



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

TRANSPORT, INFRASTRUCTURE AND CLIMATE CHANGE COMMITTEE

Tuesday 22 February 2011

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TRANSPORT, INFRASTRUCTURE AND CLIMATE CHANGE COMMITTEE
4th 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:

Jo Blewett (Transport Scotland)
Keith Brown (Minister for Transport and Infrastructure)
Roseanna Cunningham (Minister for Environment and Climate Change)
Bob Irvine (Scottish Government Directorate for Energy and Climate Change)
Michael McDonnell (Road Safety Scotland)
Jill Mulholland (Road Safety Scotland)
Jim Vance (Transport Scotland)

CLERK TO THE COMMITTEE

Steve Farrell

LOCATION

Committee Room 1

Scottish Parliament

Transport, Infrastructure and Climate Change Committee

Tuesday 22 February 2011

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

Decision on Taking Business in Private

The Convener (Patrick Harvie): Good afternoon, everyone. I welcome you all to the fourth meeting this year of the Transport, Infrastructure and Climate Change Committee. I remind everyone present that all mobile devices should be switched off and not just switched to silent. There are no apologies to record.

I hope that members will bear in mind the fact that we have nine items on the agenda. We will try to get through the business as quickly as we can.

The first agenda item is the suggestion that we take item 9—consideration of the evidence that we will have heard on road safety and young drivers—in private. Do members agree to do that?

Members *indicated agreement.*

“Public Bodies Climate Change Duties: Putting Them Into Practice” and “A Low Carbon Economic Strategy for Scotland”

The Convener: The next item gives us an opportunity to take evidence from the Minister for Environment and Climate Change, Roseanna Cunningham, on two documents: “Public Bodies Climate Change Duties: Putting Them Into Practice” and “A Low Carbon Economic Strategy for Scotland”. I welcome the minister and her accompanying officials. James Johnston is policy adviser on energy markets in the directorate for energy and climate change; Kathleen Robertson is team leader for energy efficiency and low-carbon economy; Jenny Brough is team leader for public bodies’ climate change duties in the local government outcomes and partnerships division—I hope that that all fits on one business card; and Bob Irvine is deputy director, Scottish Water and climate change.

I ask the minister to make some brief opening remarks before we begin the questions.

The Minister for Environment and Climate Change (Roseanna Cunningham): Thank you for the invitation, convener. Because we are covering two documents, my remarks are a minute or two longer than the five minutes that I would normally keep them to. It is hard to get everything into one, very short opening statement.

As members will know, climate change is one of the Government’s highest priorities. The fundamental principle is that we, along with all other countries in the world, need to deal with climate change and to address the challenges that it poses. We in Scotland believe that, in doing so, a competitive advantage is available to us in securing jobs and inward investment in the global low-carbon economy.

The strategy was published on 15 November 2010, following the earlier publication of the discussion paper, “Towards a Low Carbon Economy for Scotland”, and it is a key component of the Government’s economic strategy. It was developed with the active involvement of the strategic forum, its joint working group and the Scottish Environment Protection Agency, and the process included Scottish Enterprise, Highlands and Islands Enterprise, Scottish Development International, the Scottish Further and Higher Education Funding Council and Skills Development Scotland.

The strategic focus is on securing the economic benefits from the move to meet Scotland’s climate change targets, so the strategy complements the other recently published documents that the

committee has considered: “Low Carbon Scotland: The Draft Report on Proposals and Policies”—the RPP—the public engagement strategy and “Conserve and Save”, the energy efficiency action plan.

Our aim is to put Scotland on the international stage as regards low carbon and climate change. We are developing a joint energy and climate change action plan that will deliver shared objectives for international engagement through a cross-cutting theme of international partnerships that is designed to influence the international community, particularly the European Union, to have high ambition in tackling climate change to enable a swift transition to a global low-carbon economy; to position Scotland as the international destination of choice for low-carbon investment; to allow engagement with the development of the financial architecture for the global low-carbon economy; and to strengthen Scotland’s support of developing countries that are likely to be disproportionately affected by climate change.

The investment and job opportunities that are afforded by a low-carbon Scotland represent the best economic opportunity in recent years. Employment in the low-carbon sector is expected to grow quickly. The number of low-carbon jobs in Scotland could grow from the present figure of 70,000 to 130,000 by 2020. Globally, the low-carbon economy was worth £3 trillion in 2007-08, and it is forecast to grow to £4.3 trillion by 2015. Scotland can expect a disproportionate share of that growth, given that it has around 25 per cent of Europe’s offshore wind and tidal energy potential, an estimated 10 per cent of its capacity for wave power and around 40 per cent of the United Kingdom’s offshore wind, wave and tidal resource.

Members probably already know those figures, but we are talking about developing a low-carbon economy and the opportunities that that affords us. In addition to our meeting our own energy needs, exports could bring billions of pounds into the economy by 2050. We already have a good story to tell about the greening up of our energy supply, with more than a quarter of our electricity demand now met from renewables. The figure is expected to reach 31 per cent by the year end and is on course for 80 per cent by 2020.

In addition to renewables, we are making strides in carbon capture and storage technology so that our existing fossil fuel resources will continue to contribute to the economy well into the future. Consequently, there are opportunities for Scottish companies and for attracting others from overseas to locate in Scotland, meaning more inward investment and more jobs. It is also important to note that Scotland has the intellectual resource and the will to become a centre of expertise in the low-carbon sector. The energy technology

partnership, an alliance of Scottish universities, is but one example of how Scotland is developing a research and innovation base internationally, with academia and industry collaborating in developing the technologies of the low-carbon age.

The low-carbon economy is, of course, not focused purely on energy; it will require the transformation of other key sectors such as transport and the built environment. In summary, the strategy sets out the global economic opportunities arising from the transition to a low-carbon economy; the drivers of and barriers to opportunities for growth of the low-carbon economy; and the role of Government and the wider public sector in supporting business to overcome those barriers. We firmly believe that the low-carbon economy will be good for business, society and Scotland.

I will say a few words about public sector guidance, as I am also here to discuss the recently published guidance. Part 4 of the Climate Change (Scotland) Act 2009 places three statutory duties on public bodies, requiring them to contribute to the act’s world-leading emissions reduction targets; to contribute to adaptation to the changing climate; and to act in a way that is most sustainable. The public bodies’ climate change duties were established in recognition of the crucial leadership role that the public sector must play in driving forward action on climate change. Their commencement in January this year will focus our collective efforts on mainstreaming climate change as a strategic and corporate priority for all.

The duties bring together action in two key areas of climate change activity: reducing emissions, and adapting to the challenges and opportunities of the changing climate. The duties also require public bodies to ensure that they are acting sustainably in the actions that they take and in the decisions that they make.

Part 4 of the 2009 act also requires ministers to give guidance to public bodies to assist them in their compliance with the duties, and to consult on that guidance. A public consultation on the draft guidance ran from 20 September until 26 November, and feedback from the consultation was used to develop, improve and augment the guidance on the public bodies’ climate change duties. The guidance was published on 4 February, along with a short response paper that sets out how the main points that were raised in the consultation have been actioned in its development.

Now that the public bodies’ duties have commenced and our guidance has been published, attention turns to their implementation and to wider public sector action on climate change. I recently met Councillor Alison Hay, the

Convention of Scottish Local Authorities spokesperson for regeneration and sustainable development and my co-chair of the public sector climate action group. At that meeting, we reaffirmed our commitment to our shared climate change objectives and agreed that a continuing public sector leadership forum for climate change will play a vital part in taking those forward. I look forward to working with Councillor Hay and leaders from across the public sector through the public sector climate action group and to demonstrating our continuing commitment to addressing climate change.

In summary, I welcome the committee's obvious and continued interest in our action on climate change, and I will be happy to answer members' questions. Members will see that there is a battery of officials beside me. If I find myself struggling on technicalities or points of detail, one of them will, no doubt, be able to ride to my rescue. I have advised them that, if they wish to speak, they should indicate that directly to you, convener.

The Convener: That is fine. Thank you, minister. Let us set the scene a little further. You mentioned the decarbonisation of electricity generation in your remarks on the low-carbon economic strategy. That is one of the various targets that are reaffirmed by the strategy, which also covers the decarbonisation of heat, road transport and rail in addition to other issues. What are the trends in Scotland on those other aspects? You mentioned the expansion of renewables, but where do we stand on the other targets?

Roseanna Cunningham: Renewable heat capacity is about 1.4 per cent of generation—we are coming from a good bit further back in some areas. That figure will be updated by the end of March, when we expect it to be about 3 per cent, so it is improving. Of course, the intention is to meet a renewable heat target of 11 per cent by 2020. The progress that we look as if we are beginning to make should take us to the overall target for 2020.

Projects that relate directly to renewable heat are taking place. Some committee members might be aware of the joint Highland Council and Scottish Government heat mapping pilot, which is identifying the potential for further developments. That subject is beginning to be looked at seriously and we expect significant improvements to develop. As I said, we expect an improvement from 1.4 per cent to 3 per cent by the end of March.

There are road transport issues. In the estate of not just the Scottish Government centrally but agencies and bodies such as the Forestry Commission Scotland, we are continuing to add low-carbon vehicles—about 150 will be added to public sector fleets in the next few months,

together with the necessary infrastructure. That is a relatively small number of vehicles, but it will send out a message.

In the public transport network, about 50 green buses will come into use in the near future. I have not established which companies will introduce the buses, but we think that Stagecoach might be taking the lead—*[Interruption.]* I am being advised that First Glasgow, Stagecoach east, Stagecoach west and Colchri Ltd in Strathclyde, with which I am not familiar, are beginning to move to green buses.

About 400 electric vehicle charging points will be provided in the central belt in the next two years. That bit of infrastructure will be essential before we can persuade people to adopt electric vehicles. My Transport Scotland colleagues will publish a low-carbon vehicle action plan this spring.

Movement is taking place on transport and we are taking forward renewable heat. We are doing quite well at meeting our emissions targets—we are already more than halfway to the 42 per cent target for 2020.

The Convener: Notwithstanding the recession, emissions from road transport have increased. The issue is not just about suddenly convincing everybody that electric vehicles are the next big thing to buy but about recognising that a substantial proportion of conventional high-carbon vehicles will be on the roads for some time to come. What must we do to reverse the trend on road transport emissions and reduce those emissions, before every car is electric?

Roseanna Cunningham: I do not suppose that we can afford to wait until every car is electric. In any case, that will probably never happen, because it would be impractical in big chunks of rural Scotland, unless the technology changed considerably.

Some of what you say harks back to our discussion about public engagement, which covered attitudes to car use. We must simply keep plugging away at that. People know what they should do; the issue is getting them to join that up with what they do. I appreciate that some of that is circular—public transport options must be available if we are to persuade people that leaving their cars at home is worth while. We will continue to work on that. We will not achieve our aim overnight or in the very near future, but we must and will continue to make the argument.

The Convener: I presume that the Government still intends to try to achieve its target without harder demand-management measures.

14:15

Roseanna Cunningham: As you know, our current intention is to try to achieve as much as we can by taking people with us voluntarily. However, if at some point in the future we decide that that approach is not achieving what we want it to achieve, there is always the capacity to look again at a more directed way of handling the issue.

The Convener: What is your response to the view expressed by the Sustainable Development Commission in its most recent assessment report that the Government could be doing more to articulate to business and to society in general the vision of a sustainable economy? I am thinking about the issue in the context of an aspect of the Climate Change (Scotland) Act 2009 that has not kicked in yet: the duty to begin some kind of reporting mechanism on consumption-based emissions. The economic strategy focuses clearly on the direct source of emissions, but it does not start to address what a low-carbon economy would be once we start thinking about consumption-based emissions.

Roseanna Cunningham: First, we have to remind ourselves that the strategy is not a once-and-for-all document that is written in concrete for ever and anon. It will be a dynamic process. Some of the things that we expect to or anticipate may happen in the future will be wrapped into that process.

From my perspective, the Government is doing a great deal already. For obvious reasons, much of the Government's activity over the past year or so has been bound up with delivering the measures that were introduced in the 2009 act. We have done a lot of the things that we were required to do.

I know that the low-carbon economic strategy was not a requirement of the legislation, but it is an example of where we thought that action on a voluntary basis would begin to do precisely what the Sustainable Development Commission was looking for, which is to begin to direct people's attention to how much the issue will impact across society. We wanted to do that in the context of opportunities as well as potential challenges. If we are not very careful and present only a problem and not an opportunity, we will miss a number of boats.

I believe that, through the strategy and the engagement in which the Government has been involved—with, in particular, the private sector—we are already very actively making our vision clear and bringing the private sector with us. The private sector will be vital in delivering the outcomes that we want for Scotland.

Jackson Carlaw (West of Scotland) (Con): I have a follow-up question on the point that you

made about motor vehicles. Obviously, the more quickly that we can move towards having a large percentage of vehicles that are electric, the better. Has the Government had any direct conversations with motor vehicle manufacturers to understand what their plans are for the roll-out of mainstream models that would attract public attention? There is a double benefit in this for Scotland: because it is one of the major manufacturers of the lithium batteries that power electric vehicles, it would benefit the economy not only in a carbon sense but in a general sense if we could encourage rapid development of such vehicles.

Roseanna Cunningham: I hesitate to tiptoe into the portfolio area of one of my colleagues. I indicated that a low-carbon vehicle action plan was about to be published, but that is being taken forward through the transport side of things. I am afraid that I cannot tell you at this stage what meetings have been held on the matter, but I can undertake to find out that information for you and we can communicate with the committee directly on the question.

Cathy Peattie (Falkirk East) (Lab): I will explore issues around investment. The low-carbon economic strategy highlights the significant challenge of the funding that is required to develop low-carbon technologies. Can you share with us any new actions in the strategy that are now underpinned by funding under the budget that we recently passed?

Roseanna Cunningham: We have recently announced the £70 million national renewables infrastructure fund, which is one of the big commitments that we are making.

When we talk about investment, we need to be careful that we do not default always to that being Government funding and Government investment. The point about the low-carbon economic strategy is that it begins to direct the private sector to the opportunities that exist for private investment, because that is what we need to kick start.

Dependence on Government investment alone, regardless of who is in government and where, will be a big challenge in the present public sector financial climate. We want the private sector to see and understand the opportunities and come forward with ideas. There are a couple of issues around this particular question that are still up in the air because the green investment bank appears to be a bit of a work in progress and we do not quite know how it is going to work in practice. I know that many players in the private sector are anxious to see how it will work.

This Government—and, I anticipate any Government—will want to do what it can, but it cannot be the sole source of investment funds for activity; I do not want to give the impression that it

can be. However, we are working hard to create the right atmosphere for investment. That was the purpose of last year's conference and of the First Minister's commitment to repeat the conference every year. It is about creating a climate of confidence in Scotland to get the private sector in particular to understand that the country is committed to a low-carbon economy. It is important that a climate of confidence is created because, out of that, we will get the private sector to commit to investing.

Cathy Peattie: Are you confident that we can move forward? Will the 2020 group help to facilitate the partnership between Government and the private sector?

Roseanna Cunningham: Yes. It is already doing precisely that. Shortly after I had a meeting with Ian Marchant from the 2020 group, I had a meeting in the same building with the convener of the UK Committee on Climate Change, who was up here to have a meeting with Ian Marchant. We are beginning to see networks permeating throughout the private sector and moving into the public sector and back again. It would be interesting to map that, but I suspect that it would be a complex exercise because the communications are fast moving.

I have been impressed by those from the private sector with whom I have engaged on the issue so far, and with their high level of commitment. Their desire to identify economic opportunities and bring them to fruition is obvious. There is a huge number of potential opportunities.

I will add a bit about something in which I was personally involved. In 2009, the minister responsible for energy and I, along with Scottish Enterprise, HIE and the Scottish funding council, set up an initiative on environmental and clean technologies, which have become part of the low-carbon economic strategy. Although the Government brought the initiative forward, it was initiated by SEPA, which had the vision. That is being driven forward into the low-carbon economy. Government has a central role to play, but sometimes that role is to enable, inspire confidence and provide the platform to bring ideas together, and then we can watch the interesting dynamic that happens when ideas begin to spin off.

Tomorrow, I will meet a variety of environmental protection people from the Chinese Government who have been brought over by an individual who is involved in environmental and clean technologies. The connections and the work that are developing are quite extraordinary; it will be difficult to write the definitive book on them.

Cathy Peattie: I look forward to reading it when it comes out.

I was going to develop some of those points but I think that you have answered some of my next questions.

Roseanna Cunningham: Sorry.

Cathy Peattie: No, that is fine. I am happy that you have answered them.

I am interested in how the Government can

"influence the development of a new financial architecture to fund low carbon investment to ensure that new infrastructure, and the components that use it, are not prevented from developing".

What is the Government doing to influence the debate?

Roseanna Cunningham: Some of what I have just said relates to that, particularly with regard to the conference and our desire to have it happen every single year. It is about creating a climate of confidence in Scotland.

The low-carbon investment project has been trying to quantify the funding requirements of the sector, particularly in relation to the 2020 targets. A lot of what the Government can do involves enabling the sector to understand what will be required across the board.

We have ambitious targets, but a lot of interest and energy is being generated. [*Laughter.*] I am sorry: the puns are not intentional, however much they may leak out.

Unfortunately, we are in a climate in which investment is a difficult issue for everyone to handle. Every single one of us will have dealt with companies that have found it almost impossible to get bank support for things that they are trying to do or which have had support withdrawn at crucial times and all the rest of it.

I would not ever have wanted us to try to do something as dynamic and forward looking as this at a time when there are such difficulties. However, notwithstanding the difficulties and the slightly risk-averse nature of some of the big investment vehicles, I believe that we are beginning to identify effectively other sources of finance, and that will continue.

We are trying to identify and leverage private sector expertise, because sometimes it is not just about money but about identifying where the expertise and skills are. We have to do that; it is part and parcel of the process in which we are involved.

We are also exploring new financing models as part of the £70 million national renewables infrastructure fund. We are doing everything that we can across as wide a range of sectors as possible to achieve what we need to take the strategy forward.

The most important thing is that we are doing that work in partnership, not only with other Government agencies but across the private sector and the remainder of the public sector. The investment conference, for example, was run commercially by the Edinburgh Chamber of Commerce. It did not need Scottish Government money, but it needed the Government to be a partner in the project, which was run on a commercial basis.

Cathy Peattie: Did you find the conference helpful in developing that partnership for future investment?

Roseanna Cunningham: I was not at the conference myself, as it predated my current job. However, all the outcomes from it suggest to me that it was a positive exercise, which is why the commitment for it to be repeated annually is important. The participants were sufficiently impressed and benefited sufficiently from it to wish it to happen again.

Alison McInnes (North East Scotland) (LD): In reporting on the RPP, the committee expressed a concern that there could be delays in implementing some parts of it, as the Government is reliant in some areas on the roll-out of UK policies and associated funding. Similar concerns may well apply to the low-carbon economic strategy, as the Scottish Government does not control all the policy levers. Can you reassure the committee that adequate communication has taken place between the Scottish Government and UK and EU institutions in developing the strategy?

Roseanna Cunningham: Indeed I can. Coincidentally, I met the EU commissioner who is responsible for dealing with climate change a couple of weeks ago, and that was the precise area that I wished to talk to her about. We are very much pressing the EU to stick to the 30 per cent commitment, or at least to move towards it. We are impressing on the commissioner that although we are trying to take ambitious action, it cannot just be about us. You are right: a lot of it is not in our gift, and we need both the UK and the EU to step up in the same ambitious way.

14:30

The point that I made to the commissioner was that the low-carbon economic strategy presents huge opportunities for growth and investment. There is a huge opportunity for countries to seize, and we are trying to do that. She was certainly interested. It is interesting that when we meet EU commissioners—I had a separate meeting with another commissioner afterwards—they immediately assume that we are coming to ask for money. In neither of those meetings did I do that, so we started off on a good foot.

The commissioner followed up our lobby, if you like, with a request for more detail about what we are doing in Scotland. She said that one reason why the EU's 30 per cent move might be difficult is that many countries believe that it would hurt them economically and strike at jobs. I was able to say, "You need to say to them that that is not the view in all parts of Europe, and that there are places, such as Scotland, where people take a completely different view." She asked for a good deal more information, and we are in the process of drafting a letter on that basis.

The issue is enormous. We want to maintain the pressure on the EU to go to the maximum possible level and not to slide back. We are also maintaining our pressure at the UK level. As I mentioned, I have already met the convener of the UK Committee on Climate Change. There is now constant dialogue at the UK, EU and Scottish Government levels, and there is an enormous amount of interest on the part of the UK and the EU in how we believe we can deliver on our targets, because our positive achievements will help them in their arguments elsewhere. However, I do not want to pretend that it is not going to be quite a battle at the EU level. Some significant member states are of the view that moving to 30 per cent would cause too much harm economically for them to want to sign up to it.

Rob Gibson (Highlands and Islands) (SNP): On that subject, there is a note in today's *Financial Times* that Britain, Germany and Poland are not taking a full part in the trading scheme arrangements. I do not expect the minister to have the details just now, but I hope that she can enlighten us about that, because it sounds like a sour note in terms of the achievement of this market, which is essential to our attempts to get 30 per cent.

Roseanna Cunningham: I do not read the *Financial Times* on a regular basis. I certainly know that Poland is one of the countries where there is considerable scepticism. I would be disappointed if Britain and France were—

Rob Gibson: It was Germany.

Roseanna Cunningham: Sorry, I meant Britain and Germany. I would be surprised if Britain was being a little more negative than I would have hoped. We will continue to press the UK Government and the EU on the matter. As you know, we exercise our capacity to do that at every possible opportunity. However, we are not a member state.

Alison McInnes: I am reassured by what I hear from the minister. You have explained the dialogue that takes place, particularly with the EU, and that is useful. Scotland can champion this work and make it a positive process. However, are

you comfortable that the strategy is flexible enough to allow alternative approaches to be considered if the policies do not come to fruition at either the UK or EU level?

Roseanna Cunningham: Yes.

Alison McInnes: You said earlier that it is not set in stone.

Roseanna Cunningham: It is not set in stone. It is a strategy, and a strategy by definition does not detail every aspect. Instead, it describes the direction of travel and covers in broad terms how we expect to get to where we want to be. The underpinnings of the strategy will change from time to time, and we will have to reflect on aspects of it. Vehicle emissions, which the convener mentioned earlier, is an issue that all countries will have to look at carefully, and at some point we might have to make a decision about taking much more directive action than has been taken in the past. However, at the moment, we are making quite good progress across the board and we want to continue on that basis. The more we get the private sector, in particular, on board, the more progress we will make.

Alison McInnes: The strategy recognises local authorities as critical partners. However, Scottish Environment LINK's recent assessment of single outcome agreements found that sustainable development did not appear to be widely understood either in those agreements or even in the accompanying guidance as an overarching framework for policy development, and that there are gaps in climate change mitigation and adaptation. Do you agree with that assessment? How can such gaps in local authority climate change policy be addressed by the Government?

Roseanna Cunningham: As I understand it, that was a desk-based study of single outcome agreements, but I know that SOAs do not always reflect what is actually happening in the local authority area. Indeed, I have had direct experience of that in a particular local authority. Despite the fact that, on a regional basis, the local authority fully supports and funds the local biodiversity action forum, the SOA contains not a single line about biodiversity. I have indicated that I think that that is mad. If the local authority is the most committed locally in that respect, why not simply include in the agreement a line that reflects that? After all, it would be a very easy hit.

There is a bit of a health warning with SOAs, which are a relatively new idea for Government and local authorities. I do not know whether they exactly reflect what local authorities are doing. Sometimes, authorities have taken very positive initiatives and have worked very hard in certain areas but, for reasons that I do not understand, they have not flagged up that work in the SOA. As

a result, I am a little cautious about assuming too much based on what has and has not been set out in black and white in SOAs. The exercise to which you refer is interesting, but it would be dangerous to base too much on assumptions. I would want a bigger study that looked behind the SOAs, because I think that you would find that local authorities are doing far more work on a wide range of issues related to this subject than might immediately be assumed.

Alison McInnes: We might explore the issue further when we consider the public bodies duty paper.

As for the enterprise companies, which have been identified as another of your critical partners, should the purposes of Scottish Enterprise and Highlands and Islands Enterprise be re-examined to ensure that we achieve a low-carbon Scotland?

Roseanna Cunningham: In our view, no, partly because they have been part of the partnership the whole way along. Both HIE and Scottish Enterprise were, for example, involved with the joint ministerial initiative on environmental and clean technologies, and the collaboration involved in delivering the low-carbon economic strategy means that all this is already part and parcel of what the enterprise companies are doing. As a result, we do not believe that there has to be any formal or technical change to their purposes. Their present constitutions allow them to do all of this.

Cathy Peattie: I realise that the roles of Scottish Enterprise and HIE have changed slightly, but I am interested in looking at the issue of skills. For example, I have heard that Forth Valley College in my area has decided to cut its engineering and construction courses. I do not expect the minister to answer this question, but surely the Scottish Government must mainstream those issues. If people are unable to learn engineering skills or skills to carry out, for example, adaptations in construction, how can we expect to meet our targets and aspirations?

Roseanna Cunningham: That key question goes back to some of my earlier comments about identifying capacity in the private sector, which obviously will involve identifying gaps. After all, capacity is as much about skills as it is about money.

There are areas in which quite a lot of work has been done, and I would not pretend that every part of the public sector is sitting in the same place on the issue. Some organisations and agencies are a little further down the line than others. I cannot comment on the specifics of the case that you mentioned, and I do not know what decision-making process led Forth Valley College to come to its view. We want to ensure that all aspects of

the public sector are considering the issue and taking it forward. *[Interruption.]*

My officials are reminding me that there is a Scottish energy advisory board, which is chaired jointly by the First Minister and Professor Jim McDonald, who is principal of the University of Strathclyde. Skills are a key priority for the board, the skills sub-group of which is bringing together universities, colleges, the Scottish Further and Higher Education Funding Council, Skills Development Scotland and industry, to develop a low-carbon skills action plan.

I have not answered your specific question. If there is a particular reason for Forth Valley College's decision, it might be possible for us to discover what it is. However, I reassure you that the general issue that you have raised is one that we are taking on board and trying to address at a more strategic level.

Cathy Peattie: I do not expect you to look into what is happening at Forth Valley College. However, I am concerned that, in the context of the Scottish funding council's relationship with colleges, for example, we should be emphasising the importance of skills development. If teaching posts are lost, we lose the skills that are needed to deliver training. I am interested in having some feedback on the matter.

Roseanna Cunningham: You have raised an important point. It is about trying to bring every aspect of every sector along at the same pace, which is difficult. We are in the early stages of the process.

I remind members that there is a low-carbon skills fund. Through SDS, we are delivering training places to enable employers to reskill or upskill their employees in low-carbon technologies. There are ways in which some of what we are talking about is getting done. I take on board what you said in the context of the need to ensure that at every level everyone sings from the same hymn sheet. We have our eye on the matter and are taking initiatives that directly address skills.

Charlie Gordon (Glasgow Cathcart) (Lab): The strategy makes clear that SEPA will be one of the main bodies that will, on behalf of the Scottish Government,

"monitor progress against the aims and objectives of the strategy".

Will you tell us more about the monitoring work that will be asked of SEPA? Are you confident that SEPA has the capacity and required skills set to enable it to take on the additional work?

Roseanna Cunningham: I regard SEPA as a major success story. It is interesting that it is less a question of our asking SEPA to do things than it is

a question of SEPA volunteering to do things and asking us whether we can develop work with it. I mentioned the environmental and clean technologies initiative, which arose out of SEPA's work and has a massive amount of input from SEPA. SEPA is keen to take on board climate change issues and to do more than just monitor. We need to remember that monitoring is an economic opportunity and many companies are beginning to consider the potential in that regard.

SEPA is strong in the area, and we are discussing with it what more it can contribute. The agency is extremely ambitious, rather than concerned, about what it can contribute. I know that the committee is pressed for time, but it would probably be well worth your talking directly to SEPA about how it views the climate change issue, because it has been a hugely positive and initiating agency in respect of a wide number of areas, which will not be immediately obvious to people when they think about SEPA.

14:45

Charlie Gordon: Does the Scottish Government have in place processes to address the situation in which the monitoring identifies areas in which the strategy appears to be not working or having a limited impact? If not, are you thinking about developing such processes? Overall, how will progress on the strategy be communicated to Parliament?

Roseanna Cunningham: Your first question is a bit difficult to answer, because you would have to second-guess where the difficulties might arise and build in alternative plans on the off-chance that that was where there was a perceived slowdown. Rather than do that kind of anticipatory exercise or waiting for a point at which we might mark something as a failure, we are trying to set up a process of constant partnership working to identify issues as they emerge. Progress on the low-carbon economic strategy is being reported directly to the strategic forum at Government level, which is chaired by John Swinney. The forum brings together a wide range of people from the public sector. There is a continual process of looking at greater strategic alignment and ensuring alignment with the economic strategy, for example. The forum includes Transport Scotland and COSLA, and will support the delivery of the strategy and ensure maximum impact.

That is an on-going process. There is no point at which that process will not be happening. In addition, progress will be communicated to the Parliament either through this committee—or its successor, however it might be constituted—or directly to Parliament. That process will happen constantly. In trying to mainstream the strategy we need to build in that constant process, therefore

dialogue with the relevant committee and with Parliament as a whole will be constant.

The Convener: If there are no further questions on the low-carbon economic strategy for the minister, let us move on to the climate change duties of public bodies. I have a couple of questions about process. As of 1 January, the duties are in force. Consultation on the guidance took place pretty close to that date, with just a month between the close of the consultation and the Government having to take account of the responses and make any changes. Why was it decided to consult so close to the date at which the duties were due to be implemented?

Roseanna Cunningham: As I understand it, a decision was made to hold a series of stakeholder workshops prior to the consultation. That was almost a front-loading of the consultation process, although it was not part of the formal consultation process. The stakeholder workshops were back in March, and they gathered views on what stakeholders wanted to see in the guidance. Although that was not a formal consultation in the strict sense of the word, we pre-consulted before we got to the point of developing the draft. The formal consultation process late in the day was predated by a lot of work that happened earlier in the year, so the situation was not quite as it looks on paper.

In that process, we wanted to ensure that we developed guidance that would best meet people's needs prior to beginning work on the draft version for public consultation. It looks like we consulted very late in the day, but in fact we had done quite considerable consultation earlier in the year.

The formal consultation process did not start until September. Doing all that we did earlier in the year ensured that, when we published the draft guidance, we reflected—in so far as it was possible to do that—the views that public bodies had communicated to us in the earlier exercise. We felt that it was necessary to do that, given that the draft guidance was designed to support those bodies. Doing that reduced the likelihood that the outcome of the formal consultation process would require major changes to be made, because we brought people on board before we got to that point. It was a slightly different way of going about things, but it meant that wide-ranging consultation took place earlier in the year. In formal terms, the dates look a little jammed up together, but in reality quite a lot of work was done earlier in the year.

The Convener: I am sure that the earlier engagement was of some use to the Government and those who took part in it, but surely there was an expectation that at least some responses would be generated through the public consultation from people who were not involved in the earlier

process. Were there responses to the consultation from groups that were not involved in the prior stakeholder groups? If so, can you tell us how many?

Roseanna Cunningham: I am not sure whether any of the officials have the specifics on that—I will let them leaf through their papers and see if they have the detail. Obviously, what was published on 1 January was draft guidance. I think that it was 4 February before we saw the final guidance. We worked on the consultation submissions that had come in up until that point.

Submissions did come in after the formal process. It has just been flagged up to me that the formal consultation received 71 responses from organisations and individuals and a further 408 responses were received via a campaign that Stop Climate Chaos organised in support of its response. The extra submissions were analysed. Although we published the draft guidance on 1 January to keep us within the legislative requirements, there was another opportunity to take on board responses. The final formal publication was on 4 February. Consultation submissions came in after the formal consultation period of September to November.

The Convener: What changes were incorporated into the guidance for the 4 February version as a result of that process?

Roseanna Cunningham: There were some key elements, including further development and augmentation, and additional restructuring and formatting to ensure that the guidance is as easy to use as possible. The latter is more about how people access the guidance. A number of people said in their consultation responses that they did not find the process very clear, and we made some changes as a result. A number of submissions were about the need for an executive summary. We produced an executive summary, which was not part of the original publication. As a result of submissions, the sections on adaptation and sustainability were enhanced, and on areas such as best value, the climate change declaration and procurement, new sections were added or existing sections were strengthened. Changes were therefore made as a result of submissions. Some were qualitative changes and others may be bracketed more as quantitative changes; for example providing the executive summary obviously was not a qualitative change.

The Convener: Jackson Carlaw will lead our next questioning.

Jackson Carlaw: I am not sure whether my questions will progress matters, because they bear a similarity to what has gone before. In advance of the obligation to comply with the duties, what action did the Government take to

ensure that public bodies were in a position to comply ahead of 1 January? Is there a specific resource in the Scottish Government that supports compliance by SEPA and Scottish Natural Heritage? Since the beginning of January, have public bodies identified any challenges in complying with the duties?

Roseanna Cunningham: Most people will be aware of COSLA's indications a little while ago. In effect, it called on the Government to revisit the targets, because it felt—

Jackson Carlaw: I think that Cathy Peattie will address that specifically.

Roseanna Cunningham: That was a big issue that arose out of this. I am not conscious of specific issues being raised outwith the issues around the guidance, which I have already discussed.

On the resource that is available from the Scottish Government, it is important to remind everybody that public bodies' duties are not somehow separate from the overall requirements of the Climate Change (Scotland) Act 2009. All public bodies have a direct duty. It is not about everybody in the public sector relying on the Scottish Government all the time. While it is important that we are in the lead and driving, each public sector body—it is about more than just public authorities; it is about agencies and others—has responsibilities under the 2009 act.

A lot of information is available in the public sector guidance to assist public bodies. I have discussed directly with Councillor Hay whether there needs to be a single gateway to which people can go for information, for example a website, but we have only just had an initial conversation. Nevertheless, I am certain that specific suggestions from the wider public sector will be acted on. As I have said, SEPA is a strong partner that is anxious to be in the lead on this, rather than following, so quite a lot of information is going to be generated and made available by SEPA. It will work proactively across the public sector to help the public sector. Therefore, the very bodies that must comply with the duties will sometimes be the providers of the resource that will help everybody to come through this.

I do not know whether that is the kind of answer that you were looking for.

Jackson Carlaw: I think it fits the bill.

Cathy Peattie: I agree with the minister that it is not simply about the Government delivering; it is about public bodies across the board examining their policies and how they deliver on climate change.

Minister, can you expand on what you said about single outcome agreements? You stressed

that a health warning should be attached to them. I am particularly interested in what specific support can be offered to local authorities to ensure that they fulfil their duties.

Roseanna Cunningham: The local authority settlement will encompass all their duties, including the challenges of climate change and adaptation to it. I hope that, in Scotland, we will develop partnership working that will allow every part of the public sector to consult other parts of the public sector when support and advice is needed. We are working not just with local government, but with businesses and others to map out what organisations need to be doing to meet their targets, and there will be continuing dialogue along those lines.

The Scottish Government funds a climate change impacts partnership, which is developing adaptation guidance for the public sector. There is quite a lot of stuff going on there, which will be supplemented by other materials and initiatives in the future. The public sector climate action group was set up both to emphasise that there is a partnership—which is important—and to bring together all aspects of the public sector to share ideas about what needs to be done and how to go about doing it. The financial side of it, however, is built into the local authority settlement.

15:00

Cathy Peattie: I am interested in measuring whether local authorities and other public bodies—you are right to say that it is not just local authorities—do what they set out to do. When we took evidence on the Climate Change (Scotland) Bill, lots of people said that they were doing anyway what would be required. That worried us, because it is not about doing it anyway; it is about finding new ways of doing things, which provides an opportunity to measure and quantify what is being done. That is the area that I wanted to explore.

Roseanna Cunningham: I know that there has been debate about this issue. I suppose that you are talking about mandatory reporting; I understood that that was debated during the bill process and that it was specifically not included in the bill. However, it is still an option, if people want to do it in the future. We must remember, though, that compliance with the duties is a legal obligation. The question is therefore not monitoring, but compliance.

The most fundamental and important point is that all aspects of the public sector understand that they have a legal obligation in that regard. Most of them self-monitor. Some aspects of the public sector do that already; I have not asked SEPA that specific question, but I would be

astonished if it did not already self-monitor, because that is the kind of thing it wants to do. If SEPA is not self-monitoring, it is likely to be looking at how to do it. So, some monitoring might happen in that way. However, Cathy Peattie is quite right in that we have not gone down the road of monitoring at this stage in the way that she would probably have wished.

Cathy Peattie: It is certainly a road that I would like to go down. Of course, the 2009 act allows us to return to that issue.

Roseanna Cunningham: Yes. We can go back to it, but we have chosen not to at this stage.

Rob Gibson: A subject that is close to my heart is proportionality. The guidance talks about major players in terms of dealing with climate change impacts and bodies that do more in comparison with certain other public bodies. Can you explain the thinking behind the concept of proportionality in this case?

Roseanna Cunningham: It is an important issue. It recognises that the early responses in particular will reflect resources, the nature of what a particular agency or body does and the fact that there will be a much greater expectation on some bodies than on others to deliver. We are trying to create guidance that will recognise that diversity and support compliance in terms of actions that are appropriate to circumstances. That is important, because we cannot ask people to do something that is impossible because of their circumstances or the stage that they are at in their process. I know that some of the huge variety of bodies out there are concerned about that. However, we are trying to tailor the guidance to allow for that diversity.

I do not know whether you want to talk about major players.

Rob Gibson: No. I am aware of the report's contents.

Roseanna Cunningham: Okay. I will not go there.

Rob Gibson: I want to get an idea of how proportionality will be applied. Under current regulations, we allow public bodies to decide wholesale what action is appropriate. Could that lead to some public bodies not being motivated or skilled enough to comply with the duties?

Roseanna Cunningham: You would have to give me some examples of the kind of thing that you are talking about. I am not aware of any public bodies that are not capable of complying with the duties, to a greater or lesser extent. Some of the duties might be harder for some bodies to achieve compliance with, particularly in the early years, but I would expect all the public bodies to be working extremely hard to identify where they can achieve

early successes. I remind everyone that, according to the legislation, it is for the public bodies themselves, not the Scottish Government, to make those decisions. That is why continued partnership working is important. It is likely to be an area that the public sector climate action group will monitor constantly.

Rob Gibson: Thank you for that.

Let me take an example. We talk about the footprint of the public sector. Can we measure the footprints of, say, Glasgow City Council and Highland Council?

Roseanna Cunningham: Glasgow City Council and Highland Council can measure their own footprints, can they not?

Rob Gibson: Yes, so do such things figure in statements about what the Government's or the public sector's footprint is? Do we have a measure from which to start?

Roseanna Cunningham: Bob Irvine wants to come in on that.

Bob Irvine (Scottish Government Directorate for Energy and Climate Change): Thank you, minister. Those are possible starting points, but it might be more important to reflect on the minister's point that it is for public bodies to work out what they need to do by way of compliance with the legislation. We must recognise that, as with any other generally stated duty, there will be some authorities and public bodies that are further along the track than others. To an extent, no amount of regulation will change that position instantly. The minister and Councillor Hay have talked about redesigning and developing the public sector climate action group so that it allows good examples to come forward that others can learn from, imitate and perhaps even better. Information about the local impacts of the policies and activities of local authorities and others will be an important part of that, but it is not the only thing that is important here.

Roseanna Cunningham: We are at a very early stage—we are barely in the first weeks—of the process, so it is very early to make definitive statements about which parts of the public sector will be more successful. We know that it is unlikely that every part of the public sector will go at exactly the same pace on exactly the same aspects of what is required. Understandably, each organisation will pick the easiest first hits—those areas in which it can achieve the biggest successes as quickly as possible.

Rob Gibson: I was thinking about those organisations as being major players under the definitions that we are talking about.

There comes a point at which public bodies' compliance comes into play. Can you give us an

early indication of what role the Scottish Government will play in ensuring that there is compliance well in advance of any potential action in the courts?

Roseanna Cunningham: The Scottish Government has a major role to play, not least in that, as part of the public sector, we have our own obligations to comply. The guidance is part of the process of us doing the job of ensuring that the rest of the public sector understands what it has to do.

We have not insisted on the detailed monitoring that I know Cathy Peattie would like. It is always possible that, in future, Government will revert to that if it feels that sufficient progress is not being made on the basis that we have set out.

People should remember that the guidance is only advisory—it is not a set of mandatory actions—and one could argue that simply following it does not necessarily ensure absolute compliance with the duties. Judgments on compliance rest with the courts rather than with the Government. Each part of the public sector is legally responsible for making its own decisions, taking its own actions and delivering its own progress; the Government has not taken on the role of final arbiter over who has or has not succeeded.

Rob Gibson: I wondered whether the Government had an overarching view of the performance of bodies, given that these are major players of whom much is expected.

Bob Irvine: The most important consideration is the overall progress towards the statutory targets, which is subject to a very specific reporting arrangement between Government, the Parliament and indeed the public. If it becomes apparent in that reporting that Scotland is not getting near or is undershooting the targets, there must be an assessment of why that might be the case and consideration of whether additional actions—be they regulations, new policies or new proposals—are needed to rectify the situation. At that stage, the Government and public bodies will have to consider whether, collectively, they have done as well as they might have done and whether there are any deficiencies in regulation, finance, people's behaviour or whatever.

Given that that is a continuing process, it is very difficult to talk about any specific response that we might make to a specific case of non-compliance, because we do not really know what that will be; in any case, ministers will want to see such matters in a much wider context.

Roseanna Cunningham: The guidance suggests areas that might be covered in reporting and, in fact, recommends a reporting schedule for various agencies and parts of the public sector.

The vast majority of the organisations, particularly the major players, produce annual reports that are laid before Parliament and I expect that any such report from, say, SEPA, Scottish Water, SNH or anyone else that did not make it absolutely clear what the organisation was doing would be challenged by the Parliament. We should not be too pessimistic about all this.

The Convener: Perhaps we should tease out whether there needs to be something else between individual public bodies making their own judgments about what is appropriate and, in the worst-case scenario, court action in which it is made clear that their judgment was wrong. Even if the Government does not want to be proactive about monitoring public bodies' compliance, given the range of views even in local authorities about what is appropriate—for example, some local authorities in Scotland have as a result of the spending squeeze asked for a complete delay in meeting the Government's climate change targets, while others have been more proactive—is there not a need for a stage in between a public body making its own judgment and, in the worst-case scenario, the kind of court action that we all want to avoid?

Roseanna Cunningham: Indeed—and, in a sense, the guidance is about directing various public bodies towards what they should be looking at, what they should be doing and how they should be doing it. The expectation is that they will comply.

I must return to discussions that took place when the Climate Change (Scotland) Bill was considered. It was decided that, under the Climate Change (Scotland) Act 2009, public bodies would decide on the best actions for them. If we are talking about introducing a system in which the Government takes on the role of foreman—I am not sure how to describe the role—that is different from what was envisaged in the 2009 act. I would worry about how such a role would be managed and would be expected to work in practice.

15:15

The Convener: The idea is simply to acknowledge that the Government's role is to govern and give leadership. I assume that the Government wants to close the gap that we acknowledge exists between those who are further forward and those who still have progress to make. Is it your view that that gap will begin to close and that we are taking no risk of exacerbating it?

Roseanna Cunningham: We are talking about two groups of public sector bodies that are broadly different—one group is central Government agencies, non-departmental public bodies and so

on and the other is the huge part of the public sector that is local government. The Scottish Government's relationship with those agencies and NDPBs differs from its relationship with local authorities.

I am not entirely clear about how we can change the relationship with local authorities unilaterally. A change would require a considerable debate about how it would work in practice. Alison Hay and I will sit down regularly for discussions, but I remind people that we are co-chairs—I am not her boss. I perceive that most people are thinking about local authorities, but the Government has a particular relationship with them. As we know, that is not about the Government going into a local authority and saying, "Thou shalt." That is not how the 2009 act is set up. Agencies and NDPBs are not arguing along the lines that people are concerned about; the argument has come principally from COSLA.

The Convener: I take that point. However, in 2007, the current Administration took a fairly proactive stance to negotiate a new way of working with local authorities.

Roseanna Cunningham: Absolutely—that was about partnership.

The Convener: I agree that going in and saying, "Thou shalt," would be a more extreme position. However, I am talking about giving leadership and a sense that we will all move forward together. Are you convinced that the Government's approach to the relationship with local authorities will close the gap between those who are further forward and those who are left behind or who have further to go, and that some authorities will not continue to lag?

Roseanna Cunningham: I cannot say with certainty that some will not be further behind the game than others are. I said that not all parts of the public sector will progress at exactly the same speed and in exactly the same way. That will not happen in local government any more than it will happen across the public sector.

Our relationship with local government involves working in partnership with it and taking matters forward jointly. As the voice of local government, COSLA is signing up to the approach. Some parts of the local authority structure have expressed concerns, but I believe that we will make the achievements that we need—to think that we will not would be a terrible counsel of despair.

Cathy Peattie: I am interested to hear what the Government is doing to fulfil its duties. What is happening across departments and portfolios to ensure that the Government delivers what it needs to do to meet its public duties?

Roseanna Cunningham: Quite a lot is happening, because we are a key player and we provide an example for the whole public sector. We have agreed a carbon management programme in partnership with the Carbon Trust that covers our operational emissions. We actively encourage more sustainable methods of travel for business purposes, and we are committed to achieving a 20 per cent reduction in central Government business travel emissions by 2011, building to 40 per cent by 2020.

We are making real progress, particularly on reducing waste and reaching high recycling levels. We set up a waste management contract in June 2010 with a recycling target of 75 per cent in the first year, progressing to 80 per cent in year 2. We are working very hard in those areas across the whole of Government.

I hope that that at least reassures you that we are addressing the issues internally.

The Convener: There is one more supplementary from Alison McInnes before we move on.

Alison McInnes: It is not a supplementary on this section, but a completely separate question, so the minister can take it at the end.

The Convener: Okay. I will take Marlyn Glen's question first.

Marlyn Glen (North East Scotland) (Lab): Part of my question has been answered. I think we agree that some public bodies have years of experience in climate change policy and delivery. As you made clear, minister, best practice should be shared throughout the public sector, and you have talked about dialogue and partnership working. How will the Scottish Government initiate that type of knowledge transfer, when will it take place and—importantly—which organisations might take the lead?

Roseanna Cunningham: It is already happening: it is taking place organically right now. The work that SEPA carries out proactively across the public sector is part of it. Meetings are being held at a level that includes me and Alison Hay: they involve the leads in a number of the public sector agencies and are about exchanging experience and information. We have just reformulated the way in which that all works, because we think that it can work slightly better.

All the various groups, forums and organisations are already doing that work. I am not clear how else you think that it could be done.

Marlyn Glen: I think that there is a lot of optimism, and it is good to be optimistic. However, is it all a bit vague?

The low-carbon investment conference is something specific, and while it is not set up by you or by the Government, it will at least be held annually. However, that still seems to be taking place at a very high level.

If some public sector bodies and local authorities are not making moves—it is difficult for us to tell which authorities those are, as they are not putting that in their single outcome agreements—a greater push is needed.

Roseanna Cunningham: That would be part of the conversation that Alison Hay and I would have in the organisation that we jointly chair, and the issues would begin to come out through that.

Marlyn Glen: So it would just cascade.

Roseanna Cunningham: At a certain level, but there is a limit. As I indicated in discussing the public engagement work, I want to get down to a slightly lower level to interact with people who are more at the front line in dealing with these issues.

The high-level stuff has to happen, as that is where some of the issues will be identified, but there is also a constant process of bilateral meetings. If you could sit down and map out what the diaries of the three or four key ministers look like with regard to interacting directly with organisations and at a variety of different levels, you would see that the transfer is happening anyway.

You mentioned the annual conference idea, but that is not necessarily how we can do things at this level. We are already engaging on a lot of those levels.

Marlyn Glen: Okay—I will take that as it is offered.

Alison McInnes: Minister, throughout the afternoon, you have stressed the importance of the public bodies taking their own actions. Page 25 of “Public Bodies Climate Change Duties” is the only place in the document where the Government underlines its guidance and almost strays into direction. It concerns emissions arising from transportation. However, the complexities of EU procurement rules mean that the situation is not quite as clear as is laid out in the document.

I would expect each public body to take advice on the matter. I am concerned that, by directing that transport emissions have to be discounted at the outset, you undermine the other legal duty to act sustainably that councils and other public bodies are under. Should each public body consider its individual actions and procurements holistically or should it just take that direction at face value?

Roseanna Cunningham: I have already indicated that the document provides guidance. It

is not compulsory in any way, really. We are trying to guide public bodies in a particular direction, but they will have to make their own decisions on specifics. The guidance is not a list of mandatory rules.

Alison McInnes: The statement on page 25 is the only piece of guidance that is underlined. It shouts out of the document and I wondered why it had been given that status.

Roseanna Cunningham: The point that is being made there is that some of the actions are subject to rules that are not in our gift. I appreciate what you say, but it would not be the first time that organisations have had to comply with EU directives that contradicted, in some cases, other EU directives. That tension is built into the system and we reflect it back to the European level in some areas.

To a certain extent, until Europe mainstreams some of the practice that we are discussing, we will continue to have those problems.

Alison McInnes: I understand that, but it takes us back to some of the discussion that we have just had about how some people who do not want to move forward will rely on that as a way of opting out.

In the other Government document that we are considering, you say:

“Countries such as Denmark, Germany and Sweden occupy leading positions in ... low carbon markets”

because

“they adopted emissions reduction targets”

and

“a strong public policy framework that”

they aggressively pursued. Those countries are in the EU and take such matters into consideration. I request that you consider whether we can learn lessons from them about such procurement.

Roseanna Cunningham: We do that all the time. In the guidance to which you referred, we were flagging up the fact that European legislation is part and parcel of the matter. When other countries achieve derogations from, or find a way to work around, that legislation, that is fair enough. However, often, when we examine the situation, it turns out not to be quite as straightforward as it at first appears.

Bob Irvine: That is right. The statement in the document is bald for reasons that, I hope, the minister has explained.

Authorities and public bodies are the recipients of an extensive amount of guidance on the niceties of procurement—in particular, sustainable procurement—which they must consider carefully and within which they must act. The statement is a

warning against a simple assumption that, if we buy everything from down the road rather than from a foreign country, we will be all right. It is intended to encourage public bodies to examine more carefully the procurement guidance of which they should all be aware because it has been developed in partnership with them all.

The Convener: The procurement rules from Europe have their unhelpful elements. However, the ambiguity of saying that

"Taking into account ... the emissions ... from transportation",

rather than the distance,

"is likely to be seen as indirect discrimination"

is also unhelpful. Is it not worth testing the point?

Roseanna Cunningham: We would act on legal advice. That smacks to me of a paragraph that has been included because of legal advice. It can always be tested.

The Convener: Even if it concerns rail freight as opposed to road freight or low-carbon vehicles?

Roseanna Cunningham: We should remember that testing European legislation sometimes results in whacking great fines. That must be factored into the equations as well.

The Convener: There are no further questions on the public duties. I thank you and your colleagues for the time that you have given to answering questions.

I suspend the meeting briefly to allow for the change of witnesses.

15:29

Meeting suspended.

15:32

On resuming—

Road Safety (Young Drivers)

The Convener: Item 3 is a session on road safety and young drivers in which we will hear evidence from the Minister for Transport and Infrastructure, Keith Brown. This is his first appearance in that role at the Transport, Infrastructure and Climate Change Committee, and I welcome him. He is joined by three Scottish Government officials. Jill Mulholland is road safety team leader, Ian Robertson is a policy officer in the road safety team, and Michael McDonnell is director of Road Safety Scotland. I welcome you all to the committee.

In our previous session on road safety and young drivers, I may have given a slightly exaggerated status to what we intended to do. It is unlikely that we will produce a full committee report to the Parliament. However, after hearing evidence, the committee will consider whether and how we want to raise issues with the Scottish Government relating to what we have heard.

Does the minister want to make any opening remarks before we ask questions?

The Minister for Transport and Infrastructure (Keith Brown): Not on this issue. If you are happy for me to do so, I am happy to go straight to questions.

The Convener: In that case, I would like to begin by talking about the period since the adoption of the road safety framework, which has been in place for around a year and a half. Can you tell us anything about the trend in the number of collisions involving young drivers? Has there been a noticeable change since the publication of the framework?

Keith Brown: Yes, there has. The most recent figures for road casualties in Scotland are from 2009, so we do not have a good picture of what has happened from the time of the adoption of the framework, but road casualties in 2009 were at their lowest level in around 60 years. Despite that, we believe that more should be done, particularly in relation to young drivers. There was a much less pronounced reduction in young driver casualties than there was for other categories of drivers. The figures for both fatal accidents and serious injuries are not falling as fast for young drivers as they are for other categories of drivers. You will know that young drivers are identified as one of the eight national priorities in the framework. Also, to be honest, it is not immediately evident why the decrease has happened—I think that my officials would support

that statement. It is not always easy to judge why there has been either a blip upwards, as there was most recently in 2007, or a reduction, as there has been subsequently. Nevertheless, it is true to say that the figures were reducing up to 2009, which was about the time that the framework was launched.

I can talk more about the evidence that we have about young drivers' behaviours in relation to accidents, but that is all that I can say specifically in answer to your question.

The Convener: One of the themes to come out in our earlier evidence session was the idea of the framework being a public health measure. In most public health areas, it is often difficult to identify the precise effects of the interventions that are made as opposed to effects in the wider culture and changes that would have taken place anyway. Nevertheless, let us look at a couple of Government initiatives and ask whether you are able to assess their impact or effectiveness. I am thinking of the young drivers debate, which an external organisation was commissioned to run, and the country roads campaign. Can you say anything about those two initiatives? Is it possible to say what has happened as a result of them?

Keith Brown: Unfortunately, it is slightly premature in so far as the report on the young drivers debate has not yet been produced. It will be presented at the meeting of the road safety group tomorrow. There has been a good response to that debate—I think that there were 600-plus responses—and more than a third of respondents were young people.

The evidence suggests that the behaviours that contribute most to fatal and serious accidents involving young drivers and their passengers are speeding; driving while impaired through either drink or drugs, which I know that the committee heard a great deal about from its previous set of witnesses; distraction, including from the use of mobile phones; not wearing seat belts; and, crucially, lack of experience. All those issues are addressed in the road safety framework.

As I have said, the debate with young people has been completed. It has given them the opportunity to voice their needs and concerns and to put forward ideas. Most of the area is reserved, but it is evident from the responses that we have received so far that the various measures that might be considered—for example, graduated licences, which we may discuss later—are things that young people feel are restrictive and discriminatory against them. That has tended to be the top line of the debate that we have heard back so far. We will publish the report in mid-March, but it will be presented to the road safety group tomorrow.

Michael McDonnell may want to say something about the country roads initiative.

Michael McDonnell (Road Safety Scotland):

The country roads initiative was largely ours and was undertaken on the understanding that just over 70 per cent of the fatalities that occur on our roads occur on rural roads. As always, young drivers seem to be overrepresented in those statistics. A lot of research was undertaken before the campaign started, which suggested that the accidents are not to do with commuting but are largely to do with leisure driving—often at weekends, often late at night and often when the driver has friends in the car. It became evident that, when an older person has an accident on a country road, it often results in one fatal or serious injury whereas, when a younger person has an accident on a country road, it often results in more than one fatal or serious injury.

We did quite a lot of work beforehand in order to understand what we should do and the campaign has, so far, been through several phases. The first one identified for the population in Scotland that rural roads are dangerous roads on which to drive. We focused on that because our research showed that there is a complacency—particularly among young drivers—about accidents on rural roads. Rural roads are perceived as being safer to drive on because there is less conflict and less traffic on them. They are places where young people feel that they can relax a wee bit more and test their vehicles, not their driving skills—as far as they are concerned, their driving skills are a given, so they are testing what their car can do. The combination of that and the fact that many of them drive these roads frequently has led to overfamiliarity and to overconfidence, so we must first challenge that. The initial part of the campaign was to identify rural roads as dangerous roads on which to drive—sorry, I should rephrase that: dangerous places for people to be rather than dangerous roads.

The second phase of the campaign was the construction of an advert that showed the problems that distraction can cause to young people in particular. You may have seen the advert. When a passenger opens a can of juice, the driver momentarily looks away and when he looks ahead again a situation has developed that it is too late to do anything about.

Many of our recent adverts have been shot from the driver's point of view, because one of the problems that we face is young people, in particular, deflecting any message; they think that accidents happen but not to them. We have to try to engage with them and, by showing the scene from the driver's point of view, we do not identify the gender or the age of the driver, which allows people to see the screen as their windscreen. The

distraction advert resonated very well. There were very good results from younger people's evaluations of the adverts.

We moved on to see how we could address not only younger people but an older audience. We created four adverts that dealt with the unpredictability of country roads, which is something else that had come through from the research. Even though someone might drive on them all the time, they are never the same twice. Familiarity can lead to overconfidence and to people losing control, in particular on left-hand bends, so we constructed a series of adverts that all had the same first 10 seconds, culminating in a driver going round a left-hand bend. Four different scenarios then developed. In the first scenario, the driver skidded but regained control. In the second, he collided with a tractor coming out of a field. In the third, he skidded and crashed into a car coming in the opposite direction. In the fourth, he swerved to avoid a deer and hit a tree. Three out of the four scenarios ending up in a serious accident reflected the fact that, when we started to make the adverts, three out of four fatalities on the roads happened on country roads.

Those adverts have scored very highly in the ad evaluation, which is a tool that is used by the company that looks at our road safety adverts. It takes the evaluation beyond the recall level. Previously, adverts were made and evaluated in terms of recall, but the evaluation now looks not only at people's recall but at their engagement with the adverts. We are looking to achieve a good motivation score, when people become engaged with the ad so much that they think that the next time they are driving on these roads, they will do something about the way in which they drive.

That is what we have done on country roads to date.

The Convener: Are there other initiatives or interventions that are either under way now or are being planned or put together that the Government would want to make us aware of?

Keith Brown: The convener and the committee will be aware that much of the action that can be taken in this area is reserved. As I mentioned, it is for the Westminster Government, if it chooses to do so, to take forward issues such as graduated licences or whether pass plus is to be included in pre-qualification training for drivers. We have made representations on those issues.

The focus of our attention has been awareness raising and education, which is where we can make an impact. Much that we do will flow from the results of the young drivers debate. That will tell us about some of the things that we will want to take forward. It is worth pointing out the success that there has been. There has been fairly

remarkable success in driving the figures down across the piece, not only for young drivers.

If we want to continue to improve, we must ensure that we can properly identify why we have had that success—everybody will, naturally, want to claim credit for it. Given the increase in traffic on the roads, which I think we all acknowledge, to have a reduction to a 60-year low in fatalities is a success. We do not know whether the design of our roads is leading to a reduction in the number of accidents or whether other aspects are helping to reduce the number of accidents, but we think that that is the case; otherwise we would not do it.

Future actions will be determined in large part by Westminster but, where we can identify ways to move forward following the young drivers debate, we will do so. As we did with the road safety group, we will involve young people and get them to engage with that work, because if anything that we do on either education or awareness raising is to be successful, it will require the buy-in of young people.

The initial response that we have seen from the debate is that powerful cars are an issue. I do not want to overstate the position, but young people concede and acknowledge that new drivers being given access to very powerful cars at a young age is something that should be looked at. It is probably regulated more by the insurance market than by anything else, these days. Again, however, we have to rely on Westminster to take that forward. We have to focus on the education side of things.

15:45

Alison McInnes: I would like to explore a bit further how you assess the effectiveness of your road safety education initiatives. At the previous evidence session, Professor McKenna in particular raised concerns about the lack of effective assessment of previous road safety initiatives. People have said, "We think this works, but we haven't proved it."

Keith Brown: First, it is worth saying that we believe that the work is effective. If we did not, we would not do it. I think that Professor McKenna also said that it will not work on its own but has to be done in conjunction with other things, and we take the same view.

We conducted research in 2005 that suggested that children who have road safety education from an early age—that includes cycling training, which is prolific in schools—make safer drivers in later life. That research concluded that a developmental track for risky road user behaviour can be traced from very young children to individuals of driving age. Effective early intervention promises a move away from a focus on picking up the pieces when

things have happened towards prevention, and the vital contribution of early years education lies in developing and broadening the range of children's learning experiences so as to equip them for the future.

We see road safety education as a life skill and, as such, it is a vital part of that early learning experience. We believe that it works. The research has been done, although it is now five or six years old, to show the ways in which that education is most effective. However, we are conscious that it will not succeed on its own and that it has to be done in tandem with other things.

Alison McInnes: Minister, I am concerned that we have that five-year gap. Surely we should be looking for objective-evidence-led investment in road safety initiatives. Your evidence is now quite old, yet you continue to invest in the work. Professor McKenna's point was that we tend to invest in well-meaning projects rather than ones that have been objectively developed.

Keith Brown: It is five or six years since that research was done. The question is how frequently research should be conducted on continuing issues, and a related issue is whether it is best to allocate resources to carry out the functions or to consistently check how effective they are, even when there is a research base. However, that does not change our view that the initiatives work, which is borne out as there have been improvements.

I accept that it is sometimes difficult to say which part of the road safety environment contributes to greater safety—whether it is the design of roads or the education that we carry out with young people. Having just come from an education brief, I certainly believe in the value of education. I think that it makes a difference. We have had some pointers from the research that it makes a difference in particular areas, but to address your point, I think it is worth considering whether we want to look at some additional research. However, that would probably be best done when we have the conclusions of the debate with young people.

Jill Mulholland (Road Safety Scotland): That evidence gives us a basic premise for the education work, but all our resources at Road Safety Scotland are based on current evidence. Everything that we do is evidence based, and in turn, everything is then evaluated. In fact, we are the envy of the rest of Great Britain because we have a uniform approach and an evidence-based education system that takes us from the early years—with the baby buggy book and Ziggy's road safety mission—right through to the end of secondary school. England and Wales do not have that, but we have it in Scotland through Road Safety Scotland. Michael McDonnell can give you

more detail than I can on that, because he is director of Road Safety Scotland, which is a Scottish Government organisation.

Frank McKenna was contracted to produce a think piece on education on behalf of the Scottish Government, through Road Safety Scotland. We value interventions from psychologists and other academics, so that we can improve road safety educational resources for our children. Professor McKenna did not aim his remarks particularly at the educational resources that Road Safety Scotland provides; he merely said that, in general, education is not a stand-alone tool, as the minister said, and that other parts of the picture—enforcement and engineering—are needed if there is to be success. We have never advocated education as a stand-alone solution.

Everything that we do is evidence based and is evaluated. As a result of Frank McKenna's think piece we did additional work on one of our resources. Professor McKenna said that talking a lot about drink driving, for example, can normalise such behaviour and make it more attractive to young drivers. We took his advice and reworked our resource.

Keith Brown: Activity is pitched in different ways. People other than the Government who are involved in road safety in Scotland have their own bases for taking forward their activity. For example, the main company that is involved in the M80 work, which is a substantial project, has undertaken quite a lot of safety education, not just on road safety but on the construction works that are going on. It found that there was much higher take-up among primary schools than there was among secondary schools. It was quite hard to engage with secondary schools.

From my children's experience, I know that some of the very stark messages to senior secondary school pupils seem to work more effectively. In primary schools, messages are delivered through characters—I think that there is a monkey—to make it easy for children to access the information. The point that I am making is that different groups undertake activity on the basis of their evidence, which seems to chime with what we are doing. Our evidence base seems to coincide with the evidence base that others are using.

Alison McInnes: Has the Government attempted to quantify how many collisions, injuries or deaths have been prevented as a result of particular education initiatives? I appreciate that that is difficult to do.

Keith Brown: That is the difficulty. It is hard to know how we would set about doing that research.

Jill Mulholland: The main thing that Frank McKenna said was that there is no direct

correlation between education and a reduction in casualties. However, we know that, as a result of education, engineering and enforcement, the figures are going down. It is difficult to evaluate the correlation. What are we comparing against?

We know that things are working and we evaluate the resources that are used in schools to ensure that they are relevant, fit with the curriculum for excellence, have reflection built into them and do the kind of things that behavioural psychologists tell us will get the message across.

Michael McDonnell: Professor McKenna is a well-respected figure in the field of road safety. However, in developing two resources for secondary schools—your call for lower secondary school pupils and crash magnets for upper secondary school pupils—we used equally renowned driver behaviour specialists. We used Professor Steve Stradling, who is a world name in the field, Dr Bill Carcary, Dr Neale Kinnear and Professor Jimmie Thomson, who is head of the psychology department at the University of Strathclyde.

The specialists have been intricately involved in bringing their knowledge not just to the development of the resources but to how we have handled resources after evaluation. We tend to put resources into schools and then wait for two or three years before evaluating them. The crash magnets resource was changed as a result of Frank McKenna's work to ensure that we are still on target in how it should be pitched and what it should be saying to young people.

Alison McInnes: Mr McDonnell talked about the ad evaluation and people's engagement with the most recent adverts. Minister, do you have a view on whether road safety education has only a short-term effect on driver behaviour?

Keith Brown: I do not think that that is the case. The 2005 evidence suggests that it has an impact in ways that we do not expect. It is not a mere leap of faith that we pursue education initiatives to try to improve road safety for young drivers. It would be a leap of faith not to pursue such initiatives because we cannot tell how effective they are. Such initiatives are effective in different ways and the effects last a lot longer than a few years.

Alison McInnes: That is helpful.

What consideration has been given to targeting road safety education at the parents of young drivers, with a view to encouraging and passing on best practice, and to regulating drivers informally, perhaps by providing graduated licensing through the back door, as it were.

Keith Brown: As a parent, I can certainly attest to the informal regulation of young people. Jill

Mulholland might want to say something about any work that we have done on that.

Jill Mulholland: Road Safety Scotland has developed a resource on that, and we held a seminar for parents. Professor McKenna recommended in his think piece that parents should be heavily involved in road safety education. Road Safety Scotland recognises that parents have an important role to play. We have a booklet specifically for parents that advises them what they can do to help with road safety education for their children when they are thinking about learning to drive and when they start to learn to drive.

Michael McDonnell: I have a copy of the booklet, which I can leave with the committee if you wish. As Jill said, it recognises parents' role, particularly just after young people have passed the Driving Standards Agency test, when they think that they are invincible and know it all. As a parent of a 17-year-old boy, I am going through that at the moment so I know exactly what it is about.

Keith Brown: It is not just drivers. My daughter is 21 and is sitting her test soon—in fact, she is being taught by my brother—but, in my experience, it is when children are younger and get into cars as passengers that concerns first arise. The concern that their child is in someone else's hands plagues parents' minds quite a lot. Concerned parents probably do something about that informally, but we do not do anything formally to educate young people about being in cars that they are not driving. I hope that a lot is done to convince young people that they can suffer the consequences of someone else's bad driving, and that they can guard against such behaviour. Most young people have probably had a frightening experience in a car that they do not want to repeat, and they then put pressure on the young people who are drivers. That is not something that we do, but I think that it is done informally.

Jackson Carlaw: I applaud all the initiatives that you have undertaken, but one thing that we do not seem to be talking about yet is the vehicle itself. In a former life, I was in receipt of many vehicles that came back after serious road accidents. In the case of accidents involving young people, one of the characteristics of the vehicle was that it was the second or third car in a family or that it was a much older vehicle, which had been bought cheaply. Ironically, the driver was young but, in order to make transport available to their child, the parents had given them an older, cheaper car.

Technology has moved on and, in my experience, those older cars tended to predate evolving vehicle safety initiatives such as airbags and side impact bars. I wonder whether, in

addition to all the education that you are doing, one of the reasons for the reduction in fatalities is the previous Government's scrappage scheme. Although the scheme was designed to improve the environment, it took a significant number of 10-year-old and older vehicles off the road, to be replaced with newer ones. It is possible that the vehicle stock that people are driving is improving and that, together with the education initiatives, those vehicles are assisting in reducing fatalities because they are—even the older ones—more reliable than vehicles were 10 or 20 years previously.

Keith Brown: Intuitively, I would say that that is right. Roads nowadays are designed to a much greater extent than before to try to eliminate accidents. Technological improvements allow us to do that. The same is true of cars. Counterintuitively, though, I would point out that, as I was just saying outside, my first car, which had a starting handle, would have taken four and a half weeks to get up to 60mph. As was the way for many young people, I bought a very old car because it was cheap; indeed, it was so sturdy I imagine that, had it been involved in an accident, it would have damaged whatever it came into contact with rather than suffering any damage itself. Such effects can now be mitigated with crumple zones, for example, but again I point out that issues such as vehicle standards and design are reserved and we cannot get involved with them.

16:00

Charlie Gordon: We now come to the issue that the minister had anticipated—graduated driver licensing, which could restrict new drivers to driving at particular times, in particular locations and with different numbers or types of passengers until they have gained sufficient unsupervised driving experience to cope with a variety of situations. We are well aware that the matter is reserved to Westminster, but does the Scottish Government have a view on the merits of graduated driver licensing?

Keith Brown: As has already been pointed out, young people have very particular views about such moves and, indeed, see as unfair any restrictions that would be imposed on a particular section of the population. However, the proposal has come about because of the sense that the accident figures are worse for young people—one in four young people is liable to have an accident in the first year after qualifying. The concerns are legitimate enough to point us in the direction of such an approach, which has worked in other countries. This morning, I was talking to someone from New Zealand, where a similar scheme is in operation.

The matter is indeed reserved to Westminster. However, our road safety framework, which was published in 2009, recognises the strong support for such a move from some members of Scotland's road safety community. For our part, as I have mentioned, we have fulfilled our commitment to conduct a national debate on young driver safety to discuss ways of addressing the high casualty rates in that group. That debate has allowed us to explore further whether the idea of a graduated licensing scheme is acceptable to and, indeed, has any support from young drivers, their parents and the road safety community. We expect to publish reports from that debate in March.

In the meantime, we are continuing to explore the issue from other angles. For example, the road safety strategic partnership board, on which young people are represented—in fact, I believe that we have extended that representation since the most recent meeting—will meet tomorrow to discuss young driver initiatives and to hear a presentation from Dr Sarah Jones of Cardiff University. It is right that these things happen before we reach any view on a graduated driving licence. I have sensed no urgency in the Westminster Government to deal with the matter; I am not aware of any initiatives that might have been proposed, in any case. However, before we come to a view on something on which Westminster is not intending to legislate any time soon, we want to gather as much evidence as possible and we certainly want to get the results of the debate that we have had with young people.

Charlie Gordon: I accept your reasons for not wanting to come to a view just yet on what is a complex issue. However, I take it that if in due course you come to the view that you support graduated driver licensing, the Scottish Government will consider taking it up as an advocacy issue and lobbying the UK Government to move on it.

Keith Brown: We have already indicated our broad support for the principle but have suggested that we explore further its effects. However, as I have said, the UK Government has decided against introducing restrictions on young drivers, although it intends to monitor any evidence that emerges from other countries. In May 2009, my predecessor Stewart Stevenson wrote to the UK Government, expressing our disappointment that it was not going to be more proactive on the matter.

We have expressed some support for the broad principle, but we want to hear what young people have to say. If we conclude that we should push the matter more vehemently, we will do so as an advocate. Obviously, the back-stop is that the Government would always want to be able to deal with these issues in Scotland, but while the issue

is reserved to Westminster, we will seek to build an evidence base to see whether there is popular support for such a move and, crucially, whether young people will buy into the idea. After all, as the chap from New Zealand said to me this morning, you can apply all the restrictions you like, but you still have to police them. As we know, policing works best if something has been introduced by consent, so if we can get young people to buy into the proposal in the first place, we will have more chance of success.

Charlie Gordon: In the continued absence of legislation from the UK Government, and taking on board your point about attempting to get young people to buy in, would the Scottish Government consider supporting the development and roll-out of, if you will, an informal graduated driver licensing scheme for new drivers in Scotland, whether it involves partnership with the insurance industry or whatever? Could we take voluntary steps in that direction?

Keith Brown: It is possible, but what I have said would still apply. Young people would have to buy into it. Perhaps one way of doing what you suggest would deal with the insurance question as well. These days, many young people simply do not drive because of the cost of insurance, which can often be many times the cost of a car. If a scheme was such that young people felt it gave better access to driving, and they were willing to accept informally the restrictions that you have talked about, and that was all taken on board by the insurance companies so that driving was made more accessible, that might be a way forward. However, we want to have the same evidence base for doing that as we want to have for explicitly supporting a graduated driver scheme.

Rob Gibson: I am keen to explore that idea further. Professor McKenna talks about the experience paradox and the fact that graduated licences are more commonly used than just in New Zealand. Would you be able to draw on some of the experiences of other countries? I am aware of the variety of those in the United States of America.

What it boils down to is giving people not the freedom to drive but a licence to drive, which gives people the opportunity to use the roads safely. Young people should be educated to know that they do not have the freedom to do what they wish, although if they were licensed in a graduated fashion, they would get more of a chance to achieve that.

Keith Brown: That is about education and awareness. When they come to own a car, many young people do not understand why they have to have insurance and what the basis for requiring it is. I include myself in that. Once people have that freedom, or licence, to drive a car, they think that

they can just get a car and that will be them. Then they realise all the different responsibilities that they have to insure the car, to ensure that it is roadworthy, to have it taxed and so on. Awareness must be raised of the responsibilities of owning a car. In some places, there is a severe lack of freedom if young people, as well as others, cannot access a car.

I go back to Professor McKenna's point that road safety education will not work on its own and Rob Gibson's point about whether we take enough account of international experience. That does happen but perhaps Jill Mulholland or one of the others will know more about that than I do.

Jill Mulholland: One of the reasons why we must be cautious about evidence from other countries is that they have different issues. Obviously, they have different types of roads, but also licensing can happen at a much younger age, particularly in America. That is a different scenario and we want to gather evidence that is appropriate to our country.

Frank McKenna also suggested that graduated licensing could be done through a parental contract with the young driver, so that there would be no need for legislation. That would work only if there is a good relationship between the parent and the young person. Even so, if we look at that type of solution, we can gather evidence on how it works and how it would translate into legislating to capture all young people. We need to be careful about how we gather the evidence and ensure that it is relevant to our situation.

Michael McDonnell: I apologise if I said this the last time I was before the committee, but we must keep at the forefront of our minds the recent evidence from neuroscience. We have to recognise that young people are not the problem: they have the problem. A lot of that is about brain development. The bit of the brain that tells us to be frightened of certain situations is not fully developed in young people. There was a cartoon in *The New York Times* that showed a jigsaw piece missing out of a young driver's brain and it asked, "Why do young drivers drive like they have no brain?" and the answer is, "They don't."

That is because the frontal lobe does not connect to the amygdala at the back, telling them to be frightened of given situations. That connection does not fully develop until young people are about 25. The introduction of neuroscience into the argument has suggested that we should not demonise young drivers because it is not that they are the problem, but that they have a problem.

The effects of inexperience are about twice as important as the effects of age for new drivers. Therefore, if you adopt some of the schemes that

exist in America, you might end up increasing the effects of age while lessening the effects of inexperience.

The important thing is to get drivers through their first, it is suggested, 1,000 miles of solo driving—just them, on their own in the cockpit, making all the decisions for themselves, with no one to lean on in the event of an emergency. Unfortunately, the only way of doing that is to gain experience on the roads and be involved in situations, which we hope will only be near misses as opposed to anything worse. As people develop that experience in their driving career, they will learn from things that they see and do and from things that they do wrong. That is how they will build up the experience that will keep them as safe as the rest of us, if that is any consolation.

Cathy Peattie: The Association of Chief Police Officers in Scotland has said that the police, education departments and other authorities are not necessarily consistent in their approach to road safety education. Does the Government have a view on whether a consistent approach to road safety education should be adopted across Scotland? If you believe that it should, what are you doing to ensure that that happens?

Keith Brown: The advice that we give and the materials that we produce are consistent. Of course, given that local authorities have responsibility for education, how road safety education is included in the curriculum is a matter for them and it is not our intention to centralise that. In fact, I would say that the trend is going much more in the direction of enabling or assisting.

We have a responsibility to ensure that we provide the materials, but we do not have a monopoly on the materials that are used. Schools and local authorities can access any materials they want in order to provide road safety education in the way that they want. We enable; we would not insist.

Cathy Peattie: The issue is not just about what is delivered in schools. There might well be consistency in how local authorities approach education in schools, but we are talking about how we can achieve consistency across the police and other organisations.

Keith Brown: There should be no bar to doing that.

Jill Mulholland: We acknowledge the fact that young driver interventions, in particular, differ greatly across the country. Road Safety Scotland is providing a modular toolkit for young driver interventions that will have planks that fit in with and reflect the curriculum for excellence. It will provide consistency, as any organisation will be able to use it, which will mean that, across

Scotland, there will be the same type of education for young drivers. We already have consistency in schools, because we provide free resources from birth up to secondary school, and we want to extend that a little further, into the stage 2 young-driver interventions. We want consistency but, as the minister said with regard to our other resources, we do not want to box people in or insist that there be some specific event.

That is what we are taking forward across Scotland. Frank McKenna's think piece formed the basis of the skillset that we are developing.

Cathy Peattie: I am pleased with that response, but it does not answer my question about consistency across the police and other authorities. In each part, people are doing the best that they can. Is there an opportunity to consider best practice in other bodies or for the police to share their plans with colleagues in education and so on? The criticism that we heard was about the lack of consistency across Scotland, not just between education authorities.

16:15

Keith Brown: The police are represented on the road safety campaign by one chief constable, which is Kevin Smith of Central Scotland Police, who the member will know. People do talk to each other. Kevin Smith is the representative on a number of different policing and road safety matters and I think that he would say that the police talk to each other regularly. The situation may also develop; you never know, we may get the ultimate consistency if we end up with a single police force.

It is not necessarily wrong for different approaches to be taken, but I take your point that we have to try to identify and spread best practice. I am not convinced that that does not happen at present, despite the evidence that you may have heard. From my discussions with Kevin Smith, I think that best practice is shared, but I will take the point away to find out whether more can be done.

Cathy Peattie: That is helpful, but I remind the minister that ACPOS raised the issue. Clearly, the police have discussed the matter. It would be good to get some feedback.

Alison McInnes: The Scotland Bill, which is going through its committee stage at the moment, proposes to devolve control over national speed limits and drink drive limits on Scottish roads to the Scottish Government. Would those additional powers allow the Scottish Government to take any new action to help reduce collisions involving young drivers?

Keith Brown: One suggestion is for a no-alcohol policy for young drivers. I mentioned

earlier that some research has drawn out the fact that impairment while driving is most prominent among young people. It is possible that a differential approach could be taken, despite the problems in doing so. The problems are probably self-evident, including that people of different ages would have to comply with different drink driving law. However, the proposal has been made, so theoretically the situation is possible.

I could not say at this point whether the Scottish Government has a view on the matter. Obviously, we are still going through the Scotland Bill process. There are some inexplicable anomalies in what it is proposed to devolve in relation to speeding that could see someone speeding if they drive a car at 60mph whereas the driver of a car and caravan would be speeding only if they were driving at 70mph. Any future Scottish Government will first have to see exactly which powers are devolved, but the potential is there to tailor things if the Government of the day decided to take action on young drivers.

The Convener: There are no further questions for the minister and his colleagues on road safety issues. Thank you for answering our questions.

Coastguard Services

16:17

The Convener: Further transport issues will be put to you at a subsequent committee meeting, minister, but, as you know, members have expressed an interest in raising with you today the United Kingdom Government consultation on modernising the coastguard. Rob Gibson will open our questioning.

Rob Gibson: Minister, both the maritime rescue co-ordination centres and the coastguard rescue service are pencilled in for major changes that are called modernisation. Has the Scottish Government taken a view on the UK Government proposals?

Keith Brown: Yes, we have. We do not support the proposals. I think that it is evident that there is strong cross-party support across the Parliament for a campaign to retain as many of the existing MRCCs as possible. The First Minister raised the issue directly with the Prime Minister when he met him on 14 February. Given that Scotland has around 60 per cent of the UK coastline, it is entirely appropriate to be concerned about a proposal that would see us ending up with only 25 per cent of the cover. The Cabinet Secretary for Rural Affairs and the Environment has written to around 40 stakeholders in the maritime industry, including the coastal councils, to seek views on the proposals. The replies to his letter will help to inform the Government response to the UK Government consultation. We will have to make that response before the Parliament rises. I think that the consultation closes on 24 March, but this session of the Parliament ends on 22 March. There is a copy of the cabinet secretary's letter on the Scottish Government website. In addition to those who are listed in the letter, we would, of course, welcome the views of any party. We do not support the proposals. We have concerns. We have raised the matter.

Rob Gibson: Given those concerns, did the First Minister discuss in any detail the increased use that will be made in future of the waters around the region that I represent, the Highlands and Islands, for renewable energy and the entrepôts that are built into our transport infrastructure proposals, which will be used by large vessels that use the northern polar routes and the north Atlantic? The extreme concern that has been expressed in the area about the threatened removal of the coastguard tugs that are presently deployed in those northern waters must be reflected in the evidence that you present.

Keith Brown: I do not have a read-out of the exact terms of the discussion between the First

Minister and the Prime Minister, but those points have been made to the UK Government in other fora. When the First Minister met the Prime Minister, he will have had in his mind the grounding of the French fishing vessel Jack Abry II and the crashing of the Tornado into the Minch, which highlight the link between the coastguard and the emergency towing vehicles, which provide the comprehensive service that protects lives and the marine environment. The Braer oilspill is one reason why those vessels were put in place.

We are continuing to draw the issue to the UK Government's attention. As I said, I know that the First Minister raised it with the Prime Minister. I do not know how long they had to discuss it, given that the meeting was for other purposes, but we are pressing the UK Government to review its decision to withdraw funding for that vital service.

We are unconvinced that the shipping industry would be willing or able to take up the slack and to provide cover on a commercial basis. As you may know, a recently leaked Maritime and Coastguard Agency report from 2008 said that that would not be possible and that the existing provision should be maintained. I should add that the MCA is to hold a meeting, hosted by the Scottish Government, to discuss the issue further with a range of stakeholders. It will take place on 4 March.

The Convener: As there are no further questions, I thank you for your time in answering our questions. Later in the meeting, we will consider the evidence that we have heard from you and other witnesses on road safety, and we may be in touch.

We have additional items to deal with before we let you go, but we will suspend briefly to allow for a change of witnesses.

16:22

Meeting suspended.

16:24

On resuming—

Subordinate Legislation

The Convener: For the next several items, the minister is joined by Jim Vance, head of design and development at Transport Scotland; Jo Blewett, M8 project manager for Transport Scotland; and Alison Martin, solicitor for the Scottish Government.

Under agenda item 4, members will have the opportunity to ask the minister questions on a group of Scottish statutory instruments. Under items 5, 6 and 7, we will consider motions on the affirmative SSIs. After that, we have a couple of negative instruments to deal with.

M8 (Baillieston to Newhouse) Special Road Scheme 2011 (SSI 2011/10)

A8 Trunk Road (Baillieston to Newhouse) Order 2011 (SSI 2011/11)

A725 Trunk Road (Baillieston to Newhouse) Order 2011 (SSI 2011/12)

The Convener: Under item 4, we are hearing evidence on SSI 2011/10, SSI 2011/11 and SSI 2011/12. Members have been provided with the relevant documents.

I invite the minister to make opening remarks.

Keith Brown: On 13 December 2010, the Cabinet Secretary for Finance and Sustainable Growth announced the decision to authorise the construction of the M8 Baillieston to Newhouse scheme. The M8 will take us another step closer to our aim of completing the strategic road network for the country to an appropriate standard. Once the M8 and the other major projects that we have in hand are complete, we will be in a position where we will be mainly upgrading and improving existing roads, rather than having to build new ones—an approach that fits well with our wider transport policy and environmental objectives.

All the statutory orders and a comprehensive environmental statement have been published for the scheme. A public local inquiry was held and the reporter recommended that the orders be made. When deciding that the M8 project should proceed, the Scottish ministers issued a direction that the statutory instruments for the scheme should be subject to affirmative procedure in the Parliament. The instruments before the committee today are for one special road scheme and two trunk road orders. They are also associated with a number of other ancillary instruments for the project, which are not subject to parliamentary

procedure. Those remaining instruments will be made only if the Parliament approves the three affirmative instruments.

I ask the committee to note that the special road scheme and the two trunk road orders come as a package. Each one is necessary for the whole M8 project to proceed. The M8 project will complete the central Scotland motorway network. We believe that it will bring benefits to businesses and communities throughout central Scotland. Nationally, it will strengthen links between Edinburgh and Glasgow. The second national planning framework recognises that Edinburgh and Glasgow are vital to Scotland's economic well-being and that good connectivity is critical in realising their full potential.

In combination with other recent initiatives, such as the opening of the Airdrie to Bathgate railway, the M8 will help to make the central belt a region of international economic significance. However, the M8 scheme is not just about national benefits. Local businesses and communities of North Lanarkshire will enjoy more reliable and less congested transport links to our major cities. A series of new cycleways and walkways throughout the route will reduce the existing severance and allow more pleasant and sustainable ways of travelling short journeys.

The 100,000 vehicles that have to make use of the route each day will experience reduced journey times and congestion and better reliability on their trips.

The M8 scheme is also vital to give us the flexibility to introduce enhanced public transport and active traffic management in future.

I regard this major road scheme to be a significant addition to our strategic road network, with significant national, regional and local benefits.

The Convener: Thank you. We will consider the formal motions on the instruments under subsequent items. Do members have any questions for the minister?

Members: No.

The Convener: I have a question about the minister's general argument that the completion, as he regards it, of the motorway network is a priority and that after that we will just be maintaining what we have. Would there not be many people throughout Scotland who think that we are not doing nearly enough on maintaining what we have on the road network at the moment, given the extremely costly backlog of repairs to roads up and down the country? Are there not many people who think that we could perhaps do without new projects at the moment and instead deal with repairing the road network as it stands?

Keith Brown: I suppose that my short answer to that is no—I do not think that there are many people in Scotland who believe that we should not improve the M8 and the connection between Glasgow and Edinburgh. Most people see the importance of that route and the importance of upgrading it to motorway standard right the way across. That is not to say that there are not issues. Obviously there are issues when you have constrained resources for maintaining the roads.

The Scottish Government maintains a small percentage of the roads in the country. Most are maintained by local authorities, but local authorities, like the Scottish Government, have to work in an environment of reduced and reducing resources, given the budgets that are being set. I do not deny that that is an issue, but I do not think that most people see it as a reason not to proceed with the project.

16:30

The Convener: Is the Government able to tell us with any confidence what the impact will be on the relative attractiveness and uptake of public transport as opposed to car use for travel between Glasgow and Edinburgh or other parts of the east-west route?

Keith Brown: As I said in my opening statement, that has certainly been addressed and we have tried to facilitate it in relation to shorter journeys. I will ask Jim Vance to talk about the work that has been done to quantify the impact.

Jim Vance (Transport Scotland): The M8 will contribute. If you have an idea, for instance, about running a hard-shoulder bus down that corridor you will need the M8 and the hard shoulders to do it.

There are other initiatives—which Jo Blewett may be able to talk about in more detail—such as intelligent transport systems that will link up with the potential park-and-ride sites that have been identified by Strathclyde partnership for transport. There is a fair contribution to public transport from the scheme.

The pre-publication modelling shows that very little traffic would be generated as a result of the scheme itself, so there would be little—if any—attraction in moving from public transport to the motorway.

It is not simply a road: there is quite a lot of enabling initiative in the scheme.

The Convener: Is the additional bus service that you are suggesting intended?

Jim Vance: It is not part of the scheme. I cannot say whether such a service is intended, but if the

road is not there, that sort of thinking cannot go into the scheme.

Jo Blewett (Transport Scotland): It might be helpful if I give you some background. The M8 scheme came out of one of our multimodal Scottish transport appraisal guidance studies back in 2003, which looked at the whole corridor. The study concluded that we needed extra upgrading for the link, but that in parallel we needed things such as the Airdrie to Bathgate line and express bus services.

At that time, SPT did some study work on strategic bus services. It concluded that we needed a motorway link to make any type of strategic bus service work. This scheme has been examined as part of a whole-corridor solution that involves the Airdrie to Bathgate line, the express bus services and an upgrading of the scheme to motorway. From the outset, the idea was that the scheme was not simply a standalone motorway scheme.

The Convener: Okay. I see that there are no final questions.

We move to item 5, which is consideration of motion S3M-7772.

Motion moved,

That the Transport, Infrastructure and Climate Change Committee recommends that the M8 (Baillieston to Newhouse) Special Road Scheme 2011 be approved.—[*Keith Brown.*]

The Convener: The question is, that motion S3M-7772, in the name of Keith Brown, be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

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

Abstentions

Harvie, Patrick (Glasgow) (Green)

The Convener: The result of the division is: For 7, Against 0, Abstentions 1.

Motion agreed to.

The Convener: Item 6 is consideration of motion S3M-7773.

Motion moved,

That the Transport, Infrastructure and Climate Change Committee recommends that the A8 Trunk Road (Baillieston to Newhouse) Order 2011 be approved.—[*Keith Brown.*]

The Convener: The question is, that motion S3M-7773, in the name of Keith Brown, be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

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

Abstentions

Harvie, Patrick (Glasgow) (Green)

The Convener: The result of the division is: For 7, Against 0, Abstentions 1.

Motion agreed to.

The Convener: Item 7 is consideration of motion S3M-7774.

Motion moved,

That the Transport, Infrastructure and Climate Change Committee recommends that the A725 Trunk Road (Baillieston to Newhouse) Order 2011 be approved.—[*Keith Brown.*]

The Convener: The question is, that motion S3M-7774, in the name of Keith Brown, be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For

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

Abstentions

Harvie, Patrick (Glasgow) (Green)

The Convener: The result of the division is: For 7, Against 0, Abstentions 1. There is no surprise there.

Motion agreed to.

The Convener: I thank the witnesses for their contribution.

**Waverley Railway (Scotland) Act 2006
(Extension of Time for Land Acquisition)
Order 2011 (SSI 2011/14)**

16:36

Meeting continued in private until 16:51.

**Scottish Road Works Register (Prescribed
Fees) Regulations 2011 (SSI 2011/43)**

The Convener: Item 8 is consideration of two negative instruments. Members should note that no motions to annul have been received. As members have no comments, do we agree to make no recommendations on the instruments?

Members *indicated agreement.*

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