

EDUCATION, CULTURE AND SPORT COMMITTEE

Wednesday 22 March 2000
(*Morning*)

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EDUCATION, CULTURE AND SPORT COMMITTEE

11th Meeting 2000, Session 1

CONVENER

*Mrs Mary Mulligan (Linlithgow) (Lab)

DEPUTY CONVENER

Karen Gillon (Clydesdale) (Lab)

COMMITTEE MEMBERS

*Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD)
*Lewis Macdonald (Aberdeen Central) (Lab)
*Mr Kenneth Macintosh (Eastwood) (Lab)
*Fiona McLeod (West of Scotland) (SNP)
*Mr Brian Monteith (Mid Scotland and Fife) (Con)
*Cathy Peattie (Falkirk East) (Lab)
*Michael Russell (South of Scotland) (SNP)
Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)
*Nicola Sturgeon (Glasgow) (SNP)

*attended

CLERK TEAM LEADER

Gillian Baxendine

SENIOR ASSISTANT CLERK

David McLaren

ASSISTANT CLERK

Ian Cowan

LOCATION

Committee Room 3

Scottish Parliament

Education, Culture and Sport Committee

Wednesday 22 March 2000

(Morning)

[THE CONVENER *opened the meeting at 09:34*]

Committee Business

The Convener (Mrs Mary Mulligan): Although a couple of members have yet to arrive, we should make a start. Item 1 is an update on work in progress. However, before we begin, I ask the committee to agree to take item 5—consideration of statements on the Ethical Standards in Public Life etc (Scotland) Bill—in private. Is that agreed?

Members *indicated agreement.*

The Convener: I also ask the committee to agree to take two items on next week's agenda in private. Those items are the consideration of the draft report on the Ethical Standards in Public Life etc (Scotland) Bill and the special educational needs inquiry. Members will remember that Julie Allan, who has been appointed adviser, will attend that meeting, at which we shall consider some of the written evidence and committee briefings. Is that agreed?

Members *indicated agreement.*

Michael Russell (South of Scotland) (SNP): When is next week's meeting?

The Convener: It is on Tuesday afternoon.

I take this opportunity to introduce a new face at the table. Ian Cowan has joined us as the assistant clerk to the committee. Ian is replacing Alistair Fleming, who has moved on to greater things. Welcome to the committee, Ian.

Mike Russell has suggested that, when we hear evidence on Gaelic at stage 2 of the Standards in Scotland's Schools etc Bill, we should try to go out of Edinburgh, possibly to Inverness or Portree. The committee clerks are considering those options and I have e-mailed Mike about the idea. It will not be easy, but I think that it is a good idea. We are considering it positively and will report back to the committee as soon as we have some ideas.

Michael Russell: The Enterprise and Lifelong Learning Committee met in the Highland Council chamber, which is a good venue. The purpose of my suggestion was to get a date for the stage 2

consideration, so that we can alert the organisations that are likely to give evidence and give them time to prepare themselves. One of the organisations suggested that we might have a simultaneous interpretation, which is possible in the Highland Council chamber and for which a budget exists in the Parliament. That would be the right thing to do in the circumstances. If we are to take evidence on Gaelic in schools, we should allow Gaelic organisations to avail themselves of that facility.

Fiona McLeod (West of Scotland) (SNP): Sabhal Mòr Ostaig could give us all those facilities.

Lewis Macdonald (Aberdeen Central) (Lab): I agree. Like Fiona, I would not like Inverness to be considered as the only venue that would be suitable for a meeting of that kind. It would be good to investigate other possibilities.

Michael Russell: Perhaps Sabhal Mòr Ostaig should be put on the list as a possibility. Fiona is right to say that it has the appropriate facilities and would be able to help with translation.

The Convener: The clerks will continue to look into that. I hope to report back as soon as possible, and I know that we must give people plenty of notice.

There is one more matter that I would like to report to the committee. I attended the ChildLine conference on Monday to listen to young people's responses on issues of sex and bullying in relation to our consultation on the Ethical Standards in Public Life etc (Scotland) Bill. It was a very enjoyable afternoon, with lots of role-playing and drama, but some of the messages from the young people were very potent. I hope that they got as much out of it as I did.

Three or four clear points came out of the workshop on sexuality. The first was that, until the recent deliberations, the young people were fairly unaware of what section 28 or 2A was or purported to be and did not see it as particularly relevant. Secondly, they believed that sex education was taught by teachers who were not always as well trained as they might be. One of the views that emerged from the young people's conference in Birmingham, and from some of the submissions that we have received, was that teachers need better training to deal with the whole issue of sexuality and sex education in schools.

Thirdly, young people wanted teachers to be able to address all the issues that were raised in classes. They felt that it was unhelpful to have any kind of restriction or perceived restriction on what could be discussed. Finally, they were asking the important question of exactly what family relationships meant. Even among the small group

of eight young people who were discussing it, there were many different interpretations of that phrase. They quickly got to the nub of the issue and it was useful to hear their debate. That is something that we may want to add to our deliberations on consultation with young people. The ChildLine conference involved young people in putting forward their views.

There were two bullying workshops, as there were many young people who wanted to handle the issue and they did not want the groups to be too big. Both groups came out with the same response. They concluded that bullying can affect anybody, but that it is frequently the result of someone being perceived as different in some way—questions around sexuality are often important, particularly for teenagers.

I found the conference useful. We will be receiving a written report from ChildLine on the workshops that took place during the day that I was not able to attend.

Are there any other items that I have not covered?

Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD): Is there any point in asking about the financial position of Scottish Opera and in finding out how it is getting on? We might be told that everything is wonderful now and then find out in three months that it is not, or the other way round. I just wondered what the situation was; we should not forget about it.

Michael Russell: I shall be meeting Adrian Trickey later this morning, at his request, and I am glad that I am doing so. Ian Jenkins will have seen the press cuttings. As I understand it, discussions are taking place with the trade unions with a view to possibly going dark from October this year until March next year, because there will be no money left in the budget after the Ring cycle is finished. I lodged a question for Sam Galbraith last week, but it was not reached during oral questions. The written answer that I received indicated that there were no plans to provide any more resources to Scottish Opera this year, which is what we would all expect.

The oral evidence that we took last year describes the previous regime and the expenditure plans that were in place. I had a response from Ruth Mackenzie and Adrian Trickey that indicated that there was a real possibility that Scottish Opera would not be able to operate throughout this year. Many of us are concerned about the people who work in the organisation. I know that the management is trying to find a way forward that will ensure that the minimum damage is done and that the company is held together, but the Theatre Royal may not be open. That is not yet confirmed but, when we have confirmation, I shall update the

committee and we can discuss whether there is anything else that we want to do.

The Convener: That is helpful. The new regime is now in place, with the joint management between Scottish Opera and Scottish Ballet, and it would be helpful to find out how that is working. As Mike says, the lead-in time for Scottish Opera means that before the company got into financial difficulties things were planned from which it is difficult to withdraw. We would all be concerned if the theatre were to go dark for a number of months; that is not how we want the companies to progress. It would be helpful if Mike could give us any feedback that he has. We can also ask the Scottish Executive for an update on the situation.

Ian Jenkins: That is what I wanted. I do not want us to get involved in too much detail.

Michael Russell: The report from the Scottish Arts Council to the Executive has not yet been published. Perhaps we should ask when it will be published, as it would be germane to our considerations.

Hampden Park

09:45

The Convener: Item 2 is the inquiry into Hampden national stadium. The paper in front of members suggests a remit for the inquiry, from whom we should take evidence, and a timetable for the inquiry. Can we have members' comments on each of those so that we can agree to them?

Fiona McLeod: I have a few comments on each section. Do you want me to go through them all or section by section?

The Convener: We will take comments on the remit first.

Fiona McLeod: The first bullet point is

"to review the contribution and future use of the national stadium".

That is redundant. We have made the decision. Hampden is our national stadium, so that point is not part of the discussion. To reopen the old discussion of whether the national stadium should or should not be Hampden is redundant.

The second bullet point is

"to review the recent financial difficulties and future viability of stadium".

We should also be looking at the original financing and contracts, because the past is relevant to what is happening in the present and what will, I hope, inform a more secure future.

The third bullet point is

"to consider the role of and funding by public agencies".

On that point, we need to consider how and by whom the funding package was monitored.

I would add a fourth point. We should review the negotiations that have been on-going since August, because the fact that they have dragged on for eight months is a matter of fundamental concern. We should be looking at why they have taken so long. We should also ask why the negotiations have come to the brink on the four occasions that deadlines have not been met, the most recent being last Friday. We should find out what has been causing the problems throughout.

Cathy Peattie (Falkirk East) (Lab): I agree with all of that. I would like to extend our inquiry into monitoring. Rather than just ask what has happened, we should look at the kind of monitoring that will be in place to ensure that we do not have a crisis this time next year. I would be interested to know what kind of monitoring is in place and what information we can receive in future on the viability of the stadium.

Mr Brian Monteith (Mid Scotland and Fife) (Con): I go along with those comments, especially Fiona's comment about the first bullet point, which I agree is redundant.

I have pencilled in an alternative remit. The second bullet point should be first, and the review of the financial difficulties that it calls for should be put in the context that Fiona described. The next bullet point should be to look at what is required in any rescue package, and to ask why that has been so difficult to achieve. The bullet point after that should be

"to consider the role of and funding by public agencies".

That point has an impact on the evidence that we should take, which I will touch on later.

The Convener: With those amendments, do we agree to the remit?

Members indicated agreement.

The Convener: Fiona, you said that you had comments to make on the evidence.

Fiona McLeod: Yes. The list of witnesses is good, but it is not complete. We should take evidence from the contractors, Sir Robert McAlpine Ltd, which began the crisis when it issued a writ. We have to look at how the contracts were awarded, so it would be useful to hear from that company what its problem was.

I suggest that we hear evidence from Steve Morrow—he would be an independent voice—who is a former lecturer at Heriot-Watt University specialising in football finance. It would be useful to get his perspective as an academic.

The Convener: It must be very interesting to spend one's life looking at football finance.

Mr Monteith: In terms of written evidence, it would be worth adding to the list the Scottish Football League, which seems to have found it easy to have faith in Hampden and to use it for its semi-finals and league cup games. However, the Scottish Football Association seems to have had difficulty using Hampden under the administrators. Written evidence would be sufficient to satisfy ourselves that the SFL was happy with the arrangements that were in place for the use of Hampden by, essentially, outside bodies. That evidence might satisfy us or at least throw light on matters.

In the paper, Gillian Baxendine mentions the Millennium Commission, which usually has a great deal to say, but which has been significantly quiet throughout the period. At this stage, I am content to receive written information from it, although we should note when we approach the commission that we may require oral evidence from it at a later stage, given that it was a significant financier of the project.

The Convener: We have added some witnesses to the suggested list. Do committee members feel that any of the proposed witnesses would not be required? If not, do we agree to the list of witnesses?

Members *indicated agreement.*

The Convener: Finally, we have the timetable.

Fiona McLeod: I have grave concerns about leaving the inquiry until after the summer recess. As I said, this matter has been on-going since August. I understand that there are problems with timetabling but, given the amount of public money involved and the public interest in this issue, it would be remiss of us to put it aside and look at it a year after the crisis started.

Mr Monteith: There may be some difficulty in completing a report in the period that is suggested in the inquiry document, but I see no reason why we cannot commission responses from witnesses before the date that is given. From this note, it seems that stage 2 of the Standards in Scotland's Schools etc Bill will take up most of May and that most of June will be taken up with the special educational needs inquiry. There will be some time in April when we may be able to invite written responses and, as our work load becomes clearer, we may find time either to have an extra meeting or to fit in oral evidence, if there is space, in that period. In September, we could be in a position to report, rather than just to commence the inquiry.

The Convener: I share Fiona's concern about delaying this report. However, I have in front of me a study by the senior assistant clerk, David McLaren, which shows the number of clashes that we will have with other committees, even during the stage 2 process of the Standards in Scotland's Schools etc Bill. That may mean that the inquiry will take longer than we envisage. The Local Government Committee and the Rural Affairs Committee are also looking at bills and so will also be having weekly meetings. The business managers will have to try to work out a solution so that committee members do not have to be in two places at once looking at two different bills.

The timetable for the education bill may slip, so I am reluctant to put anything else on the agenda, given the difficulties that I fear the committee will have. I am not opposed to asking for submissions from witnesses in order to start the ball rolling while this matter is still fresh in people's minds, but I do not want to give the committee the optimistic view that we will look at this matter in serious detail this side of the summer recess.

Nicola Sturgeon (Glasgow) (SNP): Brian's compromise is sensible. If we prepare the ground this side of the summer recess, we can come back ready to get into the subject in detail, rather than simply start the process then. If we commission

evidence now, there is a danger that it will leak into the public domain, which we would all have to be careful about, but I see no reason why we cannot progress in the way that Brian has suggested.

Michael Russell: We have to progress this matter before the summer, and Brian's compromise is probably the right one, although it is not as good as having the inquiry itself before the summer.

I would like to see the clerks' analysis of the timetabling, please, as it is obvious from a number of committees that we are running into a bottleneck. Some committees are overburdened with work and some are not. We will have to look at readjusting committees and their roles if we are to avoid a legislative crisis later in this parliamentary year or early in the next. We must look at the pressures on individual committee members, especially those who are members of more than one committee, and in particular those who are members of major committees that are dealing with legislation. We are experiencing serious problems. If I may have the analysis as soon as possible, I will pass it on to my colleagues in the Parliamentary Bureau and we will consider it as part of our urgent review of these matters.

Fiona McLeod: If we have to take written evidence first, rather than oral evidence, I will accept that, but we have to treat this issue with the seriousness that it deserves.

May I make a suggestion? In May, the Parliament will be in Glasgow, where Hampden and most of the organisations from which we wish to take evidence are. Is there any way in which we could timetable something for when we are there? As we are going to be on the doorstep of Hampden for three weeks, we should address this issue then.

The Convener: We will be there as a Parliament, not as a committee. Committees are continuing to meet in Edinburgh.

Fiona McLeod: Is there no way that we could schedule something?

The Convener: I do not know.

Fiona McLeod: Could we look into that?

Michael Russell: On one of the Wednesday evenings after the meeting of the Parliament the committee could visit Hampden if nothing was happening there—which seems to be the case. It might be sensible for the committee to do that.

The Convener: Is this going to be our only opportunity to get in to Hampden?

Mr Monteith: We could go to see Hibs in the semi-final.

Nicola Sturgeon: Or Ayr United.

Lewis Macdonald: We could go to see Hibs lose the semi-final.

Michael Russell: We could go to see Ayr United win the semi-final.

The Convener: We will stop there.

Mr Monteith: I am keen that we start seeking written evidence, for the simple reason that all the players know that we are about to have an inquiry; if we postpone its commencement until September, they will feel that nothing has changed. They need to know that the Parliament is looking at what has happened and that we are serious, so it is important that we commence at least the written work. Moreover, there may be some flexibility that we cannot foresee in our timetable in the months before September; if that becomes apparent, we should give witnesses time to schedule oral evidence-taking in their diaries.

The Convener: You have flagged up one of the other difficulties, which is that, even if there are gaps in our timetable, they may not appear in time for us to give witnesses notice. That is a problem, because other people have full diaries as well.

We hear what committee members are saying, and we will do as much as we can to progress this matter as quickly as possible. No one wishes the issue to be left on the shelf, but there are practical difficulties.

Mr Monteith: Is the next stage for us to have a draft remit with wording that is more usual, rather than just bullet points? Will that come up at the next committee meeting?

The Convener: We can provide that if you would find it helpful.

Mr Monteith: If you feel that we are agreed, it would be worth while issuing a press release saying that the inquiry had been set up and outlining its remit. That would gain press coverage and show that the committee was looking at the matter.

The Convener: I am happy to do that.

Petition

The Convener: Item 3 is Brian Monteith's report on petition PE9 from Mr R H Guild. I welcome Mr Guild to the committee meeting this morning. I am sure that he will find this of interest. Brian, do you want to introduce your report?

Mr Monteith: Yes.

Michael Russell: Have we received copies of this report? I do not seem to have one.

Ian Jenkins: I got one this morning.

Mr Macintosh: I got two.

The Convener: Ken Macintosh has yours, Mike.

Mr Macintosh: No. I got one last week and one this week.

Michael Russell: I would be worried if you were getting my mail, Kenny.

The Convener: Be worried.

10:00

Mr Monteith: My report is quite lengthy and I do not intend to go through every item, page by page. The sections on the Roman history of Cramond and on modern-day Cramond could be expanded considerably. I have included them simply to give a brief background; I do not intend to go into those subjects today.

The important point that I draw from the site of the Roman remains is that it is a scheduled monument area, as defined by Historic Scotland. The area was expanded in 1998, beyond the original boundaries of what had been defined as the Roman fort, to take in surrounding land because, while the Roman fort is where the main evidence of Roman remains is to be found, there is the likelihood of further evidence—albeit on a lesser scale—of civilian activities beyond it.

Although Historic Scotland defined the scheduled monument area, which is often called the scheduled site, it does not own any land in the area. That fundamental issue is probably at the heart of the difficulties of presenting, maintaining and protecting the site. I cannot tell members who the five owners of the land in the scheduled monument area are as third parties, including me, are not allowed to know that without the landowners' permission. I have had to ask Historic Scotland to seek that permission in order to be able to tell members who owns the land. However, it is fairly well known that one of the main landowners is the City of Edinburgh Council and that a small part of the land is owned by the University of Edinburgh.

The catalyst for this report was not just the neglect of the Roman remains, which is clear for everyone to see, but, more important, two developments, one of which is taking place and the other of which is planned to take place. The first is the introduction of a pumping station on the foreshore at Cramond; the second is the sale of the Moray House campus, which was formerly Dunfermline College of Physical Education. When Moray House Institute of Education merged with the University of Edinburgh, the campus became superfluous and the University of Edinburgh intends to sell it.

The pumping station is required under East of Scotland Water's scheme for dealing with untreated sewage. East of Scotland Water must comply with certain European laws, which require the treatment of sewage. Sewage is generally treated at Seafield and, at the moment, various gravity interceptors redirect it there. However, Cramond still has a sewage outfall, whence sewage must be redirected to Seafield. A pumping station is required as the sewage cannot be handled by gravity. While building a pumping station is certainly intrusive to the presentation of the site, when I examined the development I could not find anything that had not been done properly within planning and conservation guidelines and with archaeological considerations in mind.

Locating a pumping station on the foreshore at Cramond, partly encroaching on the scheduled monument area and laying sewage pipes through it will undoubtedly disturb the remains that are on those tracts of land. However, considerable effort has been made by all parties—the planning committee, interested conservation and archaeological bodies and East of Scotland Water—to minimise disturbance, and some compromises have been made.

Historic Scotland wanted the route of the pipeline to be taken out of and away from the scheduled monument area. There was concern that the pumping station could be located elsewhere. As members will see from the report, those options were considered. Ultimately, most agreement was for the lowest common denominator: siting the pumping station at its planned location, even though it slightly encroaches on the foreshore, and at least the pipeline will follow the line of previous pipelines. Although some remains may be uncovered and disturbed, less damage will be caused than if East of Scotland Water were to open a new route for the pipeline.

The scheme has already received planning permission and is moving ahead. It does not present a great opportunity to develop the site, but there was more concern about the damage that might be caused to it.

City of Edinburgh Council, which is the planning authority, has taken a great deal of interest in the development of Moray House campus, on which it has prepared a planning brief. The brief seeks to ensure that the archaeological remains and history of the area influence the three areas that can be developed within the Moray House campus.

The Moray House site is in three parts. The northern part, a small woodland, is the only part that lies within the scheduled monument area. It is protected as a green-belt area and it is not intended that any of it should be developed—it will remain woodland, which is fortunate. The college buildings are in the second part of the site, which, in a sense, one could call a brownfield site. The council has directed that area for housing development. The third part of the site is a considerable area—probably about three-fifths of the site—made up of a playing field, an Astroturf pitch and a rugby pitch. It is intended that they remain playing fields for local amenity use.

That was the situation prior to the University of Edinburgh putting out a tender for development. Then, Bryant Homes and AMA (New Town) Limited, which is a housing development company normally associated with the quality end of the market, won favoured tender status. Since then, the developers have tried to convince the planning authority to flip the planning brief, so that the playing field area is developed and the brownfield site is turned into a playing field. In my recommendations, which I will come to later, I suggest that those changes should be resisted.

It is not for the Education, Culture and Sport Committee to discuss what the development of the Moray House campus might do for the amenity of Cramond. Our concern must be with the Roman remains and the opportunities or threats posed to them by the development, which I have tried to consider in my conclusion.

The main opportunity is, in a sense, the planning gain that may come from the development, which is a difficult issue for this committee to address. However, there is a clear planning gain in that, in proceeding with the development, the developers may wish to assist with the presentation of the Roman remains in some way. It has been suggested that they may support some sort of museum in the complex they are developing. More important, there is a possibility that they will provide a new access road.

Attempts to improve the presentation of the Roman remains would probably generate such traffic that Cramond could not cope. The roads in the village are narrow and both the local councillor and the local MSP have suggested that there would be some resistance from locals to a greater number of visits that might undermine the sanctity of Cramond itself. Therefore, the new

development offers the opportunity of land becoming available that might allow a new access road, which Mr Guild pointed out to Gillian Baxendine and me when we visited the site.

I will move on to talk a little about the presentation of the site. The site is badly maintained and I suspect that part of the reason for that is the problem of local authority funding. In my conclusion, I say that the difficult decisions about the pumping station were handled properly and transparently. On the Moray House complex, it is important that the planning authority tries to resist changing its planning brief. If the brief is changed, it should be changed for the benefit not just of Cramond but of the presentation of the Roman remains.

Evidence shows that many public bodies want to improve the presentation of the Roman remains and to make that presentation work, but the remaining difficulty is that because there are so many landowners in the area no one is taking a lead and, without leadership, nothing will happen. While I am not trying to blame parties that were involved previously, one could argue that the city authorities, of which there have been a number over the years, could have done more to take leadership; however, they did not. Today, we have the opportunity to discuss that issue.

In concluding that more leadership is required, I have made a number of recommendations, which I will run through quickly. First, and at the very least, we should call for significant improvements to the signage for and description information of the Roman fort, as the signage appears to date back to the digs that took place in the mid-'60s. Secondly, a long-term development plan requires leadership. Although Historic Scotland does not own any of the land, it should be called upon to organise a management group. It could, if not permanently then at least initially, act as a catalyst to bring people together in a management group involving the five interested parties. That would allow plans to be proposed that might improve the site's presentation. Historic Scotland should then report to the Education, Culture and Sport Committee on the feasibility of progressing such a management group, so that we will know whether that approach has been successful.

My fourth recommendation is that the City of Edinburgh Council should—I am not saying that it has to—consider giving over ownership of some land, perhaps not all of it, to Historic Scotland if funding and other priorities are problems for the council. That might release into the pot some funds from Historic Scotland. Great demands are placed on City of Edinburgh Council—such as funding the Usher Hall. The other night, I was in the Assembly Rooms, which need a lick of paint; and anyone who has been to the former Royal

High building on Calton hill knows that it is run down and neglected. Those buildings are owned by the council, which obviously does not have the money to deal with the problems.

My fifth recommendation is that the landowners should urgently consider opening up a new access road. It would have to be a cul-de-sac, as one would not wish to create a through road into Cramond village, which might become a rat run. A cul-de-sac leading to the car park near the Roman remains might allow new access that would not damage Cramond village. However, it is not enough to say that the developers must be the players in building that road, as parts of land in addition to the development land would have to be given over.

It is only proper that I have suggested that various bodies, such as archaeological bodies and amenity groups, should be involved in the proposals and that consideration should be given to the impact of traffic. The conditions attached to the planning consent for the Moray House campus should be maintained as far as possible and those attaching to the pumping station should be strictly adhered to.

That makes nine recommendations in total. If we are able to progress those recommendations, we will create an initiative to co-ordinate the restoration of the presentation of the Roman remains by gaining some advantage from the development of Moray House campus.

The Convener: Thank you, Brian. I congratulate you on a thorough report. It is clear that you spent a lot of time on it. I will open up the discussion to questions and comments from members of the committee.

I should first advise the committee that I have received a letter from Margaret Smith, who is the local MSP for the Cramond area. Brian spoke to her when he put together the report. Unfortunately, she was not informed that it was on the agenda today. We apologise for that. The Health and Community Care Committee is also meeting this morning, so she is unable to be here, but she wants to be kept informed of our views.

10:15

Mr Monteith: A number of Margaret's comments are included in the report, usually where she has said things that were not said by others. There was some repetition in the submissions and a great deal of consensus. Where Margaret added useful local insights, I have included them.

The Convener: I have questions about Historic Scotland and the City of Edinburgh Council. Historic Scotland does not own the site and

therefore has no remit on what goes on there. If it owned or in some other way managed the site, how willing and able would it be to make funds available? When the City of Edinburgh Council was consulted, was that just the planning department or was the recreation department included? How responsive is the council to finding alternative sources of funding for the site? How receptive is the planning department to the idea of flipping the site?

Mr Monteith: Historic Scotland seems to be frustrated about its inability to take leadership because it has no locus other than scheduling the monument as worthy of protection. It has commented on the poor presentation of the site. It would be willing to play an active role. I cannot make funding commitments on its behalf, but it seems clear that if it had some locus it might be in a position to include Cramond in a future budget—some way down the line perhaps. At present, it must give priority to its own estate.

Most of the evidence from the City of Edinburgh Council is from the planning department, but it includes evidence from the recreation department, which includes archaeology. I did not explore the issue of funding, but the council certainly wants to protect the site. Its difficulty is in doing anything beyond that.

The planning department intends to resist the proposal to flip the site. It may be convinced otherwise; the developer is carrying out an archaeological dig to see whether there is a basis for the planning brief as it stands and the council has said it will look at that evidence. That evidence might, of course, defeat the developer's intentions—that remains to be seen. As I said at a previous committee meeting, the proposal sounds like a tactic—if the site is flipped and the playing fields are developed and the current developed area is left as a green-field site, it would not be difficult for a developer to come along later and argue that the area was disturbed previously. I think the planning department is aware of that.

Michael Russell: I congratulate Brian on a report that is not only comprehensive but reads well—better than his column in *The Herald* and a better use of his time. We should also pay tribute to Mr Guild for bringing the matter to our attention after many years of campaigning. It is encouraging when communities include people who are keen to see progress.

I endorse the recommendations with one suggested addition. At the Braehead shopping centre in Glasgow, a contribution to establish an outstation of the Scottish Maritime Museum at Braehead was part of the planning gain. The very useful commercial funding helps to give the museum security. That model could be relevant to a housing development on the Moray House

campus. The planning gain could be some form of preservation: a museum and tourist attraction, perhaps.

Tourism is not the only important aspect. The story of the city and Scotland cannot be told without looking at the Roman influence. We would do a grave disservice if we failed to tell that story and allowed that evidence to be destroyed, damaged or hidden. I hope that Brian's recommendations will be taken on board. However, we are only advisory and should consider how we can ensure that that happens.

Brian's idea of asking Historic Scotland to be the link between the committee and what is done is good. If he can confirm that the organisation would do that, the next stage might be to disseminate the report to all the interested parties and to ask Historic Scotland to convene the first meeting. I suggest that Brian attends it on behalf of the committee and then sets up a reporting schedule to keep us informed so that if things go off-track we can try to help with advice.

Mr Monteith: I am touched that Mike reads my column—

The Convener: No one else does.

Mr Monteith: Just as well!

I think that Historic Scotland will want to take the initiative forward. The only difficulty is that without knowing who all the landowners are I cannot say whether they will play ball. I am happy to take on Mike's suggestion that I play a role.

Mr Macintosh: Has there been any discussion with the developers on paying for the road? The road seems integral to making the site work as an attraction.

Mr Monteith: I have not had any discussion with the developers, who are being kept at arm's length because of being only preferred bidders at present. The route of the suggested road is that of the old road that led to Cramond House, which is surrounded by the scheduled monument site. It is not used. There is a gatehouse that is privately owned and the permission of its owner would have to be sought. I think that the road through the campus site would have to be paid for by the developer but it could be advantageously used as part of the development, with a spur to extend it into the existing car park. That part of the construction could be intrinsic to the development or a planning gain. Until the planning issues are resolved it will not be clear whether such a road would be part of the developer's plans.

Mr Macintosh: Would the City of Edinburgh Council be amenable to handing over land to Historic Scotland?

Mr Monteith: That is a recommendation I am

making and it is made public here today, so I do not know.

In my discussion with the planning department, the idea that the road could have several benefits, including traffic calming in Cramond, was raised.

Fiona McLeod: Brian has said that Historic Scotland would welcome a leading role. Is it possible for it to get people to work together?

Mr Monteith: It does not have a strong hand, but the backing of this committee's suggestion that everyone should be mature enough to get together to talk could give the leverage needed to achieve that. Any disagreement about taking things forward in that way would lead to comment. Historic Scotland has implied that it is frustrated because it cannot act. It is keen to get involved. As an outside body with no land there, it should convene the first meeting. If the council then says it will take on running things, that would be fine—I have no axe to grind with any of the parties.

Fiona McLeod: I should have said before that I have an interest as a life member of Friends of Historic Scotland.

Mr Monteith: I should have said so too—but it is something you pay for.

Fiona McLeod: There is a Roman bath house in Bearsden that is managed by Historic Scotland. It is beautifully laid out with very comprehensive signage and shows that opening such a site to the public can be very successful. Brian said that local folk are concerned about increased traffic if the site becomes a tourist attraction. Evidence on visitor numbers to the Bearsden site could be available and might allay fears in Cramond. I live nearby; it is not a case of coaches coming and going all day.

The Roman remains in Bearsden were found during the building of private houses in the 1970s. It may be instructive to find out whether the developers put money into the preservation of the site. The committee should visit the very interesting Bearsden Roman bath house—you can come to me for a cup of tea afterwards.

Michael Russell: It is amazing how the people of Bearsden always claim to have everything first.

Lewis Macdonald: I have a slight concern about the way in which our inquiry, and the priority we have given to Cramond, may influence the wider agenda. There are historic monuments across Scotland, particularly in more remote areas, that are crying out for extra investment and support. It is unfortunate, if not surprising, that the first petition of this kind to the Parliament has come from Edinburgh. Mr Guild is to be commended for his initiative, but I am concerned about how we use our time in the committee. The more Brian gave details of his research, the more

that concern grew.

While this is an important issue—it is particularly important to Cramond and Edinburgh—there may be many others who follow Mr Guild's example and seek our support for investment in their local heritage. I would like to hear the convener's views on that wider issue. It is also the case that a petition from an individual can result in many hours of effort for a committee. That is not necessarily a bad thing, although some of the single-name petitions that have been submitted to the Parliament have been much less substantial than this one. That is worth noting.

10:30

Mr Monteith: I take on board what Lewis Macdonald says. It is fair to say that, when the committee first received this petition, its work load was not what it is now, although we all anticipated that it would increase. I pay great credit to Gillian Baxendine and Alistair Fleming for the work that they did in helping me to put together the report. Essentially, the clerks did the work and I then read the papers; it is important to acknowledge that.

Lewis makes a fair point about the fact that petitions are sometimes submitted by only one person. However, the Roman remains at Cramond are significant, as the fort there is the only one to have survived the three phases of the Roman occupation of the lowlands of Scotland. As such, its significance is different from that of most, if not all, Roman remains and, among archaeologists, it is generally held to be pre-eminent among Roman sites in Scotland.

Mr Guild rightly approached the Parliament because no other body seemed able to co-ordinate anything and because we can have an overseeing role. Many other petitioners may approach us for those reasons. Several small museums have written to me about the difficulties that they face. I have written back to them saying that, although I am happy to raise their concerns, the possibility of anything being discussed in this parliamentary year is remote. We must be honest with petitioners and correspondents about that.

The Convener: Lewis raises a relevant point about the time that the committee would be able to devote to issues such as this. However, it has been helpful for us to use this as a learning experience in discovering what the committee can do, and in finding out who else can deal with the substance of such requests. Petitioners should not expect the committee always to provide the answer, but we can guide people to somebody else who, in a professional capacity, could address the concerns expressed in the petitions. The committee will develop means of directing and enabling, rather than acting, in response to such

petitions.

The only thing that we can say at this stage is that the committee must assess each petition on its merits and decide whether we want to spend a greater or lesser amount of time on it. The way in which each petition is handled will be decided by the committee, although time pressures will often dictate how involved the committee can get. We will use the experience that comes out of the reports, which Brian Monteith, Fiona McLeod and the others are undertaking, to inform the way in which we handle future petitions.

Ian Jenkins: Through Brian's hard work, we have shown that we accept the principle of this petition. If we are not able to deal with a petition, it is not because we reject the idea of petitions being referred to us or because we push them aside lightly, saying that we do not have time for them. We have shown that we are willing to deal with petitions, and when the time comes we may be able to deal with others. However, we might not be able to do that on every occasion.

The Convener: Are we happy to accept the recommendations that Brian Monteith has put to us? I have a brief question on those recommendations. I am not unhappy with the first one, that

"in the short term the signage and descriptive information at the site . . . be . . . improved".

However, who do you suggest should undertake that?

Mr Monteith: I suggest that City of Edinburgh Council undertake that improvement.

The Convener: Okay. We will put that suggestion to the council. I hope that it takes it in the spirit in which it is intended.

Is the committee happy with the recommendations?

Members indicated agreement.

The Convener: What will happen next? Brian should return to Historic Scotland, asking it, as Mike suggested, to convene the meeting. Brian could attend the meeting to offer suggestions about ways in which the matter could be progressed, and he could then report back to us on the outcome. Is the committee happy with that?

Members indicated agreement.

Children (Leaving Care) Bill

The Convener: Item 4 is the Children (Leaving Care) Bill. We asked the Executive for a statement on this, and its response has been circulated to committee members. Do we have any questions or comments?

Fiona McLeod: I have two points to raise. First, from the Executive's response, I see that it will be quite a long time before anything happens. I am pleased about that, as it gives us a chance to make suggestions. The people who will be most affected by the bill—the young people themselves—do not appear to have been directly consulted. The committee has said all along that it is fine to approach the organisations, but that the Executive should ensure that young people are consulted as well.

Secondly, the University of York is conducting a study of the bill at the moment; a report is due in August. That report should be sent to the committee as well as to the Executive, so that we can have an early sight of it. It might inform any future deliberations that we have on this matter.

The Convener: I am sure that that report would be made available to us, but it is worth asking for it. Your other point is particularly relevant, given the interest that the committee has taken in involving children and young people in discussions on decisions that will affect them. I understand—although I may be corrected—that Who Cares? Scotland is going to take the lead on that. As an organisation that specifically provides a voice for young people who are leaving care, it will enable young people to have their voices heard. However, we will clarify with the Executive that that is the case, to ensure that young people will have a voice on a matter that will clearly affect their futures.

I welcome the final sentence in the letter from Sam Galbraith:

"Until such time as the new arrangements are ready, the present arrangements for DSS benefit entitlement for Scottish careleavers will continue."

We were all concerned that nobody should be put in a position that would be detrimental to their future and that would leave them in a worse situation than the one they were in. That sentence provides reassurance on that point.

We will take item 5 in private.

10:37

Meeting continued in private until 10:50.

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