made by the Scottish Executive in relation to this matter. In your petition, you said that

"the Scottish Executive's strategy for dealing with fuel poverty is insufficient to eradicate the problem."

Since the petition was received, a £350 million programme has been established to provide central heating, and an announcement has been made on the establishment of the housing improvement task force. What difference do you believe that those initiatives will make? You have told us what else you want to be done, but what impact do you think that the Executive's actions will have?

**Kevin Dunion:** We must fall back on answers that were given by Jackie Baillie, when she was asked that question. Slightly confusingly, she used two different terms. She said in a written answer, that she thought that the initiatives that were being introduced by the Executive would take

"250,000 households out of fuel poverty over the lifetime of this administration and the next."—[*Official Report, Written Answers*, 23 November 2000; Vol 9, p 98.]

However, she said at a meeting of this committee—in its previous incarnation—that the Executive wanted to lift

"250,000 Scots out of fuel poverty"—[*Official Report, Social Inclusion, Housing and Voluntary Sector Committee*, 1 November 2000; c 1502.]

Individuals and households are not the same thing. Even if the upper figure of 250,000 households were correct, we estimate that that is only a third of the households in Scotland that suffer from fuel poverty. The intention of eradicating fuel poverty over two sessions of the Parliament will clearly not be achieved by simply allowing the current initiatives to run their course.

**Liz Nicholson:** We need better data on that. That information is available, but we are still waiting to see the analysis of the data that Scottish Homes collected from the Scottish house condition survey. We have the data from the survey that was published in 1997, but we are still waiting to see the separate data analysis that would show clearly the impact of the Executive's current initiatives and the shortfall in those initiatives because of the extent of fuel poverty in Scotland. I ask the committee to find out whether it can get hold of that information. The analysis has been prepared and was presented by Scottish Homes at an Energy Action Scotland conference 18 months ago. Those data would be very useful if they were available to us in their published form.

**The Convener:** It would be reasonable to say that the initiatives that the Executive is taking are acceptable but not sufficient.

**Kevin Dunion:** We have all welcomed those initiatives. I do not want to be churlish about this—we recognise that the Executive is doing something about the problem. However, the Executive's statements show that it recognises that those initiatives are not yet sufficient for the task.

**Bill Aitken:** If things proceed as some of us around this table wish, the new housing partnership initiative will result in considerable investment in housing in Scotland—especially in Glasgow—in the short term. It appears that the standards of work that will be applied in the many refurbishments that will take place are negotiable at the level of the individual transfers that will take place over the years. What is your view on the question whether there should be a tightening of the standard and extent of work that might be carried out, with regard to fuel poverty and energy conservation?

**Liz Nicholson:** New housing will automatically reach the energy efficiency rating of 7 out of 10. We want refurbishments also to reach that standard. Our main concern is that, although we might achieve energy-efficient homes with substantial renovation of the stock through new housing partnership programmes, that will involve only a very small proportion of the Scottish housing stock. The largest part of the worst stock is in the private sector, particularly in the private rented sector but also in the owner-occupied sector. We welcome any improvement to the housing stock. However, if we are to abolish fuel poverty, we must set a target for all tenures.

**Bill Aitken:** Yes, but you must appreciate that it is sometimes necessary to approach matters gradually. It is not possible to do everything at once.

**Liz Nicholson:** No. We have set a target of 10 years.

**Bill Aitken:** Leaving aside the fact that only 27 per cent at most of the public sector housing stock is likely to be affected by the initiatives, do you feel that there should be a tightening of the terms and conditions that would be applied, to ensure that the work that is agreed to matches a specification that will maximise energy conservation?

**Liz Nicholson:** Yes—absolutely. The refurbishments should meet the same standards as the new housing.

**The Convener:** I think that I managed to get members whose initials are BA mixed up. Brian Adam wanted to raise those issues, so let us return to him now.

**Brian Adam:** In your petition, you suggest that the energy efficiency improvements should eradicate fuel poverty within two sessions of the Parliament. You are talking about a period of 10 or 15 years, which parallels what should happen south of the border in eight, 10 or 15 years. Energy efficiency is only one aspect of fuel poverty, so is it possible to eradicate fuel poverty on this basis alone, and is it realistic to expect to do it within two sessions?

**Kevin Dunion:** Our premise was the fact that, in the run up to the elections for the Scottish Parliament, the eradication of fuel poverty was one of the prominent proposals, particularly in the Labour party manifesto. We all welcomed the aspiration to eradicate fuel poverty within two sessions, although it seemed like a tall order. We were particularly disappointed that that was quickly dropped and that no substitute was put in its place. We want to see a target date—whether that is two sessions, 10 years or 15 years—by which achievement of that aspiration should be attempted.

You are right that energy efficiency measures alone will not eradicate fuel poverty. For example, the household income of those who live in poverty is a significant factor, but that issue is reserved to Westminster, which is why it is interesting that the Warm Homes and Energy Conservation Act 2000 states that fuel poverty will be eradicated in the time scale that Andrew Warren mentioned, which is 10 or 15 years. We think, therefore, that Scotland must play a part in that and that there should be provision that will allow the Housing (Scotland) Bill to do its bit. If its bit is energy efficiency, it should make such provisions.

On reserved matters, negotiations should be held with Westminster to secure additional resources for households. It would be most disturbing if we had a commitment for England and Wales, while in this country—where fuel poverty is perhaps most pronounced—we did not have the same aspiration. That would be a crying shame.

**Brian Adam:** I share that aspiration, because clearly it costs more to heat a house in most parts north of the border than it does south of the border.

You referred to reserved matters. To what extent has a proper balance been struck between the environmental and social policies that are necessary to address the problem?

**Andrew Warren:** I hesitate to step in and talk about the difference in powers—

**Brian Adam:** To be fair, I was not asking you to highlight any constitutional difference. To what extent do we need to get the balance right between the social side of the issue, which is covered by another Parliament, and the environmental side, which is covered here? Unless we get that balance right, we will not make progress. To what extent will the current set of proposals strike that balance?

**Andrew Warren:** Again, I hesitate, having come here from London, to comment directly on the Scottish situation. However, on the English and Welsh position, during the course of developing the Warm Homes and Energy Conservation Bill—

which is now the Warm Homes and Energy Conservation Act 2000—that balance was examined in some detail. There was recognition that, to achieve what we agreed was an ambitious but thoroughly necessary target of not only ameliorating, but abolishing fuel poverty, changes in policy would be required. There is no getting away from that. That has been recognised by the UK Government, which is why it is committed to producing, by November at the latest, a detailed strategy to demonstrate the necessary alterations, and to balance them in policies. That will achieve the objective within the 10-year period, which the Deputy Prime Minister has reconfirmed.

It is appropriate neither for me nor, I suspect, for Kevin Dunion, to try to provide every dot and comma of how that can be done at this stage. However, in our view, the important thing south of the border was to say that there must not be merely an aspiration—I have heard that the aspiration was in the Labour party's manifesto for the Scottish Parliament elections two years ago—and there must be more than words. That is one of the reasons why a bill was introduced in Westminster. It was brought forward on a cross-party basis and it has become an act of Parliament that will ensure that fuel poverty is abolished in England and Wales by 2010.

10:45

**Maureen O'Neil:** On older people, income has to be taken into account carefully because, as I said, about 33 per cent of older people do not take up the benefits to which they are entitled. Unless they can afford to heat their houses—which is difficult in some houses, in terms of energy conservation—there is no balance. Brian Adam's stress on balance is important, and we need to achieve that balance if we are going to eliminate fuel poverty properly and effectively.

**Robert Brown:** I want to begin with a general question to get a feel for the extent of the problem in Scotland compared with England. There are more houses in England, so there is obviously a difference, but I want to know about proportionate differences. We have a colder climate than England has, but do we also have a higher number of houses needing attention and greater investment?

**Liz Nicholson:** The Scottish house condition survey showed that there are clearly worse problems in Scotland. I am afraid that I cannot give the committee comparative data right now, but I can write to the committee with that information. We are looking at a repair bill of £10 billion—the state of repair of the Scottish housing stock is quite poor.

**Robert Brown:** I asked that question because I

wanted to know about the level of resources that would be needed in relation to the targets that have been set. You have highlighted the fact that the private rented sector tends to be a neglected area, where there are the worst conditions and the poorest people. The Executive's legislative strategy is to deal with the social rented sector first in the Housing (Scotland) Bill and to deal with the private rented sector later. There are also funding issues to consider. What do you think of that approach to the problems that you have identified?

**Liz Nicholson:** The strategy that has been laid out involves setting up a task force and having an index of housing standards. We need something in statute now that will address the problems, and which local authorities will have to work to when drawing up local housing strategies for all the stock in their areas. We could wait 10 years before we see another piece of legislation to address the private sector. The problem has already gone on for too long. The Housing (Scotland) Bill gives us an opportunity to include a target for fuel poverty and we should take that opportunity. We have known for some time that Scotland has the worst housing and that there are real problems with condensation and dampness and that those problems affect health and education.

**Robert Brown:** The issue has as much to do with the methods as with the resources. What is your view on the effectiveness of spending? There are different sorts of houses in the private and public sectors, some of which cannot easily be brought up to proper insulation standards. Is work being done to identify the houses that are easiest to deal with and to investigate how other houses might best be tackled? Are there some houses that the initiative might be unable to tackle? Is not that why the Executive is heading towards a quality standard and putting the framework in place first, to discover the nature of the problem, what must be done about it and how best to spend the money?

**Kevin Dunion:** We need that framework. One purpose of the local housing strategy is to identify the nature and condition of the housing stock. That must be done in detail, not with a broad brush. One of the arguments that we have made in favour of energy auditing is that it would encompass not only the social sector but the private sector—including the owner-occupier and private rented sectors. It would allow us to know precisely the condition of our housing stock across all sectors.

The energy audit is essential. Although the general thrust of housing policy seems to encourage private home ownership, that sector seems to be excluded from most of our housing policy provisions on assessment and investment. Many homes in the owner-occupier sector

continue to exhibit problems of poor energy efficiency, rather than fuel poverty, although that is present too. The private rented sector represents only about 5 per cent of Scotland's housing stock, but its incidence of fuel poverty is much higher than one would expect—about 40 per cent of people in the sector are fuel poor. If energy auditing took place, it could be made a condition of licences that property that was to be rented privately met the agreed standard.

From a social point of view, it is not unreasonable to expect that a private tenant should have some idea of the costs that they are likely to incur not only in rent but in running a property. If the obligation falls to the landlord to make good the property, the tenant has little scope for investment in it. Provision for energy auditing and labelling must be made, so that those who buy or rent know what they are getting for their money.

**Robert Brown:** How long would it take to introduce such a provision? I am considering the financial implications for people who have to have the audit conducted. The Executive and the committee have identified problems such as the possibility that landlords would be driven out of the private rented sector, which would exacerbate the problem. Should not the idea be tackled carefully, with sufficient resources to make the scheme effective? Are we not at risk of setting up a bureaucratic licensing system, which would cost a lot of money and, arguably, would not be very effective in achieving the objective?

**Liz Nicholson:** The licensing of houses in multiple occupation provides a model that we could use. HMO licensing is expensive, but if the whole private rented sector were included in the scheme, I think that the costs would be reduced. The provision would take time—that is why we suggest 10 years. However, similar models already exist.

Landlords who own the properties in the worst condition might remove themselves from the sector, but that is not altogether a bad thing. We must simply ensure that there is provision elsewhere in the social rented sector to accommodate the people who lived in the properties of such landlords.

**Ms White:** I have a question that relates to the European convention on human rights, the private rented sector and local authorities. If the bill does not give people who rent in the private sector the same rights as others, could they approach the European Court of Human Rights and argue that they have been discriminated against?

**Liz Nicholson:** I will get back to you on that question, but I do not think that they could. The single social tenancy, or Scottish secure tenancy,

has been examined with a fine-toothed comb to ensure that tenants' rights comply with the ECHR. I cannot speak with any authority on the subject, but I will get back to you.

**Cathie Craigie (Cumbernauld and Kilsyth) (Lab):** I will continue with the issue of energy auditing, which Kevin Dunion mentioned in his supplementary briefing to the committee and in further discussion today—almost every question to him has referred to it. I have some sympathy with the proposals, but will you clarify how the system would operate? Are you suggesting a central register? If so, who would hold the register? Will you clarify and define the proposal?

**Kevin Dunion:** I will try to do so. Friends of the Earth and the Association for the Conservation of Energy are preparing a report, which is being funded by the Energy Saving Trust and Transco. That report will be sent to the committee by the end of this month. It tries to address some of the specific questions that have been raised about the way in which energy labelling and auditing would work.

We think that labelling and auditing will work best when there is a change of occupancy—either a change of ownership or a change of tenancy. It is likely that a central register, such as is operated in other countries, will make the audit more acceptable to the public and to those in the profession. We have addressed a number of points in the report, such as what safeguards there would be if the survey was carried out on behalf of the seller. We see the rights passing from the seller to the buyer at the point of purchase, so that everyone will have a chance to inspect the audit and survey. The successful buyer will have the whole title to that exercise passed over to them, so that, if the survey finds that something is wrong, they will have as much right to redress as the person who commissioned the survey.

We are seeking to address a number of details. In other countries, such as Canada and Denmark, that type of labelling and seller-surveying works, and we think that it would make life much easier for people in Scotland if they could know the condition of the house that they are about to buy or rent.

**Cathie Craigie:** Did you say that you have commissioned work on that?

**Kevin Dunion:** Yes—we have almost completed it. We have been working on a report, funded by the Energy Saving Trust and Transco, for the past six months. It is in draft form, but we intend to submit it to this committee by the end of the month. It will be published shortly thereafter.

**Cathie Craigie:** I look forward to reading it. The Executive recently made announcements on the establishment of the housing improvement task

force, which will address some of the issues that Liz Nicholson raised on tolerable standards. How would you change the tolerable standards to improve energy efficiency in Scotland's housing?

**Liz Nicholson:** The tolerable standards should include energy efficiency ratings. At the moment, around 93 per cent of Scottish housing does not meet the energy efficiency standard for new housing—that is how big the task ahead of us is. Energy efficiency is one area that must be addressed; condensation is another. Not to include condensation in the considerations for the tolerable standards is a big omission.

**Cathie Craigie:** How do you define condensation? Tenants who have lived in rented housing over the years may be convinced that they have a dampness problem, but a professional will come along and say that it is condensation.

**Liz Nicholson:** Some of the condensation may be caused by the structure of the housing. The majority of the condensation problems in Scottish housing are in the multi-storey blocks and other buildings that were built in the 1960s and 1970s. Occasionally, the condensation may be caused because people are too poor to heat their homes. That can be tackled by making housing energy efficient and by eliminating fuel poverty.

I am not sure what you mean about condensation. Stories circulate about what housing officers refer to as the causes of condensation when they inspect people's houses. We are talking about severe condensation that is caused by the structure of buildings, whereby mould grows and living in those properties damages people's health.

**Karen Whitefield:** The Executive plans to extend its scheme of care and improvement grants. I would be interested to know your views on that. I would also like Maureen O'Neil to expand on her concerns about the way in which the proposed changes might affect the elderly.

11:00

**Maureen O'Neil:** The improvement grants that are administered by care and repair organisations have a significant impact throughout the privately owned accommodation sector. We have already said that that sector is often property rich but income poor. Therefore, the availability of grants enhances both the property and the well-being of the individual. Housing stock also benefits and—to answer the point that was raised earlier—social consequences arise from people not being able to do work under improvement grants.

Our concern with the bill is that, apparently, the grants that were previously available to tenants in the private rented sector will no longer be

available. That issue must be addressed, because the private rented sector has significantly worse housing and often tenants in that sector are significantly poorer and do not take up benefits. The social consequences of the decision not to make those grants available will impact on other budgets; we must investigate how those budgets could work together.

The improvement grants play an important role in relation to effectiveness. Given the amount of stock that needs to be improved, making those grants more widely available is vital if we are to safeguard the warm homes campaign and if people are to retain their independence.

**Kevin Dunion:** I do not have much to add on the specifics. We have been concerned that, although the Housing (Scotland) Bill makes provision for local authorities and for improvement grants, the level of grants available are insufficient to provide adequate heating systems or adequate thermal insulation, which can be relatively expensive. In the past year, local authorities spent around £35 million on improvement grants across all types of work. While we welcome the bill's provisions, questions continue to arise about whether there are sufficient resources behind them.

Cathie Craigie referred to tolerable standards. If we try to take the poorest property up to an acceptable standard, that will be costly. We recognise the problem of absolute and certain definition when it comes to dampness and so on. We have suggested that the definition should be improved to mean substantially free from persistent condensation dampness. We are not saying that any evidence of condensation dampness means that the house is below tolerable standards, but we all know that we are talking about chronic, persistent, irremovable condensation dampness.

The definition could also include an energy efficiency level that is consistent with the age and type of property. We can establish that some properties can be brought up to a certain level only, but even within that average, some properties will be chronically below that level—that is, below the tolerable standard for that type of property. We must have a definition, but we should not get hung up on the fact that that definition is not foolproof in an absolute or scientific way.

**Karen Whitefield:** You referred to the importance of resourcing the repair and improvement grants. What would your views be if that money were ring-fenced to ensure that it helps those who need it most? Would that be appropriate?

**Maureen O'Neil:** At present, an element of the improvement grant is ring-fenced. Questions arise

over how that ring fencing is applied, as it is done on a bidding system. Sometimes, the grant is not given the important priority by local authorities that all of us around the table would give it. There is an uneven spread of and an uneven commitment to improvement grants. The system could be simplified, by concentrating on the standard of properties in a particular area that have been identified as requiring work and by setting a target date.

**Karen Whitefield:** The current tolerable standards already cover dampness, but how would you improve or strengthen that standard?

**Liz Nicholson:** Dampness is mentioned, but condensation is not. Dampness is caused by condensation, and we are concerned that condensation has been omitted.

**Ms White:** I have thoroughly enjoyed listening to the witnesses' evidence and reading their papers. As they rightly say, this is probably one of the most important pieces of legislation that we can put through the Scottish Parliament—the first housing bill in, I think, 13 years. Dampness, fuel poverty and condensation are especially important issues: they must be eradicated.

Have there been any shortcomings in the answers to the questions that your campaign has raised? Is there anything that you would like to draw particular attention to regarding energy conservation legislation?

**Andrew Warren:** Drawing on my European experience, I will try to put the issue in context. Robert Brown asked how quickly we could achieve what I think everybody here wishes to achieve—the abolition of fuel poverty.

When I chaired the Europe-wide committee on sustainable development and energy conservation, I tried to introduce measures relating to fuel poverty. The committee contained people from all the different Governments and there were people from countries that have even colder climates than Scotland—Finland, Denmark, Sweden and northern Germany. Every one of them said, "What's fuel poverty?" Fuel poverty exists nowhere in Europe apart from in the British isles. Other countries simply do not have this enormous underclass of housing, which continues to exist year after year, with people living in appallingly damp and insanitary conditions. We, apparently, are prepared to say, "Well, we'll try and do something to improve this year on year. We are improving it a bit but, of course, it's difficult to administer."

I acknowledge that difficulty, but what has come home to me very clearly is that the sorts of conditions that we have apparently grown used to simply do not exist elsewhere in Europe. I remember when the Finnish environment and

housing minister—Ms Sattu Hassi—was chairing the Council of Ministers and the issue of hypothermia came up. That word appears on endless death certificates here, but Sattu Hassi told me that, although people die of hypothermia in the winter in Finland, they do so only outside their homes. In this country, we see an enormous increase in the death rate in winter as opposed to summer. We have to recognise that that change is not seen in any other of the northern European countries. The levels there tend to be constant over the months, irrespective of whether it is high summer or deep winter.

Personally—and this is a completely personal statement—I do not consider that to be acceptable in a civilised country in the 21<sup>st</sup> century. That is why I have been heavily engaged in the campaign to eradicate the problem in England and Wales. I would like it to be eradicated throughout the United Kingdom.

**Ms White:** I would like to ask Maureen O'Neil about standing charges for the elderly. Obviously, we cannot insist that those be removed, but would you say that abolishing standing charges would go a long way towards eradicating fuel poverty for pensioners?

**Maureen O'Neil:** That is certainly a big issue with pensioners, who often reduce their usage of fuel in order simply to cover the standing charge. We have often spoken to the power companies about that. We also have to educate people with proper heating to use it wisely and to be aware of the effectiveness of well-heated houses. We must also consider the balance between having an income that is sufficient to heat a house and having a house that has efficient heating. All those issues go in tandem, and there is a lot to be done on them.

**Cathie Craigie:** On the cost and delivery of fuel, if we all had energy-efficient housing, it would cost us less to heat it. When the committee took evidence from Communities Against Poverty, a large part of whose agenda concerns fuel poverty, I was shocked by just how difficult it is for people who might be living in energy-efficient homes to afford to heat them properly. In particular, the cost of electricity seems much higher when fuel cards are used. The regulation and control of energy companies lies with Westminster. Have you raised that aspect of fuel poverty through the committee system down there?

**Andrew Warren:** The Chancellor of the Exchequer would say that he has sought to address that issue in the Christmas donations to pensioners—I was about to say "handouts", but that sounds pejorative—which he increased this year with the intention of directly helping people to purchase fuel. However, the key issue is best illustrated by the analogy of trying to pour hot

water into a bath. Obviously, one must be confident that, if one turns on the taps, hot water will be provided. However, there is no point in providing the hot water if there is no plug in the bath. If we think of the house as equivalent to the bath, we are trying to ensure that fuel is sufficiently affordable to enable people to have a basic standard of bathing and that the bath has a plug in it so that the water does not continually run out.

**Cathie Craigie:** You have suggested that we set ourselves a target date and England has already set such a target—

**Andrew Warren:** As has Wales.

**Cathie Craigie:** Yes. However, there are issues that we could be addressing now. Energy efficiency will see everything working in the end, but we are currently facing issues in relation to fuel affordability and the poor. I can buy fuel more cheaply than some of the poorest people from Communities Against Poverty who gave evidence to the committee. Is your organisation lobbying and campaigning to make changes in that area?

**Kevin Dunion:** I want to make two points on that. You are right to say that fuel poverty is about not just energy efficiency but cost. When the Royal Commission on Environmental Pollution made its energy report two years ago, we brought to its attention initiatives that were under way in Italy and elsewhere, where the first element of electricity that is used is much cheaper than what is bought later. For example, after the basic amount of electricity that a household would require is established, if a person wants to run a tumble dryer or 10 televisions, they pay more for that electricity than they did for the first basic element. In the UK, it is the other way around: a volume user pays less at the higher end.

We also raised the fact that the charge card schemes are much more expensive than paying by direct debit. The privatised utilities can justify that because of their administration costs. That issue must be addressed directly. One way in which the power companies would like to address that issue is to assist poorer households to improve the energy efficiency of their homes. However, they are reluctant to invest in that—they do not think that they will recoup the costs because of the 30-day rule, under which people can change their utility supplier with one month's notice. A different arrangement would require a change of legislation at Westminster.

**Andrew Warren:** I am sorry to interrupt you, Kevin, but that does not require a change of legislation: it requires merely a change in the rulings of the regulatory office, Ofgen, which deals with the matter. Westminster politicians—including ministers—have been urging the regulator to end that rule, which argues strongly against the

economics of an electricity or gas supplier helping their customers with energy-saving measures. The suppliers are worried about the fact that a customer can, under current arrangements, move every 28 days. It is not the Government that decides on the matter, but the regulator. We would welcome any pressure that you could place on the regulator in Scotland concerning this matter, as we have made the point time and again without success.

11:15

**The Convener:** Thanks very much for that. We can afford a further five minutes of questioning before we finish.

**Brian Adam:** I have a question for Maureen O'Neil. There is strong evidence to show that older people are much more reluctant to apply for benefits than younger people are. Is there any evidence to show that the same is true of applications for repair and improvement grants for houses? If so, do you have any suggestions of ways in which that might be addressed? Many houses in the private sector are of a poor standard and we must do something to bring them up to the appropriate standard. I am concerned that the elderly may be reluctant to go through the appropriate processes.

**Maureen O'Neil:** The issue may not be reluctance; people may not be well informed about the ability to access a grant. A lot of older people are put off because the procedure is quite complicated, which is why care and repair schemes, which assist older people through the process, are valuable.

Most grant schemes require the individual or household to put up a share of the cost. In Edinburgh, for instance, the required figure is £1,000. If the household cannot find £1,000, the process stops, although there are often ways around raising that money.

Several factors must be taken into account. First, the procedure is complicated. Secondly, the grants are not well publicised or consistent across local authority areas. Thirdly, the element of personal cost sometimes puts people off.

**Cathie Craigie:** The Housing (Scotland) Bill proposes changes to the grants for improvement and repairs. Are the grants as complicated as they were in the past or has there been an improvement? Liz Nicholson and Maureen O'Neil both mentioned that the repair and improvement grants system will not allow tenants to apply for grants. However, as far as I can see, the system will allow tenants to apply if they have been responsible for two years for the specific problem for which they are applying for a grant. Is that change an improvement?

**Maureen O'Neil:** As I understand it, the proposed change in the Housing (Scotland) Bill will not permit tenants in the privately rented sector to apply for improvement grants.

**Cathie Craigie:** Perhaps we can clarify that. That is certainly not my understanding.

**Maureen O'Neil:** That was a major concern of ours, because of the issues that we have raised.

**Liz Nicholson:** I did not pick up that potential problem. I have been back at work for only two days. I read the bill, but I did not pick that up.

We need to see the draft regulations for the repair and improvement grants before we will know whether they will be an improvement or whether they will deter people from applying for grants. We need to have some input to the regulations.

**The Convener:** Thank you for speaking to us. We will reflect on what you have said. We look forward to receiving the additional information that you will give us as consideration of the bill progresses. As you have said, you may want to highlight further points as we reflect more on the substance of the bill. No doubt we will meet again.

## Social Justice Annual Report

**The Convener:** We move to item 5 on the agenda, which is the social justice annual report. Members will recall that it was agreed last year to put this matter on the agenda. The report was debated in Parliament and people had the opportunity to voice their views and concerns. I do not think that it is the committee's role to rehash the debate and set out party positions, but we may want to discuss briefly the committee's role on the report this year and in future. Lee Bridges has provided a report. Do members have any views on how we should proceed?

**Bill Aitken:** I agree that there is no point in regurgitating the arguments or the somewhat hard words that I had to say about the report when it was discussed in Parliament. It is too early to determine the effectiveness of the Executive's policies. We should bear in mind the fact that we did not even have a year before we were asked to express a view. We need much longer than that. This morning we can discuss whether we agree that the targets are appropriate and whether the existing system for satisfying the Parliament that the targets are being met is adequate.

**Cathie Craigie:** I agree with Bill Aitken. The report was the first ever report in Scotland on the social justice targets. We have to give the targets time to bed down. We should wait before we discuss them and we must tread carefully. By next year, a full year will have passed and we will have a clearer picture of whether the Executive's various measures are working. It will perhaps be more telling to consider the figures in next year's report.

**Karen Whitefield:** It is important that the committee has a role in this matter, but that role is different from that of the whole Parliament. We do not want to hold the debate again, but the minister should be accountable for the report to the committee. We should perhaps arrange for the minister to come to the committee once a year so that we can question her on the targets, on the progress that has been made to achieve them in the previous year and on any difficulties that the Executive has encountered or that committee members have perceived.

**Robert Brown:** The difficulty is pinning down the results of policy measures. Some of the objectives in the report are significantly more important than others. Some do not relate to the particular work of our committee. It may be useful to draw from the report the particular matters that the committee should keep an eye on. For example, on the rough sleepers initiative, we want some visible sign that people are not sleeping rough to the same extent. We should establish



how that is measured and examine the figures. There is a lot of work that we could do in that area. Some figures are more solid than others; some things cannot be monitored effectively, but others can. Perhaps we should have a quarterly paper that draws together the key points that the committee would like to keep its eye on and on which it could monitor progress.

**Brian Adam:** I do not disagree with that suggestion. We are at an early stage and the report represents an attempt to draw a baseline against which comparisons can be made. We should be careful that, when the baseline is adjusted, as it undoubtedly will be, it is done logically—there should be no recurrence of what happened in relation to unemployment when targets were moved if no improvement could be achieved.

The things that are difficult to measure are probably as important as those to which it is easy to put a number. An area in which I am interested, because I used to be involved in the health service, is the disparate figures that arise from health inequalities, which affect communities in which attempts are being made to tackle social exclusion. I am familiar with some of the figures from my area. Someone is much more likely to be admitted to hospital as a result of an overdose if they come from a deprived—whatever that may mean—background than they are if they come from a community that is not deprived. We should examine such trends to identify problems across the range of policy areas, not just in relation to housing. The report is on social justice and cuts across a range of factors. I know that the Executive and everybody else are interested in health inequalities. We should think about broadening the range of criteria that we consider.

**Ms White:** We are now called the Social Justice Committee, so it is important that we have an overview of everything in the report. I would like a meeting to be arranged to go through the report perhaps every six months, so that we can examine the targets that have been set and what has been happening. We cannot tell every committee what to do, but it would be a good idea for the Social Justice Committee to hold meetings that are devoted to the subject.

**The Convener:** I think that members agree that it is our role to keep an eye on the report and to inform the social justice agenda through our meetings with different groups and so on. We should ask the clerks to produce a paper along the lines that Robert Brown suggested, which outlines the key targets and fields for us. There may be a case for alerting other committees to some of the targets that are identified—there are obvious examples in education—so that they can examine what is happening. I understand the argument that

the targets are a baseline against which things can be checked and therefore that they should not be changed. Equally, if targets and milestones are set that conflict with each other or do not make sense as part of a cross-cutting approach, we may want to highlight that to the Executive so that it can address it. We can also agree to invite the minister to the committee annually or six-monthly to discuss progress on the report and any issues that we want to raise. Perhaps the clerks will summarise how we will act. Is that acceptable?

*Members indicated agreement.*

**Robert Brown:** I know that there will be an annual report on this, but will we be given a more frequent—quarterly or half-yearly—monitoring report?

**The Convener:** We can find that out. There is always a tension between looking at the statistics and having an impact on the statistics. It is a matter of balance for the Executive; it has to decide whether expending a lot of energy on reporting back on what has been done detracts from work in this important field. We can ask the Executive how it envisages the process developing in the next year.

11:30

**Bill Aitken:** A slight problem is the fact that the statistics in which we are particularly interested do not arrive simultaneously, but are produced at different times of the year. We should flag up that problem.

## Petitions

**The Convener:** The next item is petitions. Petition PE311 from the Y Network Glasgow calls for several things to be done for young people, including action on social inclusion issues, which are obviously within the remit of the Social Justice Committee. The Public Petitions Committee referred the petition to us and we must consider what action we will take. I have a particular interest in the petition as the Y Network operates in my area and I am familiar with its work in my constituency. Indeed, one of the witnesses to the Public Petitions Committee was a member of the social inclusion partnership board in Pollok, so the petitioners are young people who have an important role in social inclusion issues. The question is what we should do. I think that we should ensure that input such as this has a key place in our seminar when it takes place and that the issues that are being raised about young people and social inclusion form part of our future agenda.

**Bill Aitken:** I think that the clerk's recommendation is the answer. Younger sections of the community must be involved. Adopting the recommendation will ensure that there is continuing dialogue with, and input from, younger people.

**Ms White:** I attended the meeting at which the petition was considered while I was a member of the Public Petitions Committee and was happy with what was agreed. I highlight the fact that the young people said that they were not given data on how social inclusion partnerships were operating—what was said can be found in the *Official Report* extract. They would like to have the information in plain English that they—and we—can understand. They do not seem to be receiving feedback.

**The Convener:** There is also a broad issue about how social inclusion partnerships relate to local communities. I know that SIPs strive to relate to communities, but that would be a useful area for us to explore.

Petition PE127 has been referred to the committee for information only. Therefore, I ask members to note it. I also ask members to note and agree to the second point in the clerk's recommendation, which is that where items are referred for information—I would argue that this point refers to more than just petitions—they should be circulated but should not form part of our agenda. Our agenda is heavy enough. If members are moved by what they read in the information that is circulated to seek to put matters on the agenda, that can be done, but the recommendation tries to cut out unnecessary

additions to our work load. Is that agreed?

**Bill Aitken:** The recommendation is eminently sensible. The criterion for putting an item on the agenda should be that a member—even if it is only one—feels that it should be on the agenda.

**The Convener:** I do not think that there is a restriction on how agenda items are decided. I suppose the discussion is about when we decide them and how such decisions are managed. It is reasonable that an item that is circulated for information should be put on the agenda in the usual way if members feel sufficiently strongly that the committee should discuss it. Is that agreed?

**Members indicated agreement.**

11:34

*Meeting continued in private until 12:14.*

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