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Official Report

TRANSPORT, INFRASTRUCTURE AND CLIMATE CHANGE COMMITTEE

Tuesday 11 January 2011

Session 3

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TRANSPORT, INFRASTRUCTURE AND CLIMATE CHANGE COMMITTEE
1st Meeting 2011, Session 3

CONVENER

*Patrick Harvie (Glasgow) (Green)

DEPUTY CONVENER

*Cathy Peattie (Falkirk East) (Lab)

COMMITTEE MEMBERS

*Jackson Carlaw (West of Scotland) (Con)
*Rob Gibson (Highlands and Islands) (SNP)
*Marlyn Glen (North East Scotland) (Lab)
Charlie Gordon (Glasgow Cathcart) (Lab)
Alison McInnes (North East Scotland) (LD)
*Shirley-Anne Somerville (Lothians) (SNP)

COMMITTEE SUBSTITUTES

Alasdair Allan (Western Isles) (SNP)
Murdo Fraser (Mid Scotland and Fife) (Con)
David Stewart (Highlands and Islands) (Lab)
Jim Tolson (Dunfermline West) (LD)

*attended

THE FOLLOWING GAVE EVIDENCE:

Professor Jan Bebbington (Sustainable Development Commission Scotland)
Andrew Holmes (Mobility and Access Committee for Scotland)
Grahame Lawson (Mobility and Access Committee for Scotland)
Anne MacLean (Mobility and Access Committee for Scotland)
Maf Smith (Sustainable Development Commission Scotland)

CLERK TO THE COMMITTEE

Steve Farrell

LOCATION

Committee Room 4

Scottish Parliament

Transport, Infrastructure and Climate Change Committee

Tuesday 11 January 2011

[The Convener *opened the meeting at 14:00*]

Mobility and Access Committee for Scotland

The Convener (Patrick Harvie): Welcome to the first meeting in 2011 of the Transport, Infrastructure and Climate Change Committee. I wish everyone a happy new year. I hope that you have had a decent break. I remind members and everybody else who is present that all mobile electronic devices should be switched off, and not simply set to silent mode.

We have received apologies from Charlie Gordon and Alison McInnes.

The first of the three items on today's agenda is an evidence session on the Mobility and Access Committee for Scotland, for which we are joined by Anne MacLean, the convener of MACS, and by Andrew Holmes and Graham Lawson, who are members of MACS. I invite anyone who wants to do so to make some opening remarks.

Anne MacLean (Mobility and Access Committee for Scotland): Thank you for your wishes for the new year, which I reciprocate on behalf of MACS.

MACS was resuscitated—that is the correct word, I believe—thanks to your committee in January 2009. Unfortunately, at the early stages, we had only five members plus the convener and for various reasons we soon had only three members plus the convener. The first nine months were therefore a bit difficult. However, in August and September 2009 we ran another recruitment round, and since January 2010 we have had a good working committee with a wide range of skills and experience of different types of disability.

We produced our first annual report in August 2010. On 22 September 2010, I and the MACS secretariat met Stewart Stevenson, who was the minister with responsibility for transport at the time. Unfortunately, I do not yet know what the Government's response is to the report's recommendations and I will therefore answer some of your questions today with that proviso.

The Convener: Leaving aside your comments about decisions that have yet to be taken, can you tell us in general how the Scottish Government has acted on advice that MACS has provided during 2009-10?

Anne MacLean: Many of the recommendations in our report are not directed towards the Scottish Government. A lot of them focus on the way in which local authorities work with the Scottish Government. We made recommendations about such things as Transport Scotland's "Disability Discrimination Act: Good Practice Guide for Roads", which includes material on training for operators; the ferries review; and shared surfaces. Those are issues in relation to which we need the co-operation and good will of Transport Scotland—although, of course, we are part of Transport Scotland now—and local authorities as much as we need the help of the Scottish Government. However, the biggest problem that we face involves securing the co-operation of local authorities.

The Convener: Would you care to speculate on the reasons for that?

Anne MacLean: I would rather explain what the problems are.

We were pleased with Transport Scotland's "Disability Discrimination Act: Good Practice Guide for Roads", which is being updated at the moment, and we were even more pleased when local authorities said—before we had written our annual report—that they would like to take on board the guide and use it for non-trunk roads. That caused us a great deal of pleasure. Unfortunately, only four local authorities have taken up Transport Scotland's offer of training on the guide. From talking to people from all over Scotland, we know that local authorities do not follow good practice in relation to roads, road maintenance and road improvements. That is a considerable problem for disabled people, especially with regard to roads that run through towns.

The Convener: Has MACS had discussions with the local authorities that have not taken up that offer, to explore their reasons?

Anne MacLean: No, but the staff member in Transport Scotland who deals with standards is trying to encourage them to take up the training. I hope that this committee will be able, through the Convention of Scottish Local Authorities or some other such organisation, to encourage them to do so, too. We really welcomed Transport Scotland's guide—frankly, it is one of the best good practice guides that we have seen.

The Convener: So local authorities are being actively approached, as things stand.

Anne MacLean: Yes, they are.

The other thing that has concerned us greatly is what is known as shared streets, or shared surfaces. That issue arose from "Designing

Streets", which is not a local authority issue; our recommendation is that there should be more co-ordination between planners and various groups.

Recommendations 5 and 6 in our annual report relate to shared surfaces. A number of presentations are being made to local authorities throughout Scotland on street design, but there is still no real work being done on good delineators for shared surfaces if there are no kerbs.

Some of us did not know whether to laugh or cry at the recent report last week from some transport guru at Newcastle University, who made comments to the effect that kerbs were not a good thing as drivers were bored or easily distracted, and that if there were no kerbs they would have to deal with pedestrians. I thought, "Well, that's fine for drivers, but what about the poor pedestrians?"

We are worried about shared surfaces. The problem is still not solved, and if shared surfaces are going to spread out, local authorities—again, it is local authorities—must employ an access consultant who knows who to talk to about the problems that shared surfaces produce for disabled people.

Evidence from Holland, which is where all that started, is beginning to show that although people thought that shared surfaces were great at first, when they went back to the areas in Holland where shared surfaces had been introduced, they found that the reason that there have been no problems is that disabled people just do not go there any more.

The Convener: We will have a couple of questions later in the meeting specifically on shared surfaces, so we will explore your reasoning on that a little further.

A couple of members have indicated that they want to ask supplementaries; if those questions are on the specific issue of shared surfaces, I would rather leave them until the issue arises later.

Cathy Peattie (Falkirk East) (Lab): My question is about the implementation of particular things.

The Convener: We will come back to that. Marlyn Glen has a question on a separate issue.

Marlyn Glen (North East Scotland) (Lab): It goes back to the first question. I invite Anne MacLean to name the four local authorities that have taken up the offer of training. If there is good practice, people should be named so that they can be praised and other people can see how it is done.

Anne MacLean: I completely agree, but unfortunately I do not have that information with me. I can find out tomorrow and let the committee know.

The Convener: That would be appreciated.

To return to the general state of play, perhaps you can turn from local authorities to the Scottish Government and Transport Scotland, and tell me your views on the level of consideration that is currently given to the transport needs of disabled people at national level, both in the development of policy and in specific infrastructure projects.

Anne MacLean: Transport Scotland has done a very good job in relation to MACS. Now that we are part of Transport Scotland, rather than being a non-departmental public body under the transport directorate of the Scottish Government, things are becoming even easier. We have a very good relationship with the officer concerned with standards, and we are getting involved in the roads for all forum, for example, which works very well and is a model that we would like to spread among other operators. MACS has participated in roads for all conferences and a MACS member sits on the forum.

Our view of Transport Scotland—at the moment, anyway—is that it has a lot of care for disabled people. It is running a pilot scheme on good and accessible bus stops, and I am—wearing another hat—part of the scheme, which happens to be in Highland. Transport Scotland is using Halcrow as its consultants and a very good relationship has been built up with local access panels, the local care forum and the local authority. If the pilot comes off and makes not just bus stops but routes to bus stops more accessible for disabled people, it will provide another example of good practice from Transport Scotland.

The Convener: In general, has transport provision for disabled people improved during 2009-10?

Anne MacLean: There is a difference between Transport Scotland, and how it deals with roads, bus stops and so on, and transport providers.

We had a seat on the United Kingdom Disabled Persons Transport Advisory Committee, which is to be wound up as part of the Government's abolition of quangos—I will not comment on that. DPTAC produced training guidance for operators, the research behind which we are considering because we want to adapt it for Scotland. That is still our aim. We need to find out whether research that was done in England matches experience in Scotland and whether ministers will accept the research. The MACS secretariat is looking into the matter.

When we talk to disabled travellers, whether their issues are sensory, cognitive or related to something else from the range of disability issues,

we find that for many people the issue is not physical access but how they are treated by staff. That comes down to good staff training and awareness. It is not necessarily about how staff physically help someone who has a disability—sometimes it is best just to say, "How can I best help you?"; it is about attitudes. If staff do not have a good attitude to someone who is slow, who cannot hear or who does not know their way around—as I said, there is a range of disability issues—disabled travellers are really put off using public transport and the infrastructure that surrounds it.

The Convener: Given the importance of staff attitudes, I am sure that you would always say that there is room for improvement. Has there been improvement during the most recent year?

Anne MacLean: That is difficult to answer. Training is given to staff, but people move on. Turnover of staff among train, bus and ferry operators is probably as good or bad as it is across the workplace as a whole. It is about keeping up the momentum. Operators must not think that because they have provided training once, that is it; there must be a continuous process of keeping staff trained in disability awareness issues. We could give you examples of excellent assistance; we could also give you examples of experiences at the other end of the scale, perhaps at the hands of the same operator.

Cathy Peattie: You talked about access to buses and the need for staff awareness and you mentioned infrastructure. There is an issue to do with buses that are not accessible. Sometimes people with disabilities have to wait for an hour rather than 15 minutes or half an hour, because they cannot get on the bus that arrives. Are you picking up on those issues? How do we change the situation?

14:15

Anne MacLean: Unfortunately, the legislation regarding accessible buses and coaches is still a good few years ahead. I mentioned the pilot scheme for accessible bus stops. They are fine, and everything can be done to make a bus stop the best that it can be, but that is no good if people cannot actually get on the bus because there are no low-level buses. There are areas with very good bus services. There are low-level buses in East Lothian, for example, whereas we would be lucky to find even one or two such buses in the Highlands. Unfortunately, that is covered by UK legislation. It would be nice if all buses were accessible, but the trouble lies with the legislation, which—I look to my colleagues to confirm this—will come in in 2018.

Cathy Peattie: The goalposts have been moved on that.

You have explored some of MACS's concerns so you might already have answered my next question, but I am sure that you will have some further points to make. Did any particular concerns arise in 2009-10 that are still unresolved?

Anne MacLean: Elsewhere in our report we discussed community transport and demand-responsive transport, and concerns arose about studies that were done on that. Andrew Holmes is perhaps better placed to discuss our concerns over the latest study on community transport and DRT, which seems to be going nowhere.

Grahame Lawson has further concerns about the Commonwealth games.

Cathy Peattie: One of my colleagues will explore the whole issue around community transport, so I will not go down that route.

What impact might future budget constraints have on disabled people's transport provision, and how could any negative impact be minimised?

Anne MacLean: On future budget cuts, I was the MACS representative on the national transport strategy stakeholder group, which was going to do a refresh programme. In the initial discussions on that, I was very keen to get it across that the one thing that I did not want to be attacked if transport budgets were to be cut—for ferries, trains, buses or whatever—was disabled access and disability training: in other words, everything that makes it easier for disabled people to use public transport. People might have viewed such provision as being at the bottom of the heap.

Unfortunately, the refresh programme did not go ahead and the national transport strategy stakeholder group does not seem to meet any more. That is a shame. First, that group gave MACS a chance to say our piece about disabled travellers. Secondly, I point out that the members of MACS are paid for up to one day a month, and I am paid for up to two days. Given the huge span of transport and the work that local authorities do, the stakeholder group served as a good place to get the MACS message across and to meet other stakeholders. I am sorry that the group does not seem to meet any more, because it gave us good access to providers, local authorities and the Society of Chief Officers of Transportation in Scotland.

Cathy Peattie: How does MACS ensure that its work programme complements the work of related organisations? What scope is there for MACS to set its own agenda?

Anne MacLean: As you know, MACS is not a campaigning group but an advisory committee to the Minister for Transport and Infrastructure. I

know that the committee wants to talk about community transport and demand-responsive transport—I spoke to the then Minister for Transport, Infrastructure and Climate Change in September, and he made a speech to the Community Transport Association, in which he recognised that DRT and community transport could provide access to transport for a range of people, not just disabled people, which could fill in gaps where bus providers have no longer been able to run a service.

One of the problems with cuts to budgets is that bus providers are not willing to run less profitable routes. That is happening already in cities and rural areas. I could give examples from the Borders, but I read today in the papers that there are problems in Glasgow, so the issue is not peculiar to rural areas—it is everywhere. If we are to encourage people, including the disabled community, to use public transport, it must be there to be used.

Cathy Peattie: Is there scope for MACS to set its own agenda? You are flagging up issues, but can you set the agenda or does Transport Scotland do that?

Anne MacLean: That is why we want to concentrate on looking at good practice on community transport and DRT. You said that another member wants to ask about that, but that is where we think that MACS can be of some help.

Cathy Peattie: How does MACS monitor the effectiveness of its work?

Anne MacLean: That is difficult. We can monitor the effectiveness of our work through things such as the roads for all forum and the Scottish rail accessibility forum. Unfortunately, there is no equivalent body for buses, ferries or aeroplanes. This is not in our annual report, but when we met the minister we suggested that a forum similar to the roads for all forum should be set up that covers all forms of public transport. The minister was considering that.

Marlyn Glen: What were the key highlights for the work of MACS and its working committees during 2009-10?

Anne MacLean: I do not like to sound depressed, but one of our highlights was that local authorities wanted to take up the training from Transport Scotland, but that ended up not being a highlight at all, as it happens.

Some good things have happened. One is that MACS is now being seen as a body to be consulted. Given where MACS was back in 2008, the fact that organisations now see us as a body to come to is progress. I am talking about bodies such as the Equality and Human Rights Commission and Transport Scotland before we became part of it, and the ferries people. I could tell you who has not consulted us, but I will leave Grahame Lawson to talk about the Commonwealth games. In that sense, MACS is starting to be consulted again. That is a highlight, given the point from which we started.

Marlyn Glen: That is positive.

The committee and the Parliament have heard a lot about the negative impact of the recent bad weather. Will you comment briefly on the impact of the bad weather on disabled travellers?

Anne MacLean: It is horrendous. For disabled people, the issue is getting to the bus stop or train station or other public transport. As Marlyn Glen knows, I come from the Highlands, where there have been problems, but I am sure that the situation has not been much better in other places. Although roads may be cleared, pavements are not. I do not blame the local authorities for all of that. If people, in clearing their paths, pile the snow on the pavement because they just want to get their car out, I am sorry, but that problem is up to individuals. The only thing that I could ask of local authorities is to please tell people not to do that. When people behave in that way in clearing their drive, even if there are vehicles that clear pavements, they cannot do so because there is a great heap of frozen snow blocking the pavement. Sorry, but I have a bee in my bonnet about that subject.

Marlyn Glen: So the issue is with pavements in particular.

Anne MacLean: Yes, because disabled people who cannot drive and who want to access public transport have to reach it. I do not care whether the distance to be walked is only 5yd or 50yd; the fact is that a lot of people cannot use the pavements. You see a lot of fit pedestrians walking on the road. Many disabled people would be very reluctant to walk on the road and they would certainly not want to take a wheelchair on the road. I would not want to go on the road with a guide dog. The same is true of people who are slow. We are not talking just about people who have what one might consider to be a severe disability; even just people who are slow, because they use a stick or cannot move very quickly, are affected.

Grahame Lawson (Mobility and Access Committee for Scotland): The other aspect is the need for good information, particularly when services are disrupted. Having good information is even more important for a disabled person.

Anne MacLean: That is true.

Marlyn Glen: Thank you for that.

You mentioned the fact that the Disabled Persons Transport Advisory Committee is being

wound up. I understand that you had a seat on that committee and fed into it.

Anne MacLean: Yes, we did.

Marlyn Glen: How will you do that now? How will MACS have input on issues relating to the transport needs of disabled people at a UK level? Is there another way of doing that?

Anne MacLean: The UK Government says that it is consulting on DPTAC replacement. That is as much as I know. There are serious concerns because there are many issues, such as ferry design and taxi design, for which responsibility is not devolved. We had feed-in on such matters through DPTAC. At the moment, we have no idea how that will be accommodated in the future.

Marlyn Glen: Okay. That is worrying.

Anne MacLean: Yes, it is—very worrying.

Marlyn Glen: Finally, what is your view on the current level of funding and secretariat support for MACS? Is it adequate?

Anne MacLean: I think that I said earlier that we do not have our own budget any more, as you probably know. The other members of MACS are paid for up to a day a month and I am paid for up to two days a month. We have about a third of three people. I would like to pay tribute to the MACS secretariat because, within those constraints, I do not think that we could get a better service than the one that the three staff—Bill Brash, Jean Goldie and Linda Craik—and their predecessors have provided.

It would be silly of me to say that we would always like to have more, but because the present team, who provide a service to a convener who cannot see, are very dedicated and very good, they service us extremely well. There are a number of my committee sitting in the public gallery and I am sure that they all find that the MACS secretariat provides us with a very good service within the constraints that exist.

Marlyn Glen: Thank you very much.

Rob Gibson (Highlands and Islands) (SNP): Hello. It is nice to see you here this afternoon.

We need some further information on the contents and likely publication date of the MACS staff training guide for transport operators. In particular, we need to know a bit more about the buy-in from local authorities and regional transport partnerships, as well as the transport operators.

Anne MacLean: As I said, we did not intend to write our own guide, as DPTAC had produced a very good one. The problem is that DPTAC's training guidance is based on research that was done in England. The secretariat is looking at that to see whether we can use it or whether we ought to be talking to other parts of the Scottish Government that have budgets and which might do some research for us so that we know what to base our good practice training guidance on.

Rob Gibson: It would not be the first time that experience from south of the border has been used for Scotland. That has happened with evidence on walking, cycling and many other issues.

Anne MacLean: That is absolutely right. We are being cautious because it is equally easy for people to say, "Oh, that's England."

Rob Gibson: Indeed—possibly. It is interesting that that could be a barrier to progress.

What sort of response have you had from the people you are talking to, such as the local authorities and the RTPs, given that we are looking for greater take-up from them?

14:30

Anne MacLean: We have not got that far on the training for operators. We are still at the stage of looking at the guidance that DPTAC produced. When DPTAC was still in existence and not about to be wound up, we had to get its agreement to use the guidance. That was easily forthcoming; there is no point in reinventing the wheel. Once we have looked at the guidance carefully and adapted it—there are bits that have to be changed because some things are different in Scotland—we will use whatever means we can to ensure that training is provided. We are talking about not so much local authorities, but operators. Although some local authorities operate bus services, there are a great many bus companies in Scotland, so if we want to train staff we must get to the bus operators, as well as the train and ferry operators, rather than the local authorities or RTPs, albeit that they can help.

Andrew Holmes (Mobility and Access Committee for Scotland): The majority of public transport services of one form or another across Scotland are the subject of contracts, franchises or whatever. If we can get in place a standardised training manual, the contracting authorities can include it as part of the conditions of the contract, franchise or whatever. If authorities then take it upon themselves to monitor whether the training is taking place, we will be there.

Rob Gibson: That is valuable as work in progress. Indeed, with franchises coming up for railways and so forth, it is a live issue for this committee in terms of our input.

Should the Scottish Government intervene a bit more on community and demand-responsive transport?

Anne MacLean: Andrew chairs the working group.

Andrew Holmes: Some initial work has been done inside the Scottish Government. It is yet to appear on the Government website, but the previous Minister for Transport, Infrastructure and Climate Change endorsed it. The work stops at a particular point in terms of an assessment of the situation.

Ultimately, it is not the responsibility of the Scottish Government to provide local community transport. Many issues are involved. The Community Transport Association is trying very hard to find out what the actual geographic extent of community transport provision is. There is not only poor information out there, but it is very much a postcode lottery: some parts of the country are very well provided; others are not. There is a role for the Scottish Government, working directly through the local authorities or co-ordinating the RTPs, to do a much better assessment of what is on the ground and identify good practice. We have done some of that.

Given some of the things that have been said about the future of Strathclyde partnership for transport, I would not like to see SPT's role in providing effective co-ordination of community transport disappear. Elsewhere across the country, there is no co-ordinated view, even within individual local authority areas. There is a split between what is provided by wholly voluntary groups and local fundraising; those within local authorities who are responsible for public transport; and others in authorities who are responsible for education or social work. There is also the separate issue of hospital transport. Audit Scotland has now picked up on that and has started to talk to us on the matter. The role in all of that for the Scottish Government is to try to bring people together and act as co-ordinator.

Anne MacLean referred earlier to one of our fears: diminishing budgets over the next two or three years. Many conventional bus services will disappear because they are expensive to subsidise. That will leave big gaps, which people will want to see filled by some sort of community transport operation. There is a very simple element in that. If a community suddenly finds that its lifeline transport has virtually disappeared, it has a strong desire to put something in its place. The question is what to do next. There is possibly a role for the Scottish Government in issuing guidance and disseminating information on good practice regarding how people can get together and get a local community transport scheme up and running and viable. Our report lists two or three examples that we have uncovered through our work.

Rob Gibson: The situation in Highland is that local government and the national health service board will take on particular responsibilities—in the case of the NHS, for adult services. That must make it important that you speak to them about the way in which they will interact with you.

Andrew Holmes: That is another example, but again it is an example of somebody doing their own thing. It is not that that is not the right way to approach it, but there are issues like that across Scotland, particularly in terms of hospital transport—patient and visitor transport—and a wider view is needed. Perhaps that will come out of the Audit Scotland work; of course, the Scottish Ambulance Service is no longer a participant in that.

Rob Gibson: Indeed. Circumstances suggest to me that a range of officers from different departments need to be involved with MACS and that that is possibly a way forward in this particular case—

The Convener: Cathy Peattie has a supplementary question on community transport.

Cathy Peattie: Andrew Holmes talked about people getting together to look at good community transport. I wonder whether MACS is hearing what I hear, which is that the good community transport that is operating at the moment is facing budget cuts. I know from experience that it is not easy to set up a community transport project and to keep vehicles on the road. I know that MACS cannot change that, but what information is coming to MACS and how is that going forward to Transport Scotland and, ultimately, to the minister? I am concerned that we will lose good organisations and that no one will do anything until it is too late.

Andrew Holmes: That goes back to the dissemination of good practice. Ultimately, it is about local funding decisions. There is also an issue that it would perhaps be useful for Audit Scotland to shine its spotlight on, which is the variety of transport being used by different elements of the community within the same geographical area, but not necessarily with any co-ordination. For example, schools own transport that is used for pupils, and there are community-based schemes that, depending on the area, have historically received subsidies from the local authority. It goes back to what I said earlier about there being a postcode and resource lottery. I think that everybody we have talked to recognises that it is not satisfactory not to know the variety of resources that could be brought to bear in a single geographical area and the potential efficiencies that might come out of that. Again, that is something for central Government guidance and perhaps one or two best-practice pieces of work.

Anne MacLean: There is another aspect to this. I live in an area where a transport company has won a number of awards. I know that what it finds useful is not just how it can get more money out of the local authority from whichever budget, but where else it can go to get funds. It is about information regarding, for example, what can be got from LEADER, the Big Lottery Fund Scotland or from various charitable organisations that are interested in disability, young people, transport and so on. If you are sitting down and you have nothing, the question is: where do you start? There is a fund of information out there. It is about pulling it together and allowing people to see what best suits them.

In times of cuts, it is not about how to rob Peter to pay Paul but about how to fill the gaps. If the local authority says that instead of getting X hundred thousand pounds you are getting only Y hundred thousand, how do you fill that gap and who do you go to without spending a lot of staff time on it? A lot of staff time in the third sector is spent on looking at how to raise funds. If you can cut down that effort and therefore the staff time and staff cost because there is a child's guide—sorry, that is an easy phrase, but you understand what I mean—an easy guide to where you might go, that means that the money is being put into the right thing. It is being put into community transport rather than into staffing.

Cathy Peattie: Have you picked up any frustration with regard to the fact that people who can get to the accessible bus stops that you mentioned can travel free on buses while those who are stuck in their house and need special community transport cannot? Should there be some other way of funding community transport organisations? Why should they be the poor relation?

Anne MacLean: That is a very interesting question. For example, there is a good community transport scheme in my area that runs cars as well as a bus, but you have to pay for it. However, in one of the bits of this particular ward, there is a DRT bus on which you can use your card. I have not been able to find out why that is the case. It is bizarre, and it shows that the situation is even more complicated than you have indicated.

I know that there are many views on the question whether money should follow the individual rather than the operator, but it is not something that MACS has discussed or given thought to.

Cathy Peattie: Thank you for your response, but I have to say that it seems to me to be discrimination.

Anne MacLean: I did not say that I did not agree with you—I simply said that we have not discussed the issue.

Rob Gibson: We touched on shared surfaces earlier. Your report recommended that

"planning authorities"

be encouraged

"to engage an access consultant during the design ... stage"

of any such scheme and that, at Government level,

"a multi-disciplinary working group"

be formed

"to monitor the implementation of shared space".

I was about to get to that point in my previous question about dealing with different Government departments. Do you wish to say anything else about the necessity or urgency of those recommendations?

Anne MacLean: Only to stress their urgency. Since the publication of "Designing Streets", the feeling that shared surfaces are a good idea has spread to the development not just of town centres but of new housing schemes and so on. MACS's view is that it is not a good idea but, if it is going to be implemented, those involved in such schemes need to talk to the people who will be affected worst—who are, I have to say, people with disabilities. Do not misunderstand me—other people will also be affected—but people with disabilities are at greatest risk from shared surfaces.

Grahame Lawson: With regard to your earlier question on the effect of budget cuts, I should say that the whole point of using an access consultant is to get things right first time. After all, it is much more expensive to go back and try to remedy something. To get the most out of any budget, you should try to get things right first time.

Cathy Peattie: I am pleased that some work is happening on shared surfaces, albeit that it is slow. Have you picked up any frustration from people on mobility scooters, for example, or those who have to walk slowly, about not being able to use accessible pavements because they have big vans on them? Although there is shared space, are people finding that they cannot use pavements because of vehicles in the road?

Anne MacLean: Because of vehicles in the road?

Cathy Peattie: I am sorry—I meant vehicles parking on the pavement.

Anne MacLean: Ah, now. I come back to Transport Scotland's "Disability Discrimination Act:

Good Practice Guide for Roads", which covers not just vehicles parking on pavements but all aspects of the issue. Incidentally, until only recently, I had thought that it was illegal to park on the pavement, but I have since discovered that London is the only place where that is the case.

Cathy Peattie: It must be some local government byelaw.

14:45

Anne MacLean: Indeed. To be quite blunt, I would like it to be illegal for selfish people to park on the pavement, as such a move would help not just the disabled, but a whole range of others.

It is interesting: the good practice guide discusses not just parking on pavements but other obstacles on pavements. I know that it depends on the width of the pavement and other factors. When the good practice guide came out, Scotland Transerv, which is an arm of Transport Scotland, decided to send out some rather peremptory notices telling people to remove obstacles on the pavement, within a certain time, in places where trunk roads run through villages and towns. Otherwise, the people concerned would be prosecuted. I have a note of the matter here, although I will not read it out to you. Of course, the premises concerned were in tourist areas and the owners were up in arms about it. They complained to VisitScotland and to their local councillors, and lots of stuff was written about it in the newspapers.

The matter was handled in an appalling way. If Transerv had taken the trouble to talk to people or send out a much more explanatory note to shop owners, explaining the effect that various obstacles have on disabled visitors and disabled local people, it might have achieved a far better result, but its notices only got people's backs up.

I spoke to the standards people in Transport Scotland about the matter, and the issue was sorted out by the local authority, which did a bit of work through small businesses, but it shows that the road to hell can be paved with good intentions—excuse the pun.

Andrew Holmes: That illustrates an issue that has come before successive Scottish Governments. There is a legislative gap in this regard. It is clear in legislation that sandwich boards may not be put on pavements without consent, but it is possible to park a car on a pavement without any risk of prosecution, as that is not, in itself, an offence. In the view of many organisations, that requires to be changed, whatever element of parliamentary time is necessary to do that and to get the message across.

The Convener: I wish to explore the general issue a bit further. I agree strongly with some of the comments that have been made about street furniture. In Glasgow, the positioning of bus shelters sometimes makes it impossible for anybody, disability or no disability, to walk past them or to move a buggy or trolley along the adjacent pavement.

Anne MacLean: You have also visited Inverness, clearly.

The Convener: It might be a widespread issue. There seems to be an opportunity, if the design process is handled correctly and if it is inclusive and participative, for the general approach to shared surfaces to increase the accessibility of the built environment for everybody. Whether or not a pedestrian has a disability, if some drivers simply do not recognise pedestrians as legitimate road users or if the built environment encourages drivers not to behave in that way, everybody's accessibility is reduced. If we get the design right, everybody's shared use of the built environment, however they are getting about—whether they are driving, walking or in a wheelchair—could be enhanced. Is it the general approach of MACS that the process needs to be right? Is there a deeper concern with the general concept of shared surfaces in principle?

Anne MacLean: The process has got to be right. It is a problem that there is currently no concept of what a clear delineator might be if it is not a kerb. That is important for people who use a long cane, who might use the kerb as a guide. Some people might say that they could use the wall. I am sorry, but for someone who is walking against pedestrians coming the other way, that is not the answer.

The delineator has to be right in places where there are shared surfaces, and it has to be consistent. One of the problems is that there are different types of delineators in places where there are shared surfaces—it varies from local authority to local authority. People will not have a clue.

There are shared surfaces in Dundee, for example—I am looking to Marlyn Glen, who knows Dundee. The delineator there is quite different from the one in Inverness, where there is only a small piece of shared surface, and I have no doubt that it is also quite different from what is planned for Exhibition Road in London, not that MACS is responsible for London, thank goodness—sufficient unto the day.

You see what I mean: there must be consistency. The delineator has to be clear and recognisable by all. It should be useful to people who are visually impaired and to people with cognitive problems. It should not be a hindrance to

people who use a wheelchair. The delineator must meet many requirements.

The Convener: Okay.

Anne MacLean: I am not saying that we are totally opposed to shared surfaces, but we must have delineators for those people who have disabilities or those who have memory issues—a whole range of people, as I said. When all this started, it was seen as an issue solely for the visually impaired. I know that the Guide Dogs for the Blind Association held an evening in the Scottish Parliament and a lot of MSPs came along to it. I talked to someone who was there in a wheelchair and someone said to him that the issue was just about people with visual impairment. The gentleman said to him, "I will tell you something. You come down to my height in my wheelchair and try to make eye contact with a man who is driving a white van." He was making a point.

It seems to have changed lately, but the whole idea was about making eye contact. Try making eye contact with a bus driver—assuming that you can see—or someone in a car with a shaded windscreen. So many cars now have darkened windscreens and the driver can see out but no one can see in. Whose idea was this?

The Convener: Or with anyone in any vehicle on a sunny day.

Anne MacLean: That is absolutely right. That is why delineators are so important.

The Convener: I just wanted to explore the general approach to the issue.

Shirley-Anne Somerville (Lothians) (SNP): I have a couple of questions on projects in Edinburgh and Glasgow. I notice that you have made a couple of recommendations for the trams in Edinburgh. You said that it is necessary for the Scottish ministers to encourage Transport Initiatives Edinburgh to consult disabled persons organisations and stakeholders. Why is that still necessary at such a late stage, ironically enough, in the design of the trams project, if not its implementation?

Anne MacLean: I do not think that we have a problem with the tram design. Our problem is with where the tram stops are.

Shirley-Anne Somerville: I meant the design of the network and how it will be implemented. Your problem is with the tram stops in particular. My concern is that such issues are still having to be raised. We are a long way into the process from when TIE started the project. I see from your annual report that TIE gave a presentation earlier this year—I am not sure whether that was in 2010 or 2009—and I am concerned that that came quite late. Was that the first time that MACS had heard from TIE or had it been more involved than is hinted at?

Anne MacLean: TIE was probably discussing issues with the Edinburgh Access Panel and other local organisations for the disabled. We got a presentation from TIE about the design. I am looking at my colleagues here for confirmation that it was in 2010.

Andrew Holmes: It was in early 2010.

Anne MacLean: Our main problem is with where the stops are. As I understand it, there is an explanation for why there cannot be a stop near Waverley station. That leads to the question why Haymarket is to be the hub. Trains from the south and east come into Edinburgh at Waverley, which has bookshops, food outlets, cafes and whatever. Haymarket has nothing—I exaggerate for effect, but it has very little—and it does not have good access. Waverley station will eventually get its lift up to Princes Street, so we do not understand why there cannot be a tram stop close by. That people might have to get off the train at Waverley and travel to Haymarket to pick up the tram seems to be absolutely bizarre.

Shirley-Anne Somerville: Has TIE responded to that? Is the issue closed as far as TIE is concerned? I would be surprised if it is still considering where to put tram stops. Has TIE left you with any openings for developments or improvements, or is the issue closed?

Anne MacLean: I think that we will pass on that. Could we come back to you, please?

Shirley-Anne Somerville: It would be interesting to know whether TIE is at least being frank about whether the issue is done and dusted—whether you have had it and it is too late to make improvements. It would be interesting to know how open TIE is being with you.

Anne MacLean: Convener, is it all right if we come back to the committee on that?

The Convener: That would be helpful—thank you.

Shirley-Anne Somerville: That would be appreciated.

Has the issue with disabled parking at Glasgow Central station been resolved or is there hope of a resolution?

Anne MacLean: We have passed that matter to the Glasgow Access Panel. If the Glasgow airport rail link had gone ahead, parking at Glasgow Central would have been a major issue for us. However, as GARL is not to proceed, the issue is not for MACS, so we have passed it to the Glasgow Access Panel.

Shirley-Anne Somerville: One issue that has been hinted at but which we have not got to is the Commonwealth games. I give you the opportunity to express your concerns, which we have not explored in detail.

Anne MacLean: Grahame Lawson will tell you all about our concerns in relation to the Commonwealth games and transport.

Grahame Lawson: That depends how long we have.

The London Olympics will take place in 2012. In 2005 and 2006, DPTAC engaged with the London Olympics team, which welcomed that approach. The net result was that guidance called "all change" was published in London in 2008. That was an access strategy for the London Olympics.

We are now in 2011 and it is three years until the Glasgow Commonwealth games, but we do not have an equivalent strategy in Glasgow. We have a draft transport strategy, which is 120 pages long and contains a very short reference—less than a paragraph—to accommodating disabled people's needs.

If we use the same information as was used to assess the provision in London, about 7 per cent of spectators on any one day will have difficulty in using stairs or escalators. If we translate that into the Glasgow figures, about 8,000 people on the busiest day in Glasgow could have difficulty in using stairs or escalators. Over the duration of the games, about 100,000 spectators will have difficulty in using stairs or escalators. What provision is being made for that? The answer seems to be very little.

The Glasgow team has expertise in dealing with disabled athletes' needs. A person has been recruited—I do not remember their name offhand—who has experience of that. I have no doubt that disabled athletes' needs will be accommodated, but we have serious doubts about the provision for spectators. The games team has indicated its willingness to engage with us, but the issue is translating that into action. We are trying to identify people who have a similar interest, such as officials in the Scottish Government and other organisations, so that we can work with them to take a co-ordinated approach.

That is where we are. We do not think that the games team even has an access consultant. When I spoke to the team in October, it certainly had no such consultant, which is worrying.

Shirley-Anne Somerville: That is a concern. Why has that situation arisen? What are the barriers to achieving a solution?

Grahame Lawson: That goes back to an earlier question, which was on training, and relates to a lack of awareness. In general, people are not aware of disabled people's needs. People perhaps think of a wheelchair user, but that is the tip of the iceberg—disabled people include people with learning difficulties, visual impairments and hearing impairments. A range of people's needs, which are all different, must be considered. There is a general lack of awareness and of training.

Rob Gibson: The Government's ferries review has been mentioned. On disabled people's travel needs, MACS responded to five of the 33 questions that were posed for the review. Would you like to expand on that?

15:00

Anne MacLean: Because what MACS does is comment on the needs of the disabled traveller, we restricted our response to the seven points—A to G—about disabled access that are set out in chapter 6, paragraph 9 of the Scottish ferries review consultation document. I will not read them all out.

We were concerned about how the questions about disabled access were asked. The phrase, "Persons with Restricted Mobility" was used. I know that PRM is a European expression, but MACS does not like it. Someone who has a hearing impairment does not think that they have a mobility problem. It is about our use of English, is it not? I wrote to David Middleton in November to say that we were concerned that the way in which the questions had been framed appeared to suggest that only physical disability was being considered and no attention was being paid to the needs of, for example, sensory-disabled people, people with cognitive problems such as memory loss and people with learning difficulties.

We had a very quick response from David Middleton, who thanked me for my letter and said that he was sorry that that was how we felt. He said that in fact the review includes all the matters that I have just talked about. I have not yet had a chance to discuss his reply with the MACS committee, but I will suggest that we write back saying, "It is fine that that is how you understand it, but we want to know how operators and other people who respond to the consultation understand it." If we do not all have the same understanding the consultation will—to be frank—be a waste of time.

Rob Gibson: You said in your annual report that MACS and other disability organisations should be consulted before the ferries plan is finalised. Will that be sufficient?

Anne MacLean: Yes. In the letter from David Middleton we have been told that we can be part of the process from now on—I am sorry, but because I have difficulty reading I am not sure that I can find that bit in the letter.

Rob Gibson: The lead-up to that would involve MACS expressing concern about the language that has been used—

Anne MacLean: Yes. Then we will start working with Transport Scotland. That is what the head of Transport Scotland has offered us.

The Convener: If members have no further questions, do the panel members want to raise issues that have not come up in questions?

Anne MacLean: No thank you, convener. We think that we have covered everything that we wanted to cover. Thank you for your time.

The Convener: Thank you for yours, too. I appreciate your joining us to answer our questions.

15:03

Meeting suspended.

15:07

On resuming—

Sustainable Development

The Convener: Item 2 is evidence from the Sustainable Development Commission Scotland on its most recent report "Sustainable Development: Fourth Annual Assessment of Progress by the Scottish Government" and issues that arise from it. I welcome Maf Smith, director, and Professor Jan Bebbington, vice-chair, of the SDCS. Do you want to make opening remarks before we move to questions?

Maf Smith (Sustainable Development Commission Scotland): We are happy to go straight to questions. We expect questions on this, but it is worth highlighting that the fourth assessment came out just prior to the announcement about the future of the SDC in Scotland. The report includes not just recommendations for the Scottish Government but actions that the SDCS said that it would take to help the Scottish Government. As such issues crop up, we can highlight to the committee what we are doing to remedy the situation and ensure that some of our work is passed on.

The Convener: You anticipated my first question, which is about the Scottish Government's decision to withdraw funding from the SDCS. Do you think, as the Scottish Government has argued, that the decision is consistent with what the Government describes as "streamlining sustainability delivery"?

Secondly, what other options or models would have allowed not just project management issues—which I gather will be handed on—but the SDC's core functions of scrutiny and challenge to continue in some form? How were such options explored?

Professor Jan Bebbington (Sustainable Development Commission Scotland): I will describe the functionality of the SDCS, so that the committee can be entirely clear about what we have done in the past and will do until the end of March. The best way of answering your second question is probably by outlining how other jurisdictions in the United Kingdom are tackling things, which broadly covers the range of options that could have been taken forward.

The SDC in Scotland and the rest of the UK has had three major roles. The first is capacity building. The SDC has worked with and alongside Government as an advisor, to help Government to deal with sustainable development challenges. Secondly, the SDC has advocated policy positions on certain elements. There are many examples of recommendations translating into Government

policy in Scotland. Thirdly, the SDC has had a scrutiny function. Perhaps the scrutiny function has been the most obvious role, as it has produced annual assessment reports, but the key aspect of functionality is that those three elements have always interplayed together.

The fourth assessment is the result of quite extensive engagement with civil servants over an extensive period, not just for the assessment but to do capacity building and advocacy as well. That links to what Maf Smith has just said about the assessment including what the SDCS will do next to support the Government. There has been strong synergy, because the three roles sit together, but that synergy will be lost as soon as the organisation is lost, even if elements of that functionality go forward.

I see the biggest risk being the loss of the scrutiny function. There was formal holding to account by somebody who was closely related to Government and therefore was very knowledgeable about the processes underlying the scrutiny. However, they were not so arm's length that the process became combative, which it might do with parliamentary and Government interaction.

The Government has discussed scrutiny in various statements. It believes that the Parliament will operate a scrutiny function, which it has done over the time that we have existed through forums such as this committee. It also thinks that civil society more generally, and non-governmental organisations in particular, might provide a scrutiny function. How that might happen has not been spelled out, but that might be inappropriate, as it is up to the NGOs to decide how to provide such a function. A coalition of NGOs is in close conversation about whether they have the resources and capacity not necessarily to mimic the job that we have done—they cannot do that because of their nature—but to see whether there could be an external process. We are supporting that conversation with input about how we have experienced the scrutiny process.

We are probably least able to know what the Government is planning in the field of advocacy and capacity building, as it is the Government that is doing that planning, not us. It is clear that there are people in the Government with expertise in sustainable development, but a bigger team, for example, is not being added. The existing team is being used.

Those are opening remarks about functionality and where things might go. Maf Smith might be better able to talk about the follow-on arrangements that were considered by describing what the other jurisdictions have chosen to do.

Maf Smith: The SDC is owned by the four Governments. It is probably worth highlighting that, at the UK level, the Environmental Audit Committee has just done a sustainable development review as a result of the decision by the Department for Environment, Food and Rural Affairs to cease funding the SDC's Whitehall office. One issue that the Environmental Audit Committee raised was how that decision was made and the lack of involvement of the devolved Administrations in it. There is a lot of good work in what that committee has said about the making of that decision and what the UK Government is going to do.

The UK Government made an announcement about the SDC in July. It is clear that a change of culture is coming because of the change of Government, but it spoke about its desire to mainstream sustainable development. That has involved taking some of the SDC's core functions back into DEFRA, particularly to do with engagement and wider sustainable development networks. It also highlighted a role in scrutiny for the Environmental Audit Committee. Therefore, some things have happened.

The UK Government has also been considering the governance around that and has explored options around Cabinet sub-committees, supported by the Cabinet Office. It has yet to come to a final decision, but we expect there to be something at the heart of the UK Government that will ensure that mainstreaming can take place. We need to see the details of that, but we are heartened by that commitment. Indeed, the Environmental Audit Committee has recommended that the Cabinet Office should create a minister for sustainable development to drive sustainable development across the Government from a senior level. We have welcomed that committee's recommendation.

15:15

In Wales, the proposal is to set up a new organisation, which tacitly is called a sustainable futures body and would have a commissioner at its head, which would be a public appointment, and a secretariat. It would be set up as a charitable body, but with a public appointment—a hybrid body, if you like. It would continue the advice function and some of the scrutiny work and wider networking with organisations throughout Wales that are interested in sustainable development. In Northern Ireland, the proposal is for a reframed and refocused sustainable development policy unit within the civil service.

So, in two of those three areas there will be less than previously existed and in Wales there will broadly be a recreation, with a Wales-only body. However, in Northern Ireland and at the UK level,

at least some of the core functions that the SDC has carried out will continue. That is different from Scotland, where all of the SDC Scotland's core functions will stop.

We proposed two options. One was the Welsh model, which is what we would ask for if we could ask for anything. The second was partly about learning from what we had done and partly about learning from different models of sustainable development in Scotland. The previous Administration had a Cabinet sub-committee on sustainable development, which Jan Bebbington attended and for which we provided support. That was a useful way of engaging ministers—and, between meetings, civil servants—in the challenges. We talked about the options of creating a smaller unit in the Scottish Government to do that. The model that we proposed as a comparison was the Scottish Government's office of the chief scientific adviser. The adviser is a clear expert who has access to wider networks of expertise and who is supported in her job by a small team. We were disappointed that, although that was considered, it was decided not to go with it. That proposal would have been affordable and would have fitted with the proposed terms and moves following the recommendations of the Crerar review.

The Convener: So the Scottish Government was not open to proceeding on either of those bases.

Maf Smith: It was open to that in the sense that we had discussions and constructive meetings with the cabinet secretary after the DEFRA decision. There was discussion about what could be done and of alternative options that fell short of creating a new NDPB—the Government was clear from early on that it did not consider that to be viable in the current circumstances. We understand that, but we proposed alternative models that would have allowed something to happen.

It is important to distinguish between our formal scrutiny role, which is important, and the wider challenge role that we have engaged in and been able to facilitate discussions about, which we feel has been helpful. The challenge role comes not when a policy exists and the effectiveness of its delivery is being scrutinised, but when we help Government to change policies and develop new ones. The challenge function that we provide helps the Government to scope out issues and, we hope, to deal with problems before they arise.

The key area in which we did that was in relation to the Climate Change (Scotland) Bill. We did a lot of work behind the scenes with civil servants to help them to consider some of the very technical issues that they had to face in drafting the bill. We also engaged with a wider network of organisations that all had clear views and different types of expertise. Our role was to help civil servants to balance those views on behalf of their ministers.

The Convener: I presume that that challenge function depends on there being a body that is inherently outside or independent of Government and that is not controlled or driven by a ministerial sub-committee, for example. The function must also be outside the party-political sphere to an extent, so it could not be replicated easily by parliamentary scrutiny.

Professor Bebbington: That is a fair comment. From a Government perspective, the other great advantage of having such a body was that in cases where the Government was not confident that stakeholders would engage with it openly—or at all—the body was a third party that sat between the two sides and was trusted by the stakeholders, who would have conversations with it. Governments across the United Kingdom have used our body to have conversations that they might not otherwise have been able to have in order to get things approved at an early stage.

I do not want to dominate the discussion, but if you like I could talk about how the Cabinet sub-committee functioned. It does not exist anymore, so it might not be that helpful to talk about it, but I was on it from its inception, so I have experience of that model as well.

The Convener: I think that members are probably familiar enough with the history of that sub-committee.

Given your comments, do you disagree with the Government's statement that what it considers to be the commission's most valuable work—in relation to behaviour change, capacity building and so on—will be adequately maintained through alternative means? I assume that you disagree.

Maf Smith: We are pleased that the work that we have done on the climate challenge fund involving supporting communities and helping to share learning, as well as the secretarial support that we provide to the Scottish Sustainable Development Forum are continuing. That is valuable work, but we feel that our most important work involved our core functions—not so much our formal scrutiny role as our partnership work to support Government to deliver some of the relevant policy areas, as Jan Bebbington said.

Cathy Peattie: Obviously, your organisation is a critical friend of Government. However, it seems to me that Government and other agencies sometimes do not like having such a critical friend telling them what to do and are suspicious of them. Do you think that that suspicion is why you are no longer going to exist?

Professor Bebbington: My sense is that that is not a key reason. The funding situation is the crucial reason. Each Government wishes to arrange things in its own way.

Certainly, we have disagreed with the Government at times. However, some of our advice to Government has been taken straight into planning legislation. For example, a lot of our pre-work on the zero waste think-tank made it straight through. I do not believe that the relationship was conflictual. We had disagreements, but I do not think that that was a key element that led to the current situation.

Shirley-Anne Somerville: Your report describes three trends of significance that are drawing together: the downturn in the economy, concerns about the natural environment, and a social recession. Has the Government's policy development and spending over this parliamentary session addressed those trends?

Maf Smith: We did not address certain issues in detail as part of our analysis. For example, we did not consider budgets and proportions of spending across the piece. However, we considered some aspects around certain areas, such as active travel and the associated budgets, which this committee has also considered. We felt that the Scottish Government was not doing enough to secure multiple benefits from those approaches. Some of the analyses that the Scottish Government did around active travel, particularly with regard to cycling, considered the issue in black-and-white terms, such as its role in reducing carbon emissions, rather than trying to measure how it could help to tackle not only greenhouse gas emissions but some of the social and health issues that the Government is wrestling with. The Government struggled to allocate its budget in that regard. The national performance framework is designed to help it to do that, but when the budgets and the delivery mechanisms came through the process we ended up with separate silos that made it hard to do what was necessary.

We are disappointed that the active travel budget has not grown. We appreciate that there are pressures on the budget, but at such times policies such as active travel, which are cost effective and achieve multiple outcomes, become more important and should be put on top of the pile rather than on the back burner.

Shirley-Anne Somerville: One of my colleagues will discuss later how good or not Government is at joined-up thinking and looking outside the silo mentality. We can come back to that important issue.

Do you want to add anything else on dealing with those significant trends that is not to do with silo working?

Professor Bebbington: I just stress the enormity of each of those three challenges. They are significant in their own right, and it would be unrealistic to expect any Government to have addressed them in a three or four-year term. The environmental crisis is deep set: we are very aware of climate change because of the Climate Change (Scotland) Act 2009, but biodiversity is probably at a greater crisis point, and water is also in there.

All those issues are long term, and cannot be resolved in a straightforward way. Likewise, with regard to the social recession, we talk about persistent health inequalities and fuel poverty, which are long-term issues. We argue that those things arise partly because our economy is poorly structured to deliver the outcomes that we are looking for, but that is not purely a Scottish problem—it is a global problem in relation to how we might structure our economies.

The SDC report "Prosperity without growth?" is not about what we are going to do next year or the year after; it is about a much longer-term co-evolutionary approach to transforming our economy on a basis that does not create a mess that we then have to clean up.

The realisation of sustainable development is a long way off. It is about progressively, each year, working towards resolving the issues that we can within the current model, and reworking the whole model.

In some ways, our ask is not as straightforward—although the previous evidence session was not straightforward—as saying, "If you could do this, that would happen." It is about a more general redesign of society, and the economy in particular. Those challenges are not resolved, but they might be resolved in our lifetimes, or at least progress will be made towards them. It is important to keep in mind that longer-term focus.

Shirley-Anne Somerville: You mentioned some advice in your fourth assessment that was given in an interesting format. You talk about good decisions, and say that we need to learn from policy and practical interventions while also showing some humility in the face of those challenges. How good or otherwise is Government at doing that?

Professor Bebbington: It is difficult for any elected minister or member of Parliament in a hostile media environment to be too humble, because almost any expression that something has not worked very well can be picked up and taken as immense failure rather than a natural difficulty. I do not think that the Government is humble enough, because of the complexity of the issue, but I entirely understand why humility is not

the first thing that one might express in a hostile media environment—I do not know if I would be particularly humble either. It is just one of those things.

As I said before, it is partly about a long-term co-evolutionary approach. If you take that, you have to realise just how unprepared we are for some of the crises that are coming our way, and do your best in that context.

Maf Smith: To give an example of how the Government struggles, its recent publication "Low Carbon Scotland: The Draft Report on Proposals and Policies", on how it will deliver on the climate change targets, went through a lot of work. There was an initial draft, and the Government co-ordinated a wide range of discussion seminars with a huge range of stakeholders to try to flesh out the original delivery plan in more detail.

The work changed as it came to publication, and the report is safer, if you like, than some of the initial proposals in the delivery plan. The Government was prepared to talk in a safe space, in a committee with groups that had a wide range of different interests, but it was not prepared to put the proposals in a document that might become a hostage to fortune.

The delivery plan made clear that difficult choices have to be made in a range of areas, many of which, in relation to transport, cut against how the transport system works at present. It included proposals on things such as speed limits and congestion, none of which are easy or would be a panacea by any means, and all of which have big down sides, not least being how they are perceived.

15:30

As Jan Bebbington said, Government struggles to start that conversation without being pushed back, so it avoids having the conversation where it can. Finding a way round that is difficult. There is a role for the Parliament in helping to create that space.

We have said consistently that Government needs to be better at saying what it is not going to do. Governments choose not to do things all the time, but they tend not to like to say that they are not going to do them. That is usually because a group or interest wants something, be it a physical bit of infrastructure or policy, but Government has to get better at doing that. We have constrained budgets, but we also have a constrained environment and social issues. Government has to get better at saying, "Perhaps we would like to do that in an ideal world, but we are not going to do it. Here is why." Again, the Parliament has a role in trying to help the Government to talk about the pros and cons and choices that have to be made. There are very few clear black-and-white issues or rights and wrongs in all of this.

Shirley-Anne Somerville: Perhaps that will be a difficult role for the Parliament in the run-up to a febrile election—

Maf Smith: Perhaps not quite now.

Shirley-Anne Somerville: Perhaps afterwards we can get that debate going, regardless of which Government is in power. You have raised an interesting point.

You have taken recommendations to Government for the period 2011 to 2015. Is the civil service in Scotland structured and led appropriately to take forward and deliver on those recommendations? I will not go into them in detail.

Maf Smith: Broadly, yes. I will also not go into them in detail. One issue is governance and reorganisation. In 2007, after the formation of the new Government, one big project was to reorganise Government by removing departments and so forth. We can see benefits from that work, in which the civil service was an active partner. It learned a lot and improved through the process, which has helped a lot. The project is still a work in progress. It is a struggle, and it gets harder and harder to do things because of complexities that are found and unexpected things. It is a challenge. We have noticed a retrenchment away from that work. The natural tendency, which is to work in silos, has strengthened over the course of this Government. That is in part a natural reaction. Further work will be needed over the next four years to ensure that things are embedded and do not die away.

The civil service needs to become better at finding where to get trusted expertise and better at using it. Obviously, the Government has to not only balance different interests but interpret what people are saying and try to chart its way through. Organisations such as ours try to help with that, including by moderating discussion. Government needs to think about how it can do that with groups such as ours. That would be useful.

Professor Bebbington: We are very keen on the national performance framework, albeit that there are limitations. It is a way of the Government being clear about what it is about, even if all the policy does not line up behind it at the moment. The framework should be used in structuring choices and priorities and getting working groups together to resolve issues. We are very keen that that expertise and learning is not lost under a new Government. The framework is a work in progress, but we have found it really helpful. It has helped our engagement on issues to have clarity on the Government's priorities. The framework has been a positive development for this Government. It has also been positive because few Governments in

the world have tackled matters in the same way—they have not taken this Government's approach. We want the Government to carry on like that.

Many people are interested in how this is playing out. Early on, when the work was more of a novelty and more adhered to, we saw some interesting non-silo thinking across Government, under which people were brought together to resolve issues. That is positive, particularly in dealing with sustainable development, which is—of its nature—cross cutting.

Cathy Peattie: After so many years of trend data and analysis, not least from the SDC, Scotland is still not decoupling its economy and carbon footprint. Why is that?

Professor Bebbington: In part, it is because of the nature of the economy. There are two elements to decoupling: relative and absolute decoupling. Under the first, relatively less carbon is associated with each unit of output. There has been decent but reasonably modest decoupling of that nature.

There is no absolute decoupling going on anywhere in the world, partly because of the growth in production, which is driven by an economic need to have a growing economy to sustain employment and so on. We have seen in our own recession that when that falters, there are enormous costs to people and countries. That is really the nub of the issue when we talk about needing an economic transformation. Until you get that, you might carry on having relative decoupling, but you will not have absolute decoupling. That is a problem across the world, not solely in Scotland.

The other thing to be clear about is the distinction between production carbon and consumption carbon. Carbon might be produced in Scotland, but if it is tied up in goods and services that are then exported, it is produced here but consumed elsewhere. That is why the Climate Change (Scotland) Act 2009 is helpful in having a requirement to provide information on consumption carbon for Scotland and to have in the national performance framework an ecological footprint, which has a strong carbon basis but is wider than just that. All the indications for Scotland, and indeed for other developed economies, are that our consumption footprint keeps increasing even if our production footprint decreases. Again, there is the trans-boundary issue: you export your pollution, which in this case is carbon, to somewhere else. That is an inherent problem across the whole global economy, which is not structured to decouple particularly well.

Investment in renewables will drive some of that decoupling, but if alongside that you have increased use of energy because you have more stuff that you plug in and do things with, you will get relative but not absolute decoupling.

Maf Smith: The Scottish Government's transport strategy was published late in the term of the previous Government. This Government did consider briefly formulating a new strategy, which we supported. We published a report that we felt would help the Government to wrestle with that. In the end, the Government, for a variety of reasons, decided to stick with the current strategy and used it alongside the strategic transport projects review. In our view, that was a missed opportunity, in the sense that the Government is failing to deliver the current strategy as it is. At the very least, it should take a step back and ask why that is so. The current strategy is about trying to resolve transport problems, one of which is how to reduce emissions. Part of the reason why the Government cannot do that is the drivers that Jan Bebbington highlighted and the aspirations that we have.

I will give you a practical example of that. Take the Volkswagen Golf, which is one of the cars that has been around the longest—I think since the late 1970s. Golfs have got much more efficient over time, but if you track the weight of them, you will see that they have grown. If you think back to having a Golf—you or your parents might have had one—you will remember that they were small cars, but now they are big cars, so we have taken efficiency and traded it up so that we have a bigger, more comfortable car that carries more people, which is great, but we drive it further. That is why decoupling is not happening: we take the technological advances and use them to get something else.

Part of what we hoped that the Government would do—but which we do not feel that it will do sufficiently—relates to the engagement strategy that it published between Christmas and new year to follow on from the 2009 act. That was a chance for the Government to start to have conversations about these difficult issues, because there are no simple solutions. There are some changes in technology and there will be some things that we can do to change how people travel, so that they choose active travel or use bus or rail. The Government has a clear role in trying to encourage that. However, it is about starting that wider conversation about what we want to do, how we might do it and what the pitfalls are in some of the approaches.

Cathy Peattie: Thank you. We might want to come back later on public engagement. I want to move on a wee bit. Do you feel that the Scottish Government acted on the SDC's previous advice that businesses in receipt of support from the Scottish Government or Scottish Enterprise should produce and implement a carbon reduction plan and that economic recovery policies should be

based on the principles of sustainable development?

Maf Smith: We have seen some evidence of that cascading through the public sector, particularly in relation to procurement. The Scottish Government's sustainable procurement action plan is welcome. It took time to develop, but it is now in place. Scottish Enterprise, for example, is looking at how it procures and uses services, taking sustainable development into account.

How the Government tracks the success of that will be a long-term challenge, because there is no formal reporting on or testing of whether an organisation has passed or failed in that regard. In some senses, that is okay because the first part is to get people thinking about the issue and to get them to put action in place but, over the longer term, there is a need to develop good practice and to work out how different parts of the public sector can share that. When it comes to knowing who the star performers are and how to stop organisations claiming that they are doing sustainable procurement when they are not, Audit Scotland clearly has a role to play in scrutinising delivery, so the Parliament might want to consider whether it can do some of that work alongside the Accounts Commission.

Cathy Peattie: Should the guidelines for auditing and measuring have been laid down at the start, given that it is difficult to start measuring halfway through a process?

Maf Smith: Yes, but going forward the opportunity exists to put in place proper measures.

Cathy Peattie: Are you hopeful that that will happen?

Maf Smith: It is not the current intention that that will happen. A question mark hangs over the sustainable procurement action plan. We feel that that needs to be thought about and introduced.

Cathy Peattie: I find that very worrying.

Is it noticeable that the recommendations that were outlined in the SDC's report "Getting There: A Sustainable Transport Vision for Scotland" have been incorporated into transport and travel policy and the RPP? If not, why is that the case? You touched on transport being a bit different.

Maf Smith: I am sorry—which aspect of "Getting There" are you talking about?

Cathy Peattie: We want to know whether "Getting There" has been incorporated into transport and travel policy and the RPP.

Maf Smith: No, it has not. That is partly because our intention was to provide advice to the Scottish Government about how to draft a new transport strategy. With the decision not to do that, the Scottish Government did not need our advice, but we still feel that there is a lot of relevant information in "Getting There" that could be used. One of its key recommendations was that the Scottish Government should look at the idea of a hierarchy in transport, just as it uses a hierarchy in waste, that would help it to make decisions about different types of investment in transport and whether existing infrastructure could be used more effectively or whether different types of infrastructure or different transport modes should be used. That would help it to direct limited investment. We think that use of such a hierarchy within the strategic transport projects review would be helpful.

As I said, the current strategy is not delivering on the current aspirations, so there is a need to do something else. We have not heard any public statement of how the Government intends to make up the difference and to start to hit the targets that are in place on transport.

Cathy Peattie: So, is it the case that, as I said in my last question, you need to be clear about where you are going before you start?

Maf Smith: The Government is clear about where it is going in that the transport strategy has clear targets around one of the three criteria on climate change reduction. The energy efficiency action plan now has an overall target of cutting Scotland's energy use by 12 per cent, but that is not broken down by sector, so no figure for transport is included. When we responded to the action plan, we said that it would be good to get a breakdown of the intended contributions of different sectors.

However, sufficient information is already available. For example, the RPP and the climate change targets show us the big number that we have to get to, but the Government has not scoped out how to divide that up. Having confidence that the Government knows how to get there is obviously a critical issue, which the committee will ask about repeatedly over time.

Professor Bebbington: Your question hinted at one of the things that concerns me. We are not yet wholly convinced that the Government has got a grip on what happens when there is policy failure. It is natural that there will be policy failure in some areas. If that happens, where will the compensating policy gain be? The worry is that if you throw everything at the climate change targets, you will get there, but if not everything works, you will not. It is about the plan in the event that things fail.

In some ways, how the Government has gone about addressing the issue is quite helpful. If one has so much carbon to play with, the key is to generate it from whatever makes best use of carbon within the economy. In that respect, it is

almost as if there is an internal market through which carbon might be traded. At the moment, a lot of it will be in transport, because that is the hardest thing to decarbonise. At this point in time, energy is much more straightforward to decarbonise, so there can be some trading back and forth. Our concern would be if everyone thought that they were getting the uplift and no one thought that they were getting a downlift—that would have to be resolved. As an advisory body, we are not in the business of telling the Government where the carbon ought to be. We say that it has to cap it and decide how to allocate it. That level of governance is very important.

15:45

Cathy Peattie: Can you share with us examples of good practice elsewhere to encourage the use of public transport and active travel, which could be replicated in Scotland?

Maf Smith: There are some examples in "Getting There", and rather than look outside I would say that there are good examples in Scotland. One is the Scottish Government's smarter places scheme, which we are very supportive of and which provides funding for local authority partnerships to deliver different types of transport programmes. For example, in Dundee there is a very good active travel programme to encourage walking for a combination of transport substitution and health reasons. It has done very well and we hope that the initial findings from it will be positive. The scheme was a pilot to raise awareness among local authorities of how they might be able to do things differently, and the question is how we then make those things the norm. Therefore, there are already examples in Scotland of different local authorities and partners having done good work.

We highlight some other examples in the report. The work that Scandinavia has done on cycling is mentioned, and a lot has clearly been done there. Part of the reason for that work is that it allows for better use of a limited transport budget, so we think that it could be considered afresh. It is not that we do not know how to work or have to go somewhere else to find out. The answers are here; the important point is having the political will to follow them.

Cathy Peattie: So it is too hard and costs too much.

Maf Smith: No, because some of the measures that would be seen as more sustainable are lower cost. For example, in "Getting There" we advocate a focus on accessibility rather than mobility. Mobility is how to ensure that people can get to where they want to go. For example, I commute every day from Glasgow to Edinburgh, so what I need and what the transport policy tries to provide is an easy and regular service for the many people who do the journey back and forth every day. However, mobility is a never-ending problem because we know that people always want to travel further and demand more.

Planning has worked to move things further away from where people are, which increases their need and consequent desire to travel, whereas we believe that policy should focus on accessibility—ensuring that people can get what they want more easily. That means that the policy is about transport hubs and centres and moving things away from out-of-town retail parks and into other areas. It is also about having alternatives to travel, such as broadband in rural areas. With policy on accessibility, we have a chance of succeeding, winning and reaching an end goal. If we are forever pursuing mobility, we will always struggle to catch up, unless we can change the aspirations of wider society, which we know Governments struggle with because they are fighting against the tide.

The Convener: I want to follow up briefly on the transport issues in general. Maf, you argued that the Government is clear where it is going and has established its strategic priorities, which include emissions and congestion reduction. The SDC has previously argued that some of the biggest transport decisions do not seem to be informed by the strategic priorities on paper, and you have reflected on how some of the islands of excellence do not become the norm and on how demand reduction is barely spoken about. Do you agree that transport is one area in which less progress has been made than in other parts of government—I mean not just the current Government, but government in general in Scotland and the UK? If so, why is that the case?

Maf Smith: Yes, we agree that less progress has been made on transport and, in the assessment, we highlight it as one of the areas of most concern. The lack of progress is partly because, as I have just said, the Government is struggling against the tide of aspirations of individuals and businesses and what they see their travel needs as being and their expectation that the Government will meet and cater for those needs. It is also partly because of not grasping the nettle and being prepared to talk about the limited budget.

I should point out that, in deciding not to develop a new transport strategy, the Government emphasised that it would use the existing strategy and the STPR. However, we feel that the STPR lacks information about how the Government will prioritise the 25 priority projects, how it will ensure that they receive sufficient funding and how, if such funding is not available, it will rate each of

them and decide on the priorities for what might happen next. Indeed, we were critical of the STPR at the time because we felt that it made an insufficient contribution to the Government's climate change emissions reduction targets. Emissions growth as a result of the review will be 1 per cent less than it would have been without it, and we felt that to be inadequate.

Of course, the STPR is only a small part of the overall transport package but in light of the Scottish Government's significant climate change targets, particularly the challenge of hitting 42 per cent and the aim in essence to decarbonise transport by 2050, we felt that it did not translate into practical action.

Marlyn Glen: With regard to education, we seem to have a very successful eco-schools programme. How well has sustainable development been embedded in the curriculum for excellence? Why does it seem easier to embed such principles in education than in other sections of Scottish society?

Professor Bebbington: Because of what is being studied, bringing sustainable development principles into the curriculum is if not easy then reasonably straightforward. It is probably harder to turn an understanding of, say, transport policy into material action, and in any case education is a necessary but not sufficient condition to allow people to make some decisions on these matters.

Eco-schools and curriculum for excellence are cognate and, on the question of how curriculum for excellence might evolve and develop in this area, I have to say that we very much support eco-schools and eco-schools events and think that there is a natural synergy in that respect at school level.

Maf Smith: It is a political choice. Since devolution, the Scottish Government has done well in education but this Government in particular has decided to run with and back the education of sustainable development—for example, the minister represented the four Governments at the international education for sustainable development conferences. Ministers' signals to civil servants are clearly important.

We have also been involved in similar work in health. For example, the SDC's small good corporate citizenship programme is essentially about the application of sustainable development in the running of the health service. The programme was first run in NHS England, but we took it on up here and have worked on it with the Scottish Government. We think that it has been successful; indeed, the Scottish Government has made it a requirement for all health boards in Scotland to use the assessment tool that we have created. I stress that it is not a scrutiny programme; it is what you might call a self-assessment tool, but it helps to raise awareness.

If the Government gets behind something and says, "You must make this happen—don't just pay lip service to it," it makes a difference. We certainly saw that in education and are pleased that the same is happening in health. It could happen in other areas; there is certainly nothing technical, difficult or obstructive that would prevent that from happening.

Marlyn Glen: I wondered whether we were simply talking about a captive audience of school pupils, but are you quite optimistic that young people will take on what they have learned in sustainable education?

Professor Bebbington: Not particularly—and, given that I am an educator, you should be worried when I say that.

You can be as informed and knowledgeable as you like about the slow destruction of the ecosystem but it will not help much if you come up against systems that are working in the other direction. That is why I always say that education is a necessary but not sufficient condition. Without that background knowledge, you will not be in a position to become a politician, an active consumer or an active member of your community. In that sense, education is definitely necessary, but being informed is not enough in itself. That is why we would always consider matters such as governance arrangements and pricing as well. Only at that point is it possible to take your intention and translate it into behaviour at some future date.

We have talked about going against the flow. It is also the case that the broad tenor of society and our cultural expectations about travel, consumption and material levels of comfort may work against some of the things about which we might be educating young people, such as trying to maintain ecological integrity and the threat to the ecosystems.

That is why, although education is positive and we absolutely must do it, I have no faith that if we educate people well, we will somehow have some rosy outcome in 20 or 30 years' time. That is also a bit long to wait for such an outcome. Sustainable development education is great—do not get me wrong on that—but it is not the answer to everything.

Marlyn Glen: It seems a long-term strategy and, as a former teacher, I tend to agree with you.

You mentioned health and my next question is on health and wellbeing. We have talked about the silo mentality and you also mentioned retrenchment. Does the Scottish Government sufficiently understand the need for joined-up

policy making to deliver improvements in health and wellbeing in particular? For instance, what actions are needed to move towards a sustainable Scottish diet? I cannot help but connect that with the education question, because I would think that we could make an inroad there.

Maf Smith: I will leave the diet element to Jan Bebbington, who was involved in work on Scotland's food and drink policy.

I mentioned good corporate citizenship, which is a useful way of trying to help practitioners in the health service to wrestle with some of the problems and find practical solutions to them.

The SDC did other work on carbon footprint in the health service for the NHS in England. It will be helpful to use that information in Scotland. One finding from that work was that most of the carbon in health comes not from energy to run the hospitals, important though that aspect is, but procurement. It comes primarily from the procurement of medicines and pharmaceuticals, which have high embodied energy costs.

I am not giving you any solutions for how to tackle that, but the Government has asked the NHS in Scotland to consider climate change, so there is a wider question about how it does that while delivering a quality service, some of which involves having to provide people with necessary medication, some of which requires intensive production.

The Government has made some good steps in trying to think about what wellbeing is, as in health prevention. It is dealing with some significant long-term challenges that take time to tackle and remedy.

Our previous health commissioner talked about being much clearer about health prevention budgets—being explicit about what percentage of the overall health budget goes on treatment and what percentage goes on prevention and, over time, trying to increase the proportion for prevention. That would send a clear message that would back up some of the work that is being done on the ground to try to shift the culture of health provision and the health service. The Scottish Government has started down that road and has done good things, but it needs to keep going and keep pushing on that.

Professor Bebbington: On a sustainable Scottish diet, the follow-on work in the food and drink policy group is tackling what the indicators of such a diet would be. As you might anticipate, it is proving to be challenging to define the characteristics of an indicator set that would tell us whether something is healthy and environmentally sustainable, but the group is trying to do that.

We come back to some of the points that we talked about with regard to transport. People exercise choice about what they eat and drink and where they eat and drink it. We might wish them to take healthier options but, often, the social and cultural infrastructure means that the bad stuff that they should not eat and drink is available, cheap and part of a lifestyle and culture of enjoyment. Therefore, we always have that tension on the consumption side.

16:00

Lecturing people and telling them, "You should eat the following things," does not work, as we have discovered after a long time trying to lecture people on all sorts of things. A complementary approach should be adopted, providing information to people, who might feel slightly bad about doing what they are doing, while also changing what is available, how it is available, at what price and so on.

There is slight tension on the production side, as some of the things that Scotland is very good at producing are not all that healthy. However, we probably do not wish to step away from producing them, as we have markets in them and there are export earnings to consider. That is a tricky tension point in the process, which occupied quite a bit of debating time at the food and drink forum.

That brings us back to a point that Maf Smith made earlier: at some stage, we have to decide to stop doing things, and we are very bad at that—we can understand why. If fat is produced somewhere in the production system, it will end up in the food—we will not throw it away. In that respect, there are considerations from farming all the way through to production and consumption. We have not yet managed to join all that up, although we are trying to. It is commendable to try to grasp some of the complexities, but they are tricky things to unpick.

Jackson Carlaw (West of Scotland) (Con): You do quite a nice summation of the various initiatives that are taken in relation to health and wellbeing and so on. Do you have any view on their delivery? You have just touched on some aspects, in relation to diet. In England there is a national health visiting service. In Scotland, each health board approaches the matter in a different way and although provision is variable and different, boards have now moved away from health visiting attached to general practices into working through teams, and there is evidence of some experienced people leaving the profession.

Notwithstanding that, how do you view the identification of the various schemes on obesity, diet and wellbeing? Who, ultimately, do you believe is delivering those schemes? Is it clear,

across Scotland and in each health board, where responsibility rests for developing those initiatives in practical terms and engagement with the public?

Professor Bebbington: We did not go into such detail in developing our assessment, which considers how those things contribute to a sustainable society and a conceptualisation of that. In some ways our interests in that area are upward facing—

Jackson Carlaw: Rather than being about the fact that such schemes have happened?

Professor Bebbington: Yes.

Jackson Carlaw: In other words, you like the idea, but you do not know whether those initiatives are being done.

Professor Bebbington: We did not particularly scrutinise that, but other parts of the government apparatus would scrutinise whether they are happening. There is also the follow-up of the work done by the review panel that Tim Lang chaired.

Maf Smith: That was the Scottish diet action plan.

Professor Bebbington: There was a follow-up of that work, after 10 years. Activities such as that are scrutinised at the appropriate level, but that is not what we have done through our report.

Jackson Carlaw: Having read the section of your report on that subject, I liked the summation of everything, but it did not tell me whether any of the work is actually happening. My fear is that it is not and that the mechanism that we could have utilised to make those initiatives happen is perhaps confused at present, if not under threat. That is a worry.

Professor Bebbington: We have a general worry about several things that are covered in our report. It is a matter of timing and staging. The present Government has been very good at setting out the big goal and the policy for where it is going, but in quite a few places that has not translated into having the governance mechanisms, measures and assessment tests for what is happening on the ground. The area that you are asking about might be one example of that, but I do not have detailed knowledge of it.

Jackson Carlaw: To be fair to the Government, such matters are devolved to health boards—it is not that there has been a failing of the Government, although at some stage we might require something a bit more co-ordinated by way of a national strategy.

I will move on to the "Safer and Stronger Scotland" heading in your report. You are reasonably complimentary about the progress that has been made on sustainable development

"through the National Planning Framework and SPPs, and through emerging policies such as Designing Streets."

However, you are

"not clear how current development plans, for the City Regions and elsewhere, will contribute to meeting the 2020 climate target."

How confident are you that decisions in the planning process to lock in carbon-intensive projects will be subject to adequate scrutiny?

Maf Smith: Currently, scrutiny of that is not adequate. There are questions about how the climate change duties will be rolled out, how they will be scrutinised and how much they will help in considering what local authorities do in managing not just their direct operations but the wider impact in their areas. Planning has a key role in that, but it is a confused area. Similarly, we highlight in our assessment the point that although the SOAs have been useful, their application is not consistent throughout Scotland. For example, the climate change indicators that local authorities adopt are not consistent, so more work is needed on that.

In our discussions about sustainable planning with the Scottish Government planning directorate, we welcomed the Government's policy but questioned whether the net result on the ground is a sustainable society. We ended up with a slightly tautological debate. We were asked what our evidence was, but we put the flip-side and asked for the Government's evidence that planning is sustainable on the ground. Part of the problem is that we cannot tell just by looking at a simple set of numbers. However, the Government has indicators that it uses as proxies, such as those on greenhouse gas emissions and on wellbeing. Good progress is being made on many of those indicators, but much more needs to be done if the Government is to hit its targets and if we are to hit the thresholds that we consider to be sustainable. In short, planning has come a long way. The policy at national level is good, but we do not see evidence of progress on the ground. The Government needs to think more carefully about how it measures, tracks and encourages good planning.

Jackson Carlaw: Is that situation among the local authorities a little bit like the situation with health boards that I talked about a moment ago, in which they each progress matters in their own way and, potentially, do not speak to one another or co-ordinate to deliver in a nationally unified fashion that utilises best practice and is the most efficient and effective approach? How could that happen better and what has been or is the obstacle to its happening?

Maf Smith: There will always be a tension, because we want delivery on the ground and we

want those who make decisions to understand local situations. The Government has attempted to do that partly through the national performance framework and the SOAs, which try to get a shared sense of ownership of key outcomes and objectives. In planning, there is the national planning policy, which is meant to frame the way in which decisions are made on the ground, but individual planning decisions show clearly that there are differences in interpretation of the policy.

There are two aspects to that. One is that Audit Scotland must monitor performance of local authorities through best value, which allows for the consideration of environmental, economic and social issues. Audit Scotland has improved its performance on that, but much more needs to be done on the issue. Broadly, best-value reporting often involves local authorities reporting things that are statutory. For example, a local authority might report on what it is doing on recycling as demonstrating best value, when actually it was doing that anyway because of statutory requirements.

The other aspect is to do with the climate change targets and how we measure them. The Parliament is proud of the fact that the Climate Change (Scotland) Act 2009 was a consensual act. The Government had a role, but it was the Parliament's act and all the parties voted for it. One thing that was assumed when that act was passed but which is now perhaps open to question is about wider society buying into that. The business community, broadly, has done so, but there has been a push-back from COSLA on some of the targets, and certainly on the short-term 2020 target. That concerns us, because local authorities need to understand that the measures are for them as much as for the Scottish Government and that the issue is local and national. A phrase that we have heard from COSLA is, "There are duties and there are duties." We need local authorities to see the climate change duties as their duties. The duties must be something that local authorities understand, sign up to and get in their heart, and not something that they do for the Scottish Government. We are clearly not there yet.

Jackson Carlaw: I might call the 2009 act an act that achieved consensus, rather than "a consensual act", but that is just a choice of words.

I want to talk about fuel poverty. You have concerns about there being sufficient action, or even sufficient understanding of the level of action that is still required, to get near the 2016 target of eradicating fuel poverty. I am interested in your analogy about the Volkswagen Golf, and the consequence being that we have a larger Golf rather than maintaining the smaller Golf at a more efficient level. What effect do you think the eradication of fuel poverty will have on carbon emissions? Will the same Volkswagen Golf analogy apply, in that making fuel more affordable would mean that people would keep their heating on for longer rather than saving money?

Maf Smith: One strand of tackling fuel poverty actually involves using more energy: households that are in chronic fuel poverty need to use more energy, but part of the problem is that they are choosing not to. The more affluent households need to think about how much energy they use. Once they have hit a certain threshold in the thermal standards of their individual houses, how much energy do they use and what comfort do they expect? Do they think that they should be able to walk around in shorts and a T-shirt inside the house? People who live in fuel poverty clearly have a problem, and more needs to be done to help them.

We have welcomed the Government's programmes on fuel poverty; it is grappling with the delivery mechanisms, but we think that the new programmes are good and that they are an improvement. What the Government does not know is how big the gap is between what its existing programmes will deliver, alongside the work of the utilities that run a similar set of programmes, and how near to or far from the 2016 target to eradicate fuel poverty that will take Scotland. If we do not know what the gap is, we do not know whether we are safe and are on track, or whether we need to do more. That is a worrying lack of information.

Jackson Carlaw: So, in the absence of that information, you do not have a view on a measurable additional level of support that would be required.

Professor Bebbington: Our problem is that if we have no information on the gap, we have no information to offer. The fact that there is no information on the gap is the most worrying thing.

On your question about whether we want people to heat their houses more, the answer is that we do.

Jackson Carlaw: I did not ask whether we want to; I had assumed that we did.

Professor Bebbington: Yes, we do. That is where sustainable development framing is really helpful, because if people heat their houses better, they will be better off in a health sense, which would lead to less spending on the health service. There are positive reinforcements coming through.

We might want poorer people to have higher incomes too, which would mean that they might have the same thermal level but would not spend such a large proportion of their income on it. In that respect, I am pleased that we are of one mind; I was slightly confused there for a minute.

The cross-cutting effect of addressing fuel poverty is that it would be good in many other ways on which we would be keen.

Rob Gibson: Turning to climate change and energy, in relation to the Government's greener strand you suggest in your report that there is a need to set out a clear approach on how carbon capture and storage can deliver low-carbon electricity. There appears to be no plan B should carbon capture and storage not deliver. Would you like to expand on that?

Maf Smith: We know that carbon capture is a technology that works. The questions relate to whether it works at scale, and at what cost it will work at scale. We expect it to be technically possible to take the emissions out of conventional generation and to store them, but a lot of applied research is going on. Some research is taking place at Longannet now, and there are proposals for it to become a proper test station for the UK.

A lot of learning has to take place, and there is a great deal of conditionality about what will happen when we have done that. If the technology proves to be not so much impractical but expensive, what might we do instead, in terms of changing the level of demand or using different technologies?

In essence, we seem to be pinning our hopes on a technology—albeit that we are doing what we can to make it work, which we very much support—while not being prepared to talk about alternatives in case we need a plan B.

16:15

Rob Gibson: Do you regard carbon capture and storage as a medium-term transitional phase in electricity production?

Maf Smith: Broadly, yes we do. It is talked about mostly as a technology that can help us to get to where we need to be by 2050, by which time different technologies and patterns of use will be in place, so that rather than having to burn dirty fuels and then try to clean them, we will have a sustainable fuel mix. It is clearly better and much more cost-effective not to have to take something out after we have burned fuel. The challenge is how we move our whole energy generation mix in a short timescale. Even within that timescale, making carbon capture commercially viable and available at scale will be a big enough challenge. There are high risks in relation to whether we will do that in the time in which we need to do it.

Rob Gibson: I understand that. However, we are also talking about moving forward rapidly on electricity production from renewables. Does that put carbon capture and storage into a different perspective, in which it is less at the forefront? Is not plan B a solution that does not involve carbon capture?

Maf Smith: Yes. In the context of where Scotland's priorities lie, it is clear that renewables are a resource that we have a lot of, and that there are many opportunities from trying to capture the resource. The opportunities for carbon capture stem partly from Scotland's potential engineering expertise, but it is also clear that we have the storage sites, so it is worth learning how to use the sites and make them available for other people.

There is a more technical point, which is to do with how the European Union emission trading scheme works. Scotland can generate all the renewables that it likes, but there are limits to what will be counted towards Scotland's climate change targets, because the supply companies will trade the renewables throughout Europe. It is worth pursuing renewables, but doing so will not enable us to meet the Scottish Government's targets. We will need to do other things, such as consider how we tackle carbon capture, transport and so on.

Rob Gibson: You think that there needs to be an indicative timetable for a programme of assessment and evaluation of proposals in the draft report on proposals and policies. On the balance between proposals and policies, I presume that you think that there ought to be more policies at this stage.

Maf Smith: Someone mentioned the approaching election. Now is not the time for the Government to be trying to develop a set of policies quickly. Some things will take time to be scoped out.

There is a slightly different challenge, which is to try to get wider agreement on some of the proposals because—as I said when we were talking about transport—there are proposals to which most people can sign up and there are proposals to which people will not sign up. It would be useful if we were to identify risky proposals and proposals on which we can get high levels of agreement, if not consensus, among parties in the Parliament and wider stakeholder organisations. That would give us more confidence that when we need to turn a proposal into a policy we will not hit a brick wall. The Government and the Parliament should try to do more to debate and thrash out some of the issues: there is a gap in that regard at the moment.

Rob Gibson: I do not want to anticipate debates about the RPP, but people working together on it sounds like a good way forward, even at election time.

Why does the SDCS think that adaptation policy is not yet delivering

"an integrated approach aimed at building resilient communities and ecosystems",

despite there having been several years of policy development?

Maf Smith: A lot of the debate on climate change is focused on mitigation, which is about how we can strip out the carbon. We feel that adaptation is a bit of a poor cousin to that. The Scottish Government funds and supports some very good science that looks at the scenarios for adaptation. We see that whatever happens on climate change, a level of adaptation is necessary. Obviously, much of what happens in Scotland depends on global efforts and not just efforts in Scotland on mitigation. Discussions around the climate change duty on the role of local authorities again tend to focus on mitigation, so there is a need to put more emphasis on adaptation to make people understand that it needs to be done now and that it is not just a future problem that we need to start to understand. There are longer-term challenges in that respect on which we need to start making decisions now. Various agencies and the local authorities have a big role in that. However, we do not see the day-to-day work that would signal that they get that point.

The Convener: I will turn to another theme. I think that Jan Bebbington mentioned biodiversity earlier as an issue on which we are even closer to crisis point than we are with climate change. The report indicates that in terms of land use there is no change, or a mixed trend, for the most part. Is there a sufficient evidence base not only for climate change but for the wider range of issues that impact on land use, including in the agricultural sector? Does the draft land use strategy deliver a clear framework for sustainable land management?

Maf Smith: We have described the land use strategy—I said this publicly at a conference, so I can probably safely say it in front of the committee—as bland. We did so because we feel that it is not clear what it is for. The Parliament committed to deliver the land use strategy when it passed the 2009 act, so there is now a statutory commitment to it and the Government has the draft strategy out for consultation. However, we felt that the Government does not have a clear idea of what it is trying to achieve and how it relates to rural land use policy and planning policy. It has tried to sort of cover off and describe the Scottish Government's existing activities in those areas, which are broadly good and reflect climate change issues. However, we are not clear about the value-added aspect of the land use strategy. I think that the value that was added by the Parliament was that the strategy was statutory and allowed a report so that the Parliament could consider the issues. However, the strategy that is out for consultation does not give the Parliament a framework in which to consider delivery. More work is therefore needed to add the detail of that.

In defence of the Scottish Government, we did say that part of the reason for the lack of clarity is that the many stakeholders that it was talking to about the land use strategy all had different views about what it was for, and Government had not wrestled enough with that either to knock their heads together or to take sides on what it wanted the land use strategy to be. The Government needs to be more proactive and to try to take ownership and control of that issue a bit more.

Professor Bebbington: The evidence base on biodiversity is fairly good, but it is international in nature, and then comes down to local and regional bases. Perhaps the most interesting thing that came out on the biodiversity evidence base in the past year—2010 was the year of biodiversity—was a TEEB, or the economics of ecosystems and biodiversity, report on the economic value of ecosystem services. It is quite an important report, but because it is new it is yet to be seen how it might be translated through to a governance process within the Scottish Government.

Although the framing of biodiversity in terms of ecosystem services has problems because it puts humans at the centre and not necessarily the environment, it is a useful framing that is increasingly being used in policy. The evidence base on biodiversity loss and what drives it and so on is reasonably good. Of course, what then flows through is the question of what kind of governance processes are in place to address that. Some of them are required by Europe, in which case it is about following and applying that route.

There is also a biodiversity duty, which, like various other duties, asks organisations to be aware of the issues. The evidence base is actually very good and allows us to describe in great detail how we are losing everything; I suppose that the question then is how to respond to the situation.

The Convener: You say that there has been a positive trend in relation to waste, and you describe the zero waste plan as providing

"a clear vision for sustainable waste management".

You also state that

"Recycling rates have continued to increase, and the amount of municipal waste going to landfill continues to decline."

Do you support proposals for local authorities to share waste infrastructure in order to reduce costs? What would be the implications of such a move for longer-term sustainability? Finally, what role might be played not only by conventional incineration but by more modern and locally cleaner technologies that nevertheless rely on the

ultimate destruction of resources that could be of economic value and ought to go back into what you might call the economic chain? Will an increase in incineration or anything like it not lead to the same public objections that local authorities will have to wrestle with in their efforts to reach anything that might be termed zero waste?

Professor Bebbington: The zero waste plan is a very good example of joined-up thinking and of a Government tackling a specific area, in that it not only considers waste as a resource but includes carbon assessment and all those kinds of things and examines elements of synergy between energy and waste.

The waste hierarchy is very important in that context. After all, the first thing is not to burn waste. Indeed, that is the very last thing that should be done, and it should happen at the residual end.

As for the sharing of infrastructure, that is where the planning and carbon assessment of particular actions becomes important. For some things, a more centralised facility is appropriate, while for others it might be more appropriate to have a decentralised facility. The difficulty in policy terms is that there is no one answer for waste; it all depends on the waste and the facilities that are available. However, assessment mechanisms are really important in making such planning choices and although further work is required, data are available.

We need to find a different way of thinking about the subject. It is not about the incinerators that we had in the past. With anaerobic digestion, for example, the digestate can be used to grow food, and in that respect the whole idea of eco-parks and of joining up waste and materials is really important. The framing of the zero waste plan provides an opportunity to make progress on some things. Of course, it has not yet been fully played out, but the approach is very positive and the framing is in place.

Maf Smith: The Scottish Environment Protection Agency has published new thermal performance criteria for thermal generation in energy-from-waste plants that, if followed, will encourage those plants to use the resource more efficiently and get more energy out of it. Back in 2007, the SDC was asked by the Government to look at energy from waste and, in December of that year, we published a report that broadly concluded that energy from waste could be sustainable and had a role to play in zero waste as long as the relevant calculations were made. Proposals for schemes are now coming forward.

It certainly makes sense to share resources, not least because of the concern that local authorities have been locked in to what you might call feeding the beast, through contracts that have involved private companies and have not allowed recycling to be prioritised. Co-ordination will lessen that—it will not, of course, stop it altogether—but local authorities have to be clear about what they want, to try to think about the longer term and not simply rely on private companies coming along and using technology to solve problems.

The SEPA guidelines should encourage Scotland to develop combined heating and power technologies and to employ heat networks in using energy from waste, which will in turn encourage the development of more localised schemes. After all, heat networks do not work for large plants, except those in very large conurbations, which is not always appropriate for waste. That in itself should drive us to consider anaerobic digestion and so on, rather than what people think of as traditional energy-from-waste approaches.

16:30

Cathy Peattie: I will return to public authorities. Are the public duties strong enough to achieve delivery across the public sector? I am interested in measures and indicators. When we initially considered the Climate Change (Scotland) Bill, people dismissed the idea of a public duty and its importance. Maf Smith just talked about SEPA. We could identify what all public authorities might be able to do, but is the legislation strong enough to deliver that?

Professor Bebbington: One concern is that although a public duty exists, no clear indication of whether it has been met is given. Public bodies have no formal requirement to provide an account that people could scrutinise to see whether the bodies had achieved the aims. That is extremely discouraging and problematic, but I understand that the decision has been, or will be, made that no reporting mechanism will be established. That weakens the whole process. To have accountability, we must have information. I could say, “For sure, I’ve met my public duty,” but if I provided no data to assure people that that was the case, I might or might not be doing fine—we would have no idea. If a duty is to apply, a full accountability mechanism must sit with it.

Technically, Audit Scotland could scrutinise that, as could other bodies. However, I sense that the tail of the duty is not yet tied. I argue strongly that it should be tied. Otherwise, we might have good outcomes, but we will not know that. The lack of reporting also reduces the ability to share good practice, because we do not know who is operating best.

Cathy Peattie: Best value was mentioned a few minutes ago. People have suggested that best value is similar to the public duties. Indicators of

best value and what Audit Scotland must do to examine best value have been agreed. You are saying that such provision is not there for the public duties.

Professor Bebbington: To the best of my knowledge, there is no such provision.

Maf Smith: The provision is not sufficient. In discussions with the Government and Audit Scotland, we hoped that our role would be to support Audit Scotland in improving how it assesses carbon and how it assesses authorities. As Jan Bebbington said, Audit Scotland could do those tasks, but it will need expertise in that.

One relevant issue that we have not raised is carbon budgeting. The Government has done much work on that and has found it to be much more complicated than it would have liked. I will put it like that. Carbon budgeting is complicated, but the Government needs to keep on with it and not to be disheartened. The Government needs to think about how it could use carbon budgets to help it with delivery through the wider public sector—alongside SOAs, for example.

A carbon budget system that worked would allow people to consider different options for taking action. It could show the cost effectiveness of action—if 1 tonne of carbon cost £20 here and £30 there, we would take the first option. Such metrics would help organisations such as Audit Scotland to consider such issues effectively and to see who were the good and bad performers. They would help the Scottish Government in designing policy and in thinking about how it spends money, given constrained budgets. We are not there yet, but the next Government needs to learn the lessons of why we struggled with carbon budgeting and to apply itself.

Cathy Peattie: Are you saying that awareness needs to be raised or that the issue involves hearts and minds? Even if agencies want to do something, do they not have the skills and understanding for that? Is the issue engagement not just with the public but with organisations, so that they can measure and understand what needs to be done?

Maf Smith: Yes. One advantage of carbon dioxide as the primary greenhouse gas is that it is easy to quantify. One challenge in terms of wider sustainable development is that of complex interrelationships, some of which are hard to measure. You have to use a set of indicators as proxies. Carbon can be easily measured and ascribed values. You can put that alongside a standard budget to see whether delivery of your wider set of objectives and budget is being done in a way that minimises carbon. For example, in delivering the budget, you can see whether you are choosing expensive ways in which to strip out carbon. Putting together those two would help everybody to know how we are doing. It would let us see whether we are using money effectively and delivering on climate change targets.

Professor Bebbington: It is also relevant to say that public bodies will have those data at that point because they will be part of a carbon reduction commitment energy efficiency scheme. They will be gathering data for their own purposes, but there is still the final link of benchmarking, sharing best practice and knowing what is missing. It is not that organisations are totally unable to generate data or that they do not understand the data, but that they are having to do that for other reasons. We need to bring all of that more into the public domain.

Cathy Peattie: About 10 or 15 years ago, public authorities were given responsibility for providing equal opportunities policies; they all did that. They ticked a box to say that they had done it, put the document in a filing cabinet and forgot about it. Could that happen in this context? Could people tick a box and say, "We've done it—that is our policy," and then forget all about it?

Professor Bebbington: I suspect that that could not be easily done because of the regulatory mechanisms that are in play through UK and European legislation. A general worry is that that could happen in terms of the more quantifiable side of things—the things that are more straightforward—but it is less likely that that would happen in this instance because of the nature of what is being measured and the complex regulatory frameworks around climate change. There is always a risk, but the situation is not as risky as you describe.

Cathy Peattie: This committee now and in the future has a responsibility to measure exactly what is happening. What advice would you give on measuring how things are working? For example, how should we measure whether Audit Scotland is doing its job properly and whether public bodies are delivering on climate change targets?

Maf Smith: I will first give some background information before returning to the question. We are doing work with the Carnegie UK Trust called measuring progress. We have taken the 2009 report of the Stiglitz-Sen-Fitoussi commission that President Sarkozy established and are examining the relevance and application of its findings to Scotland in terms of how to measure economic performance and social progress; I refer to issues such as wellbeing and long-term sustainability. The UK Government is doing work on that right now—David Cameron has given speeches on the subject. We have taken that very good international work and are applying it to Scotland. We have put alongside each other Stiglitz and the national performance framework to see how the

framework, which predates the Stiglitz recommendations, measures up to that scrutiny. We will make recommendations.

The making progress round table is still meeting. What I am about to say is not therefore the view of the round table, but it reflects the information that I have prepared as part of that involvement. The Government is missing one critical thing in terms of the indicator on climate change that tracks performance to 80 per cent and the 2020 targets. It is very good to know that, but what we really need to know is the distance from the edge of the cliff. In science terms, we have graphs, but what is important is the area under the graph. We could hit 80 per cent by flatlining and then suddenly turn off everything at 2050. We would have hit the target, but wildly exceeded the amount of greenhouse gases that we committed to generate.

It is important for the Scottish Government to have indicators that say how far away it is from the limits that it said it would not breach, but we do not have such indicators. We do not have them for biodiversity, either. As Jan Bebbington said, TEEB reports are one way of helping us to get a clear idea of the limits and to know how close we are to danger.

Cathy Peattie: I hope that the committee can monitor such issues in the future.

The Convener: Members have no further questions. Do witnesses have any final issues to raise? I ask you to bear in mind that this is likely to be the committee's last opportunity to take evidence from the Sustainable Development Commission. We have heard a great deal about areas where progress has been made, as well as others such as transport where there has been less progress or where repeated calls for clearer definition of sustainable economic growth as distinct from continuing growth have been made. This is a last opportunity to raise issues that have not come up in committee questioning or which you think are necessary for us or our successors to bear in mind in the next session of the Parliament, without the advice of the SDC to hand.

Maf Smith: I will be brief. I have highlighted our work with the Carnegie UK Trust. I hope that that work will be published before the election process starts formally. We will ensure that the committee receives a copy. Your successor committee might want to look at it and call in members of the round table or the Carnegie UK Trust to speak more about the work.

We have highlighted governance and scrutiny, and Jan Bebbington highlighted that the Scottish Government sees Parliament as having a role in the scrutiny of sustainable development. Back in late 2006 to early 2007, we appeared before the Environment and Rural Development Committee to talk about the role of the Parliament in scrutinising sustainable development and how it might be able to change that. In the May-June and summer periods, we met the Scottish Parliament Conveners Group to help it to start to explore matters, but we have not been involved in that work subsequently. I understand that it has gone on, but we have not seen a satisfactory resolution of it. The Parliament and the committees in particular take a mixed approach to scrutinising sustainable development. A more consistent approach is needed, and we urge this committee, a successor committee or perhaps the Rural Affairs and Environment Committee, whose predecessor committee originally raised the matter, to ask again how that could be achieved.

Professor Bebbington: My final point is that you will have to have a bigger panel of people here to do the scrutiny because it will be more fragmented, and there will obviously be problems with that. However, you will also have the opportunity to draw on a much broader perspective. We have been the intervening body between the non-governmental organisation stakeholders and the Government. With that middle bit gone, gathering systematic data will be much more difficult, so you might have to cast the net much wider. People have views on how that might be done, which could be helpful.

The Convener: I thank both of you for your time in answering questions, and all your colleagues at the SDC for their work on a wide range of topics over the year.

Witness Expenses

16:42

The Convener: Agenda item 3 is witness expenses in the road safety inquiry. Do members agree to delegate to me responsibility for arranging for the Scottish Corporate Parliamentary Body to pay, under rule 12.4.3 of standing orders, witness expenses to those who have given evidence in that inquiry?

Members *indicated agreement.*

The Convener: That brings us to the end of the meeting. I remind members that the next committee meeting will be held on 25 January. It is most likely that meetings in the short period thereafter will be held fortnightly.

Meeting closed at 16:42.

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