



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 13 December 2011

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EQUAL OPPORTUNITIES COMMITTEE

10th Meeting 2011, Session 4

CONVENER

*Claudia Beamish (South Scotland) (Lab)

DEPUTY CONVENER

*Stuart McMillan (West Scotland) (SNP)

COMMITTEE MEMBERS

*Clare Adamson (Central Scotland) (SNP)

*John Finnie (Highlands and Islands) (SNP)

*Annabel Goldie (West Scotland) (Con)

*Siobhan McMahon (Central Scotland) (Lab)

*Dennis Robertson (Aberdeenshire West) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Bob Benson (Mobility and Access Committee Scotland)

Anne MacLean (Mobility and Access Committee Scotland)

Rachel Milne (Buchan Dial-a-Community Bus)

Annette Monaghan (Mobility and Access Committee Scotland)

Gordon Muir (Rural Development Trust)

CLERK TO THE COMMITTEE

Douglas Thornton

LOCATION

Committee Room 4

Scottish Parliament

Equal Opportunities Committee

Tuesday 13 December 2011

[The Convener *opened the meeting at 14:07*]

Decision on Taking Business in Private

The Convener (Claudia Beamish): Good afternoon, and welcome to the 10th meeting of the Equal Opportunities Committee in this session of the Scottish Parliament. I remind all present to set devices to silent and to deactivate data connectivity, in order not to interfere with the recording and broadcasting system.

I begin with the usual round of introductions of committee members and others present. My name is Claudia Beamish; I am the convener of the committee. At the table—but not participating in the discussion—are, to my left, the clerk to the committee, Douglas Thornton; Nicki Georghiou from the Scottish Parliament information centre; and the official reporters. At the bottom right of the table is a member of the broadcasting team. To my right, we have Stuart McMillan—our deputy convener—Dennis Robertson, Clare Adamson, Siobhan McMahon, John Finnie and Annabel Goldie. Also at the table are the witnesses who are joining us for agenda item 2, whom I will be glad to introduce in just a few moments. Also in the room are Debra Gourlay from the clerking team; colleagues from the security office; and observers in the public gallery, whom I welcome.

Under agenda item 1, I invite the committee to consider whether to take items 4 and 5 in private, in line with our usual practice. The items will involve consideration of our approach to conducting an inquiry into homelessness and young people, and of a draft report on the draft budget 2012-13 and the spending review 2011. Are we all agreed to take items 4 and 5 in private?

Members *indicated agreement.*

The Convener: Thank you.

Mobility and Access Committee Scotland

14:09

The Convener: We move quickly to agenda item 2, which is on the Mobility and Access Committee Scotland. Our witnesses from MACS are Annette Monaghan, convener Anne MacLean, and Bob Benson. There have been travel problems because of the sort of day it is, so I thank you for getting here and I extend a particularly warm welcome to you all.

I will be chairing the discussion. I ask committee members to indicate when they have questions. Once a question has been asked, the witnesses can decide among themselves who will answer it. Does any member want to come in with a question?

John Finnie (Highlands and Islands) (SNP): Yes.

Dennis Robertson (Aberdeenshire West) (SNP): Convener, may I make a point first? For the benefit of Anne MacLean, it might be better if people could say where they are sitting. That would let Anne determine where they are.

Anne MacLean (Mobility and Access Committee Scotland): Thank you.

The Convener: Should I explain where John Finnie is sitting?

Dennis Robertson: It is probably easier if committee members introduce themselves; Anne will then be able to recognise the voices and know where people are sitting.

The Convener: Thank you for your very helpful guidance.

John Finnie: My name is John Finnie.

The report was very—

Dennis Robertson: Should the rest of us introduce ourselves?

John Finnie: Oh yes—I beg your pardon.

Siobhan McMahon (Central Scotland) (Lab): Okay. I am Siobhan McMahon.

Clare Adamson (Central Scotland) (SNP): I am Clare Adamson.

Dennis Robertson: I am Dennis Robertson.

Stuart McMillan (West Scotland) (SNP): I am Stuart McMillan.

The Convener: I am Claudia Beamish, the convener

Annabel Goldie (West Scotland) (Con): I am Annabel Goldie, and I am sitting nearest to Anne MacLean.

The Convener: Annabel is also sitting next to John Finnie. We are in a sort of semi-circle, and I am opposite Anne. Douglas Thornton, the clerk, is next to me.

Dennis Robertson: Thank you, convener.

The Convener: Thank you again for your advice.

John Finnie: I thank the witnesses for their annual report, which I found very interesting. The level of detail was very helpful. My question is for Anne MacLean and it is about one of the working groups. In your report, under the heading of "Roads", I see that you have a working group on designing streets, shared spaces and shared surfaces. In another forum, an interest of mine has been the design of places so that problems do not arise. The Government's thrust is towards preventative spending so, before we discuss what the present problems and shortcomings may be, will you comment on the working group's progress? Is it heading off future difficulties?

Anne MacLean: Most of the work and research has been done for the United Kingdom Department for Transport, and the results have yet to filter through. As members will know, there was a lot of fuss about Exhibition Road, but even with that work, there has been no concrete answer as to what a good delineation is.

Some councils are quite good; others, less so. However, councils that are thinking of introducing shared surfaces—or shared space, or however you like to describe it—must talk to disabled people about how best to use delineation. I will not bore the committee with the whole range of arguments—whether to use tactile paving, corduroy paving or what have you, and whether that is enough to give good delineation even in what will be a slow-speed traffic area. In the use of shared surfaces, there is a big difference between areas where the traffic speed is slow and areas where the traffic speed is much faster. It is one step at a time, and at the moment there is no definitive or concrete answer. However, we would like local authorities at least to work with groups of disabled people.

It is not just the visually impaired who have concerns about shared surfaces. People who are wheelchair users tell us, "You try making eye contact with a man in a white van." Sorry—that is a predictable thing to say. The same is true for buses, and there is a problem with cars with tinted windows—people can see out but you cannot see in, even if you do not have a sight problem. People are concerned about that—disabled groups in particular.

14:15

John Finnie: Does that concern extend to play streets? Do you have a view on play streets?

Anne MacLean: We have not discussed play streets. I know that they were introduced in some areas—certainly where I come from in the Highlands—long before the idea of shared surfaces in street design. They tend to be in areas where there is much less traffic and where there is predominantly housing rather than a mixture of housing and commercial property. Drivers are perhaps therefore more cautious.

We have not discussed the issue per se. There have not been accidents in what would be described as play streets—none that I know of, in any case.

Dennis Robertson: I have a supplementary question. With reference to shared surface areas in housing estates, is one major problem for people with either poor or no vision that there are few orientation marks? For instance, there are no pavements. Although there is little reporting of accidents, is there a psychological impact on people in housing estates from there being no orientation marks?

Anne MacLean: There are absolutely no orientation marks, and in some estates there are other design issues, such as trees and tree roots and nicely placed benches. If someone has no orientation whatsoever, the first thing they know about such a feature is when their dog moves them around it or their stick hits it. Not everyone who has poor vision either uses a long cane or has a guide dog, so they bump into it.

Orientation is so important, and visually impaired people orientate themselves by the pavement or the wall. There are not always walls in housing areas—there can be big gaps with driveways, entrances and paths into houses. People can completely lose their sense of orientation, which is not good.

Annabel Goldie: My question is about a different point. I am interested in the comment in your annual report about the Commonwealth games—it took me aback. Coming from the west of Scotland and sharing the excitement of most people about the games coming to Glasgow, I had imagined that such important issues would have been dealt with by now.

Convener, if Anne MacLean and her colleagues agreed, would it be possible for us as a committee to write to Glasgow 2014—the Commonwealth games organising committee—to express concern that the necessary co-ordinating group or strategy does not seem to be in place?

Anne MacLean: I will ask Annette Monaghan to talk about the Commonwealth games and perhaps deal with that issue.

Annette Monaghan (Mobility and Access Committee Scotland): We are delighted Annabel Goldie has raised that point. We have concerns about the Commonwealth games arrangements, especially with regard to mobility and access issues.

We have recently received the strategic transport plan final consultation document from the Commonwealth games organisation. Another MACS member and I will meet a senior officer from that organisation on Thursday to discuss the detail. The situation has not improved radically since we issued our annual report, and we will take up some of the issues.

In addition, it may be useful to comment on what we have recently found out about the Olympic games arrangement, which we have regarded as a role model for the Commonwealth games. There are now concerns about whether all the necessary arrangements will be in place in time for the Olympic games. It is a big issue as far as MACS is concerned.

Annabel Goldie: Convener, would it help if we asked Annette Monaghan and her colleague Anne MacLean to report back on that? I am sure that as a committee we would be happy to assist in raising the issue up the awareness agenda of the Commonwealth games organising committee by accentuating it.

Anne MacLean: Thank you for that suggestion. We may need as much help as we can get on the matter, but we will meet Ms Nardi—

Annette Monaghan: —on Thursday.

Anne MacLean: She is also coming to the MACS meeting on 24 January.

As Annette Monaghan said, we have just seen the result of the consultation, to which MACS responded—we are listed at the front of the document as a respondent—and it is a great disappointment that not one word of what we said is in the document. That indicates how we feel we have been looked on all along, which is a problem.

If we make no further progress on 24 January, I would be grateful for the committee's help. I would rather wait to meet Ms Nardi, so that we can talk to her before we ask anyone to do anything. Can we bide our time and let you know, convener?

The Convener: That suggestion is helpful.

Clare Adamson: The third paragraph under the Commonwealth games heading in the MACS report refers to

“the needs of disabled athletes, visitors and spectators.”

Having just been involved in organising the international children's games, I am concerned about volunteers. If the arrangements are not right, that will limit the ability of people with disability to volunteer. Given the number of volunteers that is needed, the Equal Opportunities Committee could press that issue a little, too.

Stuart McMillan: I was going to raise the same issues as Annabel Goldie raised.

There is a tremendous focus on the London Olympic games, because they will take place next year. Post the Olympic games, what work will MACS undertake with representative bodies down south that are dealing with the Olympic games, to try to help the Commonwealth games organising committee with accessibility issues?

Annette Monaghan: We have no arrangements in place for such work. MACS is an advisory committee, so we do not have the relevant infrastructure for such activity. However, in the meeting on Thursday with Ms Nardi and in the full MACS meeting with her in January, we will highlight the point about trying to learn any lessons from the Olympic experience and transfer them to the Glasgow Commonwealth games.

Stuart McMillan: I assume that MACS has looked at the running of the Manchester Commonwealth games and at any accessibility issues that were raised before and during those games. In any submissions or information that you have presented to the Glasgow Commonwealth games organising committee, have you based suggestions on the Manchester games and have they been taken on board, or have you felt that those matters have been dismissed?

Anne MacLean: Can somebody remind me when the Manchester games took place?

Bob Benson (Mobility and Access Committee Scotland): They were in 2002.

Anne MacLean: MACS was set up only in 2002. Three years ago, it was wound up, but it was resuscitated within two months, thanks to the Transport, Infrastructure and Climate Change Committee. MACS was not operating in the run-up to the 2002 games, and it is in the run-up to such events that all the work is done.

Stuart McMillan: I was asking whether you had carried out any retrospective analysis of what happened in Manchester with a view to making recommendations for the Glasgow Commonwealth games. Have you undertaken any such work?

Anne MacLean: No, and I can tell you why. There are only 11 of us, and we work for only up to one day a month, so we could not do such research into the Manchester games. Such work would have had to be done through the Disabled Persons Transport Advisory Committee, which, as

you probably know, is being wound up. DPTAC gives advice on UK-wide issues and covers England and Wales. It would have been the responsible organisation in the run-up to the Manchester games in 2002.

Dennis Robertson: I will continue on the same theme. We might need to take advice from our clerk, but the committee could probably look at some of the information on what worked well in Manchester, what did not work so well and what recommendations could be made. At this morning's meeting of the Health and Sport Committee, Shona Robison, the Minister for Commonwealth Games and Sport, spoke about all aspects of the Commonwealth games, including infrastructure. I would have thought that we could bring the issue to her attention. Any findings from your meeting on Thursday would be more than useful. Perhaps we could request such information from the Government.

The Convener: With the agreement of the committee, we will take up the suggestions made by Dennis Robertson and Annabel Goldie and bring them together. We will write to the Government to ask whether there is any retrospective information on the Manchester games. In regard to Annabel Goldie's suggestion, we should wait until after the meeting on 24 January to ask about early development of a comprehensive accessible transport strategy and action plan by the Glasgow 2014 organising committee. Do members have any further comments? I see that we are in agreement. We will take that forward.

Anne MacLean: The issue is not just about transport; it is also about the infrastructure that goes with it. It includes consideration of whether people can walk to the venues, how accessible the stations that will be used are and whether accessible buses will be provided. Incidentally, the report on the result of the consultation shows that not all the buses will have suitable access for disabled people. A range of issues need to be addressed. Transport is not the only issue; the infrastructure that goes with it needs to be looked at, too.

The Convener: Thank you—that is a helpful clarification of the issues that we should write to the Government about.

Do members have any further points to make?

Clare Adamson: I have a general point about the recommendations that MACS makes, some of which encourage local authorities to work more closely with access organisations. I would have hoped that the Disability Discrimination Act 1995 would have compelled local authorities to do a lot of the things that MACS suggests. Do you have a

general feel for how the DDA is working in practice?

Anne MacLean: Do you mean across the scope of MACS's work?

Clare Adamson: I mean in relation to things such as consultations with local authorities at design stages. I would have thought that that would be more implicit than the recommendations suggest. How well do you think that that is working?

14:30

Anne MacLean: I think that there is a difference between where local authorities ought to be engaging with their local access panels, or with access advisers and the like, and where, at a more strategic level, they ought to be engaging with us or bodies like us.

There are 32 local authorities and another two planning authorities—the Cairngorms National Park Authority and the Loch Lomond and the Trossachs National Park Authority—which deal with infrastructure. In that sense there are 34 planning authorities. There is no way that MACS could or should engage with every local authority, but we expect to see good practice. We have been able to take some steps, in that we recently met the chief planner and I believe we are going to be invited to attend a meeting with the chairs of planning authorities. That would be a way for us to get a strategic feed-in to what planning committees do. That is the local authority infrastructure side of things.

We also deal with Transport Scotland, and you will see from our report that we have been fairly pleased with what was the DDA good practice guide for trunk roads—it will obviously have to change its name, because of changes in legislation—and the fact that Halcrow and an access consultant are giving training to appropriate people in local authorities. We have had some feedback that, in relation to transport at that strategic level, local authorities are now starting to talk to local access panels, or their own equal opportunities officers where the council actually has one.

In relation to trains, MACS is a member of the Scottish rail accessibility forum, so we have feed-in there. There is no equivalent for buses, however, which is a big gap. I have no idea how many bus companies there are in Scotland—somebody has told me that there are more than 300—but there is no forum where we can have an input at a strategic level with bus operators or with the regional transport partnerships and local authorities, which commission the bus operators. We have no input there at all because there is no forum, whereas we have input on trains—it is not

perfect; I can come back to that—and we have some input on roads. It is a mixed bag.

Stuart McMillan: I have a brief question regarding hospital appointments, which is not so much about community transport as about appointments whereby the general practitioner has arranged for transport to be provided to take patients, and maybe their families, to hospital. Do you have any input into that policy? Do you think that that way of working is operating well, or are there ways in which that policy could be improved?

Anne MacLean: As you probably know, Audit Scotland did a report on transport for health and social care, which came out recently and on which MACS has commented. We are in on-going discussions about that. The transport that people need to access doctors' appointments, hospital appointments or appointments to meet social care needs depends on where they live—whether it is a rural or an urban area. There has to be a good balance of health services, social work and the third sector—that means community transport, car schemes and taxis. The Audit Scotland report was quite damning about the lack of co-ordination between health and social work in making the best use of public transport—for patients and users rather than for themselves. It was quite a damning report.

Siobhan McMahon: I know that Mr Benson was on the working group on the blue badge scheme—at least, it says that in the information that I have. Changes are coming in to the blue badge scheme in January. What do you envisage the monitoring of that will be? I know that MACS will be heavily involved in it.

Has there been any discussion, maybe not in the working group but in other places, about doing something different with the scheme? In my opinion—this is only my opinion—the blue badge scheme may contravene human rights law in that a disabled person has to advertise the fact that they are disabled to park somewhere. There may be ways round that, but are you aware of any discussions on that issue with politicians, be they in the Scottish Parliament, the Westminster Parliament or local authorities?

Bob Benson: I will start to address the issue, and then I will refer to Anne MacLean, because the question has other implications.

I am not a member of the blue badge working group, although I was involved in the response that we made to it. It is also worth pointing out that I am a blue badge holder myself and that I know the great privileges and benefits that the scheme gives to many disabled people.

It has become clear to me that the exercise that we went through was primarily to avoid abuse and

exploitation of the blue badge scheme. Disabled people themselves were keen for the issues to be addressed. That is why there have been a lot of administrative changes to the obtaining of new blue badges—and further changes will take place in the style and design of the badges. The primary problem was that, as long as we had different criteria for assessing disabled people, we would have real difficulties. Many of the assessments were based not on disability but on age, which does not have a correlation—certainly not in this day and age.

I am pleased that we have started to address the issues and to bring credibility back to the scheme. I am pleased, too, that MACS and its secretariat are heavily involved in the associated work.

On the wider implications for the working group, I would like us to monitor the new arrangements to see how they work. We would expect to see a decline in numbers, because the number of people who were obtaining badges was almost impossibly high and was creating a conflict with ordinary parking situations in our high streets, which are fraught at the best of times. However, there were some positive decisions on retaining some provisions for disabled people, such as allowing them to park on yellow lines, which have been welcomed.

We have to continue to monitor the scheme, but we need a centralised system that will give us common information to enable the on-going working group to make further deliberations. Clearly, if further blue badge provision issues need to be addressed, it is the correct working group to do that.

The second part of your question was about other users. Anne, do you have any thoughts about that?

Anne MacLean: Siobhan McMahon asked about somebody having to advertise the fact that they have a disability on their badge. That is interesting. I assume that you all know what a blue badge looks like.

Siobhan McMahon: Yes.

Anne MacLean: It has the holder's photograph on one side and the symbol on the other. The only discussion among our team was quite a lengthy argument about whether the photograph should face outwards. It does not at the moment: the photograph faces inwards and, as I understand it, will continue to do so in the future.

There was an argument that the photograph should face outwards so that those responsible for policing the use of the blue badge—traffic wardens, police and so on—could see it. In a sense, that was a fallacy. For a start, it could be

the passenger, not the driver, who holds the badge. Moreover, going back to the comment about being able to identify the disabled person, I point out that those with evil intent could look at the photograph and simply lie in wait for the person—who will, after all, be more vulnerable than others.

We have not discussed the blue badge identifying someone as disabled. Short of some new and complex piece of technology being introduced—and I have to say that I tend to be a bit of a technophobe—I do not know how else people's entitlement to blue badges could be demonstrated. As Bob Benson said, they are a boon and a benefit. The question is how we ensure that they are not being misused, which is a huge problem and something that the new blue badge is trying to correct. Is that not right, Bob?

Bob Benson: It is. It might be worth pointing out that that links to Scottish Parliament legislation on, for example, disabled parking spaces, the effectiveness of which is still being monitored. The situation has certainly improved in that people are now able to find those parking spaces, but we might have to introduce something like the guide that has been produced for London, which shows the location of every disabled parking space in that city. We do not have similar guides for our own cities but, if London can do it, Edinburgh or Glasgow can do it.

Such basic measures will ensure that people do not park out of desperation simply because they do not know what to do. Things are definitely getting more difficult and closer to the London situation, where there are many more restrictions, even on known parking bay spaces that disabled people previously enjoyed and used sensibly. Those considerations need to be built in.

I certainly know from my own experience that access to a car is vital to get to, say, a meeting such as this. However, it is very difficult to park close to the Scottish Parliament. Wider considerations need to be taken on board.

Of course, the number of disabled parking spaces could be almost doubled or quadrupled, but a public benefit issue needs to be considered. Disability blue badges are not a right but a benefit, and on balance it might be best to keep going in that direction at this stage. However, we will have to find out through the monitoring exercise how the administrative changes that have been introduced to deal with abuse and exploitation in the issuing of blue badges are working out. We need a wee bit more time on that before we reach the end of our deliberations.

Siobhan McMahon: Thinking out loud about how the issue might be addressed if the blue badge were not used, I know that, in certain

streets in Edinburgh, instead of pay and display people can ring and report using their car registration. I wonder whether a similar mechanism, in which the car itself is registered, could be used. I realise that we are not talking just about Motability cars or the car that the person in question drives—as Anne MacLean said, the badge might be held by the passenger—and I acknowledge that some people change the person who drives them around and take the badge with them. Perhaps they might be able to register X amount of cars in their name.

I am thinking out loud and realise that there are certain fraud issues that would need to be gone through. However, there are ways round the problem. When you discuss these matters, you might look at that kind of mechanism instead of simply having a plastic badge with a person's face or whatever on it stuck to a car window.

14:45

Dennis Robertson: There has been substantive discussion about displaying photographs and badges. Such discussion took place when the blue badge replaced the orange badge, which was a three-part document in which the photograph was hidden. I think that it was suggested at that time that the displaying of a photograph would have meant that a person who had a disability could be spotted by someone with ill intent who was lurking about waiting for them to return to their car, but there was a feeling that there was probably insufficient evidence to suggest that that would happen. However, I take the point.

From a monitoring perspective, we probably need to wait to see how effective the reform programme will be. There is a huge amount of abuse. I accept that the criteria for having a blue badge need to be tightened up in some respects. Parking spaces for disabled people are abused, regardless of whether they are at supermarkets, in private areas or elsewhere. Last weekend, I went somewhere where there were 10 such spaces, seven of which were occupied by people who did not have a blue badge. A substantive amount of open abuse goes on. That is where monitoring needs to come in—we need to ensure that we clamp down effectively on people who take spaces that are not for them.

Annabel Goldie: My questions are also about the blue badge scheme. I notice that, with reference to the blue badge reform programme, you say in your report that you expect changes to be made to secondary and primary legislation. You say:

“Some changes will be required to secondary legislation this year and later to primary legislation.”

Do you have any idea of what area of legislation such changes would encompass?

My other question arises on the back of the discussion. All of us have a deep detestation of people who abuse this facility. Will the legislation embrace some sanction under criminal law against the selfish people who abuse the scheme?

Bob Benson: The monitoring and policing exercise will probably give us the information that we require on the level of primary or secondary legislation that is needed. We should remember that there is another dimension to the issue, which is what the public will find acceptable as far as the abuse of public parking spaces is concerned.

We would probably see it as a failure if we had to go down the legislative route. The best way of addressing the issue would be to change behaviours, which would avoid the need to bring in legislation that would have to be policed. Our first course of action would be to change attitudes towards the use of blue badges and to ensure that the current system is policed properly. After that, we could see what primary or secondary legislation was required. It would be a very big issue if such abuses were to be criminalised.

The adoption of measures that are already being taken on parking spaces for those with a disability at, for example, shopping centres, where fines are imposed on people who abuse them, might be a better way of going about things than criminalisation. That is my best guess at the moment.

The Convener: As committee members have no further questions for the witnesses, I ask the witnesses whether they have any points that they would like to make before we draw the session to a close.

Anne MacLean: There is one final issue, which is very general. Because of the tight financial constraints within which the Scottish and UK Governments are working, it might appear easy to put the disabled travelling public's transport needs and transport infrastructure needs at the bottom of the heap. I am not saying that such an attitude exists, but we would be extremely concerned if it did.

It sometimes seems that what people want for the general traveller is faster and brighter transport, with perhaps more broadband availability, for example, and with everything all wonderfully singing and dancing. However, the needs of the disabled travelling public are very important.

The more accessible buses are, the more highly trained public transport staff are in dealing with the disabled public, the easier it is to get to a bus stop or train station and the more accessible that

station is, the more people will feel encouraged to use public transport. I am not thinking only of the disabled travelling public; what is good for the disabled travelling public is good for everyone. For example, it is good for families with children and pushchairs and for people who have to cart heavy luggage a long way.

Better public transport would help with the Scottish Government's climate change agenda by making a tremendous contribution to cutting down the carbon footprint. It would also allow the disabled and the elderly—who may not be disabled but who may be frail—to lead independent lives. If the committee can do anything to help MACS with that, we will have made things better for a large group of people in Scotland.

The Convener: Thank you for that summary.

Dennis Robertson: I feel confident that the Government will not take its eye off the ball on accessibility—not only for people with disabilities but for the frail, the elderly and everyone else. The commitment to improving public transport and making it inclusive is huge. However, I encourage MACS and anyone else to go to the Transport Scotland consultation document, which is out now, and make their concerns known.

The Convener: I would like to thank all three of our witnesses—Annette Monaghan, Bob Benson and Anne MacLean, the convener of MACS—for travelling here to meet us. We should probably think rather carefully about car parking at the Scottish Parliament, which was one of many issues that you raised with us this afternoon. We have already made a commitment to make progress with the points that you raised on the Commonwealth games. Other points have been carefully noted, too. Thank you for your attendance; we look forward to going on working with you.

Anne MacLean: Thank you very much for inviting us to come and talk to you about our annual report.

The Convener: We will suspend to allow a changeover of witnesses. If any of the witnesses who have just arrived or any of the witnesses who have just given evidence would like a coffee or a tea and a piece of shortbread, you are most welcome.

14:53

Meeting suspended.

14:59

On resuming—

Community Transport

The Convener: For agenda item 3, I am delighted to welcome Gordon Muir from the Rural Development Trust, and Rachel Milne from Buchan Dial-a-Community Bus. Members should indicate when they want to ask questions and our witnesses should decide whether both or just one of you wish to respond to questions.

John Finnie: This is not a facetious question for Rachel Milne, though it might sound so initially. Who are the community?

Rachel Milne (Buchan Dial-a-Community Bus): We answer to the communities of Buchan and, nowadays, Aberdeenshire. We are community based, our directors and our board are all from the community and the community tell us what they want. Basically, the local people, the passengers who use our buses and the local towns and villages we answer to are the community, in our case.

John Finnie: Is the community involved in management and, if so, how is it drawn in?

Rachel Milne: The board of trustees and the directors are all from the community in one way or another. Originally, the local community councils and local councillors all had seats on the board. Since then it has grown organically to include volunteers. Each of our areas, for example our volunteer drivers, has a seat on the board, although they have to live and, if not work, commute to work from within the local communities to have a seat on the board.

John Finnie: Is there active engagement from the community? I ask because many people say that it is a great idea for the community to do something when what they mean is that it is a great idea for someone else to do it on their behalf.

Rachel Milne: We have discovered over the years that if the community is not engaged in what we are doing, it does not work. We are told very firmly at times by our clients, and by the communities in which they live, exactly what they want. We have experienced scenarios in which we have been told from above what the community has wanted and we have said, "All right, we'll try it," and it has failed dismally. When the community—the people on the ground—tell us what they want us to do for them, they engage and there is feedback. They want it, therefore they make it work. If they are told what they want, it does not work. We learned that very quickly.

John Finnie: Is there ever conflict? Does one community want one thing, while another community wants something else, or do people within a community sometimes want different things? I have been involved, as a local councillor, in issues such as where a bus stop should or should not be positioned, for instance.

Rachel Milne: There is always a discussion—quite robust at times—about what is needed, but especially in Buchan we find that they are very determined amazing people who are very self-sufficient. The clients and the communities discuss with us what is needed and, to be honest, we do as we are told. If they did not want it, there would be no point in us being there. If we cannot do it—sometimes it comes down to financial need—it is a case of saying, we would love to, but this is why we cannot, and they understand that. Most of the time there is discussion, but I would not say that there has ever been outright conflict.

The Convener: I invite Gordon Muir from the Rural Development Trust to say briefly something about his group, then Stuart McMillan has a question for Rachel Milne.

Gordon Muir (Rural Development Trust): We do community transport throughout South Lanarkshire. We have two depots: the main one is for rural work and most of the vehicles are based there, but we also have vehicles in the depot of one of our partners—the fire service in Cambuslang. We do a bit of urban work, but our work is mainly rural.

We do various other things: for example, we make fuel from waste cooking oil, we have a wind turbine that powers the garage, and we deliver in South Lanarkshire a LEADER programme that is not community transport-related. We try to do as much as possible.

We go about things in a slightly different way from Rachel Milne's organisation. Our board is also made up of local community people, but we try to maintain a 50:50 split between businesspeople, or people with a business background, and people who have more of a community focus. We find that that works quite well. We tend to adopt a suck-it-and-see approach when the community tells us what it wants. People tell us that they want something and we stick it on, but very often what they have told us they want is not what they wanted, so we take it back off and change it into something else. I am a firm believer in trying things. Most of the time it works, but if it does not work, is it a big disaster? No. We just change it and try to meet the needs that way.

Stuart McMillan: Rachel Milne said that her organisation does what the community tells it to do. Given that, is what you end up doing always sustainable and affordable?

Rachel Milne: Community transport is, by its very nature, not financially sustainable and affordable. If it were, the likes of Stagecoach and other bus operators would be doing it, or we would be doing it with a licence of our own. Community transport is transport for the most vulnerable people and so will never be sustainable. I am very firm about that: we would be in contravention of our section 19 permits if we were operating for profit.

Dennis Robertson: Rachel Milne said that her service is for the community. What criteria do you apply and has there been significant uptake, given the recent hike in fuel prices?

Rachel Milne: Yes, there has been uptake, but it is not necessarily because of fuel prices, although I will come back to that.

We provide transport for those who fulfil our criterion of being unable to use conventional transport. That includes everything from—I apologise for being sexist—a lady with a young child who is at home and whose husband is 35 or 40 miles away in Aberdeen with the car, so she cannot get her child to the doctor because there is no bus, to the elderly person who cannot use the bus service because of mental health problems or a physical disability. We can help with that. We also transport very elderly people who have cars but can only drive locally and cannot travel to Aberdeen.

We are finding, with an increasingly independent elderly population—with the policy of keeping people within the community—that our transport is being used more and more. That is not necessarily because people cannot pay fuel prices, but because they have no access to transport. Demand has increased but, unfortunately, our funding has not.

Gordon Muir: We deal with the entire community. We also have a commercial side that runs services with large buses. It was interesting to hear the previous person who sat in this seat—Anne MacLean—comment that she would like all buses to be low-floor buses, with access for disabled people, for buggies and so on. We operate a service for which the main vehicle is a low-floor bus, but if it has to come out of service for repair or whatever, the back-up vehicle is, unfortunately, not a low-floor bus and we notice a big difference in the income. We do not carry anybody with a wheelchair, but we notice a big difference in take on days when we use that vehicle. We probably see that more than the bigger companies do because we are small; we operate only one service and we know exactly when the changeover is taking place, but the difference is amazing. Financially, it makes sense to run the low-floor bus.

We make a lot of our own fuel from waste cooking oil; come April we will be hit by 20p per litre extra cost for our fuel because the differentiation in fuel duty on biodiesel that is made from waste cooking oil is being removed. That will be quite a big hit for us; it will cost about £10,000 a year, which we will have to find somewhere else. That is what it boils down to. We do not welcome it, and it does not look at this stage as though that situation will change.

Annabel Goldie: I assume—this is aimed at both our witnesses—that your services run seven days a week. What is the pattern of hours? Also, do you notice a different pattern of usage at different times of the week?

Gordon Muir: We operate seven days a week from about 7 in the morning until about midnight. We work on demand; we do not run about the streets if no one wants the bus. Our busy period is predominantly from 8 to 4 Monday to Friday. We do a lot of work with schools and young people, and we tend to find that the older people whom we are carrying prefer to be out during the day. They do not necessarily want to be out at night—especially at this time of the year, when the weather is at its worst. They still have to get from their front doors to the road to get on to the bus, and a slippery path is not ideal for them. We have to find work for 15 workers, so we do not try to contain everything within those hours, but try to do as much as possible outwith them. Occasionally we will run out of buses on a Saturday during the summer when a lot of trips are on. Normally, however, we have enough to do everything.

One thing stands out for me that I had not previously considered. When I was based in a rural area, I always thought that the lack of a bus was the problem. However, when we moved to working in Cambuslang, we found that there was not really a lack of buses in the evenings. The problem was that people had a fear of getting to the bus stop, which is just as bad as the bus not being there. The committee might like to consider that. I do not know whether that has been brought up before. It struck a chord with me to realise that some older people and some young people do not particularly want to walk the half kilometre that is judged to be the suitable walking distance to a bus stop on a dark evening, or to get off a bus at 10 o'clock at night and have to walk home.

Rachel Milne: Our services are not as wide-ranging as Gordon Muir's. We tend to work between 7.30 and 5.30 to 6 o'clock in the evening, five days a week. Our community hire group involves volunteers who drive community groups around during weekends. There are lots of church groups, trips and so on, but that work is predominantly done by volunteers. Shopping services, patient transport and youth groups tend

to go out during the day, with the community youth groups going out in the early evening.

We are very busy between the hours of 8 and 4 purely because a lot of patient transport, day-care or social travel for elderly or disabled people is required then. We also see the fear of going out in the evenings among people over a certain age, and doctors and so on do not work evenings, so we are busy predominantly during the day.

We also have alternative patient transport, which covers everything from trips to health centres and hospitals to one-on-one shopping trips. Our driver for that resigned earlier in the year, so we took on two part-timers, which we have found makes better use of time and money. Everyone seems to want transport at the same time, so it is more useful for us to have two drivers on the go.

Dennis Robertson: How much notice do you require from people who want to book transport? Are you generally able to fulfil requests?

Rachel Milne: Our shopping services are timetabled three months in advance. The clients all get a list of those timetables and they can book as they want. We prioritise people who have disabilities who cannot get out in any other way, so we make sure that the most vulnerable people get out as often as they can.

We ask people to book our patient transport as far in advance as they can, because the more notice we have, the more likely it is that we can fit them in, purely because that service is oversubscribed. We have two part-time bus drivers and buses, and a fleet of volunteer car drivers, but we still cannot keep up.

15:15

Gordon Muir: Normally our customers book a week in advance, apart from when they are using the local service, in which case they just jump on the bus as it comes along. However, we also accommodate people who give us five minutes' notice and phone to say that they forgot to book—that is the most popular reason—and those who ask us to take them to a community event because someone else has let them down. Our service is based purely on demand. Every vehicle that we run is satellite tracked, so we know exactly where it is at any point in time. If somebody phones up and wants a bus, we can pinpoint exactly whether a bus is five minutes or half an hour away from them and whether it is available for what they want. At the end of the year, we judge ourselves only on the number of people we have carried. It is to our advantage to ensure that those who want a service get it. We also bring in buses from other operators in order to provide cover.

Dennis Robertson: When you are oversubscribed and you cannot accommodate people, do you recommend alternatives or do you give those people priority for future bookings?

Gordon Muir: That never occurs: I cannot think of a time when we have turned anyone away. We just do not do it. We always take on the job, to the extent that we would get a bus from Cambuslang to Lanark to do a five-minute job, even although that sounds absolutely stupid. We would do it regularly if we needed to accommodate a group. It is most important that we accommodate the user's need. We lose money on that but, at the end of the day, the money is not important. What is important is that people get the services that they need when they need them.

Rachel Milne: I would just say that I am slightly jealous of Gordon.

Dennis Robertson: Just slightly?

Rachel Milne: I am very jealous. We have to let people down because we physically cannot take them or cannot afford to take them. It is the most heartbreaking thing in the world to say no to someone who is almost crying on the other end of the phone because they cannot get to their hospital or doctor appointment. I have seen people get off the phone and put their head in their hands and I have had to put my arms around them. For a voluntary organisation, it is the worst thing in the world to say no to someone in that position.

Clare Adamson: I want to ask a bit more about the technology that you are using and how much it contributes to your business. I remember about 20 years ago watching a programme on television—it was before we had mobile phones—about Canada, where the big problem was that people could not go out and stand at bus stops because they would freeze. They had interactive televisions through which they would book their buses, but 20 years later we do not seem to have moved on much in Scotland. It is still a case of "exact fare please" at Buchanan Street bus station for the bus to Wishaw. How are you using technology?

Gordon Muir: I am certainly not a technophobe; I like everything to be done electronically. I do not like using paper at all. As you can see, as I did not come with any, and all the information is in my head or stored on my phone.

We do everything electronically; all our bookings and maintenance systems are electronic. Tracking of vehicles is electronic. We do not do the intelligent-destination-type work that you are talking about for the bus stops, purely because the bus stops in our area are not geared up for that, so there would be no point in our having it at the moment. I like to think that it will come in the future.

I do not think that we could run the way we do without technology. We have no administration staff for a start. When I switch my phone back on there will be messages on it from people looking for quotes. I will have given them quotes by the time I get back home and will then enter the bookings. I try to do everything—or as much as possible—by computer.

The maintenance system, which is important for ensuring that our standards are right, is approved by the Vehicle and Operator Services Agency and is therefore compliant with the Department for Transport's requirements. It tells us when a vehicle needs a service. The tracking system tells us the vehicle mileage at any point in time, so we know if a vehicle has done more mileage than another. We do not see the vehicles that are based in Cambuslang, but we can pick up faults remotely, so we know when to bring them in and get them repaired. That system is extremely important to us—we could not do what we do without it.

The Convener: How does recruitment, training and retention of volunteers work?

Gordon Muir: We could probably do with more volunteers.

Rachel Milne: We are very lucky with our volunteers. Press articles go out, in which we ask for volunteers. People come past the office and put their head in the door. In addition, we work closely with the local emergency services and people who retire from those services often come to us. If I see a local cop who I think is not doing anything else, I will sweet-talk him into doing some voluntary work for us. When it comes to recruitment, it is extremely important that we get the right people.

We train to as high a standard as we can and we go as far as we can down the road of the minibus driver awareness scheme and passenger assistant training.

On retention, at least two, if not more, of our volunteers have been with us longer than I have; next year, I will have been with the organisation for 12 years. Once I get my hooks into someone, they do not get away. There is a natural turnover of staff and volunteers as people retire, move on or move house, but we have been extremely lucky.

The big issue that we face with volunteers at the moment is disclosure and the change in the disclosure laws. Many of our drivers cannot now be checked under the enhanced disclosure procedure—or whatever its new title is—because they do not work one to one with clients. That is a real worry for us, because it is extremely important that we ensure that the volunteers who come in are cleared to the highest level, for their safety and

for that of our clients. I have not quite worked out how we will fix that yet.

Gordon Muir: We have a lot of volunteers, all of whom we train to the MiDAS standard—we have a MiDAS trainer in-house, as I am sure Rachel Milne does. In the main, our workers are part-time. I am a firm believer that if it is a job that should be paid, we will pay someone to do it. We do not replace paid employees with volunteers. We have a bit of both—we have volunteers and we have paid employees, both full-time and part-time.

If an employee wants it, we will provide full passenger-carrying vehicle training so that they can be a bus driver, as we have a few vehicles that require that licence anyway. All the drivers are MiDAS trained, which is a step beyond what is required by law. We do not provide passenger assistant training, because we do not, typically, do that type of work. It would only be groups that would require that service, and the groups that come to us tend to come with their own staff or volunteers who look after their client group.

Annabel Goldie: I have a tiny technical question. Are your business or operating models different? Rachel Milne referred to section 19 restrictions which, if I understood her correctly, mean that her organisation cannot operate at a profit. Is the same true of your organisation, Gordon, or do you operate under a different model?

Gordon Muir: No, we operate under section 19 as well, and we also have a commercial subsidiary, which runs the larger vehicles. We do that because it enables us to take on any job that the community wants done. We never need to turn a job away, as we can use one company or the other. The important thing for us is that the need is served. Under sections 19 and 22 of the Transport Act 1985, we could not run the larger vehicles that we run for private hire work—to take WRI members on a trip, for example. We could not do that under our charitable side, but we can do it under the commercial side. The charges are not really different, so it is all a bit pointless. We would rather be one organisation but, at the moment, the licensing regime does not allow that. It means a bit of extra administration and having to look after two sets of books. The commercial side is 100 per cent owned by the charitable side and profits are gift-aided back so there is no issue in that respect. Nevertheless, it is an awkward situation that we would rather be without—and would be without if the legislation allowed us to sort things out properly.

Annabel Goldie: Rachel, would Gordon Muir's approach not be an option for you?

Rachel Milne: Actually, it is what we do. I should probably have explained myself better—I

came into this meeting with my community transport head on.

Like Gordon Muir, we have two companies: the community transport charity, which runs the section 19 permits and is a not-for-profit concern; and a commercial social enterprise organisation, which runs the private hire licences and carries out commercial work such as school runs, wedding parties and so on. Again, as Gordon Muir said, this is a legislation issue and, for ease, I tend to keep both things completely apart. In that respect, our business models are pretty much the same.

Annabel Goldie: I am sorry to push the point, convener, but I am a bit curious about this. I got the impression from Gordon Muir that he was in the very fortunate position of not having to turn people away; they get in touch and he does what they ask. However, that is not an option for Rachel Milne, who described the genuinely distressing situation faced by her colleagues of not being able to meet demand.

Rachel Milne: Gordon Muir can explain his side of things but, in general, everyone involved in community transport is trying to meet huge demand with a small infrastructure and a small amount of funding. The situation for community transport is worsening across Scotland. Demand is increasing at a time when funding is being cut and we are less able to provide services.

With fares and hires, our commercial social enterprise organisation provides 44 per cent of our income; the other 56 per cent is made up of council grants. As I said earlier, if the operation were sustainable, we would be a fully commercial company. I would not be sitting here representing community transport because Stagecoach would be providing the service. We rely on that core funding and our ability to provide is decreasing as funding decreases. I do not know about Gordon Muir's business, but it seems to be slightly bigger.

Annabel Goldie: He seems to be able to magic up a bus from nowhere.

Rachel Milne: I know—I want the magic wand that he seems to be able to wave.

Gordon Muir: In the past, we have contracted out to the private sector work that we have felt unable to do ourselves. We use our funding not just to buy and run a bus but to supply a service and it is up to us to come up with the most efficient way of doing so. At the moment, we have 10 vehicles; if we needed 11, say, twice a year, we would not buy another one. Instead, we would hire one to cover that need. That is a perfectly legitimate use of any funding that we get.

I do not know how Rachel Milne works, but we might be in a slightly better position because we have our own mechanics and garage and do all

our maintenance in-house. Unless a repair requires a computer and the vehicle needs to go back to the main dealer, we can usually turn a breakdown around and get the vehicle back on the road later the same day. We could not work without that ability because, if we had to book that vehicle into a garage, we would probably need another two, which would not be financially viable for us. We try to do as much as possible in-house. We have some computer systems that will interrogate the vehicles, but some stuff has to go to the main dealer. We seldom have a vehicle off the road for more than 24 hours. Because of that, we do maintenance for other community transport operators, too.

15:30

Clare Adamson: You mentioned that you sometimes contract out to the private sector. Local authorities often have a lot of vehicles, which are not in use 24/7. Do you have partnership arrangements with local authorities for access to their vehicles and drivers?

Gordon Muir: We certainly do not have access to any of the council's vehicles or drivers. We work closely with the local authority, but it tends to relate to education and enterprise resources, in the context of developing the organisation or negotiating contracts with the authority. Enough said, probably.

The Convener: Does Rachel Milne want to come in on that point?

Rachel Milne: I suggest that under no circumstances would any local authority allow us to use its vehicles. Local authorities are quite protective of their resources.

John Finnie: I think that there is a good reason for that. I am being a bit sarcastic, because the majority of school vehicles are parked and stationary most of the day. Therein lies the problem. Local authorities have large fleets, and some sort of pooling system and more collaborative work across authorities, across services within authorities and with the third sector are exactly what is required. If we genuinely have the public interest at heart, it seems ridiculous that a vehicle might well be sitting in a playground somewhere that Mr Muir could utilise while his vehicle is being serviced. My rant is over.

Gordon Muir: May I comment on what you said?

John Finnie: I would love you to do so.

Gordon Muir: As I said, we work closely with the local authority and we have a good relationship with officers and elected members—

John Finnie: You just do not get a shot of their buses.

Gordon Muir: We have never asked for a shot of their buses—let me put it that way. I do not necessarily think that they would not give us one if we were really stuck; they probably would. We have never raised the issue.

There is a sea change in how things are being done, certainly in South Lanarkshire. Gone are the days when we turned up at the day centre to find 10 buses parked up, so that we could not move for buses, which sat there from 10 o'clock in the morning until 2 o'clock or 3 o'clock in the afternoon, just on the off-chance that someone might need to make a trip. Such things are changing rapidly in South Lanarkshire.

In rural areas, we find that, if a school or another public body or community organisation goes to the council for funding, the council tends to refer them to the likes of us, saying, "You'd be far better working with someone like the Rural Development Trust, because you will have access to not just one vehicle, which you probably won't use much anyway, but three or four vehicles when you need them all on one day, which will be used in other ways on days when you would not use them."

By its nature, a school bus is lightly used. We maintain a vehicle—it is not ours, thank goodness—that did zero miles over an entire year. It did not carry a single passenger, and it was funded by the public sector. It was not a council vehicle; it belonged to a third sector organisation, but that is not unusual.

We have been offered three-year-old vehicles that had never moved. They had to be scrapped. We could not take them on, because it would have been uneconomical to bring them back to a standard at which we could use them on the public roads.

John Finnie: We need to get away from the idea that every establishment needs a bus. We need a pool. Would the arrangement that we have been talking about apply in reverse? Would a community transport vehicle be available to the local authority?

Gordon Muir: We do a lot of work for the local authority. Most of our income comes from work for the local authority in some way or another. We work for the local authority's fleet services. The local authority would certainly use us—that is not an issue. We would treat the local authority like any other customer.

Rachel Milne: The councils have used our buses. We have not asked too often for a loan of one of the councils' buses, probably because we know what the answer would be and I do not believe in banging my head against a brick wall. I

totally agree with John Finnie on shared services. However, I speak for many of my community transport colleagues across Scotland when I say that shared services and partnership work tend to mean that we are told what to do or what we are allowed to do. There is not an open, frank and real partnership discussion about what we can do for each other. I would describe the councils' approach as paternalistic.

John Finnie: That does not sound like partnership, really.

Rachel Milne: I suppose that it is from the councils' point of view but, from our point of view, there is scope for improvement in many ways. That goes across the board, from procurement right through to the end product. I must say in defence of Aberdeen City Council and Aberdeenshire Council that they have brilliant public transport units. Like Gordon Muir's organisation, we work closely with the councils, but it is under their rules.

John Finnie: Can you make use of public sector procurement arrangements?

Rachel Milne: Our social enterprise has school contracts and our charity runs three contracts for Aberdeen City Council for social work, under section 19, which means that it is not for profit. On procurement, it is difficult to get the third sector's needs understood. For instance, Aberdeenshire Council is currently putting its social work taxi coverage out for procurement—

John Finnie: Sorry to interrupt, but I was not asking how you go through the procurement process; I was asking whether you can buy buses more cheaply using public sector procurement.

Rachel Milne: Oh, I see. No, we cannot.

John Finnie: Why not?

Rachel Milne: That is a good question.

John Finnie: I always have one good question at some point.

Gordon Muir: We should be able to do that, although the buses are probably the least of the issues. The biggest saving would be made on fuel. We asked for that facility, but it was not possible at that point. However, we hope that such a facility will come on stream in future. We buy small volumes of fuel compared with the amount that a local authority buys. I estimate that it costs us 15p a litre more, excluding VAT, than local authorities or public sector organisations generally pay.

John Finnie: So there is scope for measures on procurement and shared services.

Gordon Muir: I think so. Our experience is slightly different from Rachel Milne's. We had her experience about five years ago, not long after we

were set up, when we found it difficult to deal with Strathclyde Passenger Transport—which is now Strathclyde partnership for transport—and South Lanarkshire Council, which are the two public sector bodies that we work with. Through working with them and trying not to work against them, we have ended up with a good working relationship. They now understand our needs and are far more responsive.

Procurement is a big issue. School contracts are nearly always for one run in the morning and one in the afternoon and that is it. However, two and a half years ago, we started two pilot school contracts with South Lanarkshire Council. Those include the school run in the morning and afternoon and community work during the day, which in essence involves filling in for bus services that do not exist in areas where a bus service would never be realistic. The school gets the use of the vehicles for a certain number of days every year. That was built into the school contract price to allow the schools to do trips and so on. The community then gets the use of the vehicles with volunteers in the evenings and at weekends. The pilot has just been reviewed. It has been highly successful and we are hopeful that, when the new tenders come out, another contract or two will be tendered in the same way. If we can prove that the approach works in more than only two schools—two schools is a bit light for us to say that it was a great success—it could be rolled out much more widely. It costs the public purse nothing extra and it fixes the community transport operator's income for three or four years, which is worth an awful lot.

John Finnie: Would you be able to share that information with the committee? It would be helpful.

Gordon Muir: I will need to check that out, but I would be more than happy to come back to the convener on that.

The Convener: Does Rachel Milne want to make any points on that discussion?

Rachel Milne: Can I come and live in Gordon Muir's world?

Dennis Robertson: Me too.

Given that Gordon Muir is talking about success, perhaps he should take the model to the Convention of Scottish Local Authorities as an exemplar and say, "Community transport could look like this throughout Scotland. We have done it, we do it and we will continue to do it." Could he pursue that?

Gordon Muir: I do not doubt that we could do something like that. The idea of doing the pilot for three years was to prove that it worked. It took a couple of years to do that, but I see no reason why we cannot spread the good word.

Dennis Robertson: You seem to have considered what works well. As there are problems in various other parts of the country, every local authority should be looking at good practice—exemplary practice, in your case.

Gordon Muir: I am delighted to spread it. The idea behind what we set up in 2004 was to make better use of resources—whether public sector spend, vehicles or staff—and provide more services for the same money. We try to use what must be spent on school transport to provide more. School transport spend is not discretionary and will never go away, because we have to get kids to school. In rural areas, where children live on farms, it is not realistic to think that we will ever do away with school transport, but we have to be a bit smarter and make more of the money that we spend in the first place.

Our success did not happen overnight, but I am not the kind of person who gives up easily. I have a board behind me that is highly supportive of everything that the organisation is trying to do.

Dennis Robertson: I am sure that people in Banff and Buchan would be delighted with that approach.

Rachel Milne: I have already asked Gordon Muir to give me details of the school contract, because I would like to consider it as a template. However, I will sound a slight warning note, which takes us back to an earlier discussion: every community has its own different needs and one solution does not fix all. Aviemore, Badenoch and Strathspey have car schemes because that is what works in those areas. We have a mixture of buses and community car schemes. Community transport is, by its nature, community based. One size does not fix all. Each council and school also has its own set of needs and desires. The template is cracking, and I would like to consider it myself, but it would need to come with a slight health warning.

The Convener: Should the committee be aware of any particular issues for new groups that are setting up or groups that are sustaining community transport? I am thinking of challenges or ways of making things easier for communities. I take Rachel Milne's point that an approach works most effectively when it comes from the community rather than being imposed on it.

15:45

Rachel Milne: I have two main soapbox items. One huge disadvantage to community transport is the concessionary fares scheme. Our clients cannot get access to the national scheme, which makes our services very difficult to run as we have to charge a fare. Aberdeenshire Council gives us access to concessions on one of our services, but

that operates at the council's discretion, and it could pull the scheme at any time. That would mean that my clients, who are the most disadvantaged and cannot use public transport—on which they could use their pretty, shiny bus pass—would have to pay for services from us. To me, that is a complete inequality. It is wrong, and it is a major problem for us.

The second issue is funding. We are all aware that councils are struggling, but to cut community transport budgets right now, when local bus services are already being cut, means that our services are suffering. When we do not get access to concessions to help the situation, our services are vastly underfunded and we cannot continue. At present, community transport services throughout the country either cannot be set up or are actively having to close, which is a major problem.

Gordon Muir: I definitely echo Rachel Milne's comments about the concessionary fares scheme. It really is a bugbear. We are fortunate in that we also get some funding from the public sector to support what we do. However, I am a firm believer that organisations should be paid for the people they carry or the trips that they make; they should not get paid just for being there. I do not include Rachel Milne's organisation in this, but there are organisations that get paid not for what they deliver but just to be there. That is totally wrong. I think that we are getting rid of many of those organisations, but some are still particularly poor in that regard.

On the funding side of things, I think that plenty of money is being spent on transport; we just need to be a wee bit smarter about how we spend it. A lot is still being wasted in some areas. In our area, school times have been changed so that two schools can be served by one bus, which makes sense, but there is still a long way to go. There are still too many vehicles that do two hours' work for 190 days a year in the public sector and nothing else. I come from the private sector and I know it well; you can make your money doing school contracts and nothing else. That did not sit well with me at the time, and that is why I am not doing it any more. We need to get away from that.

Under section 19, community transport operators cannot run services for profit. We must be a bit more innovative in how we do things. It is obviously important that people remain within the law, but we need to influence how things might be changed to suit a different market. We should not necessarily compete with Stagecoach and First. They do not want us to, and we should not be doing so anyway, but some community transport operators think that they are there to compete with bus companies. In fact, they should be filling in the gaps that the bus companies will never touch.

Realistically, the regional transport partnerships cannot fund every missing bus in Scotland—that is not feasible. Some areas will never have enough people to warrant a 50-seater bus driving down their road every hour or every day.

The Convener: I see that no members want to come in at this point. Would Gordon Muir or Rachel Milne like to highlight anything for us before we draw this item to a close?

Rachel Milne: Thank you for listening to us today. You have heard two different viewpoints. It has been interesting to hear Gordon Muir's opinion.

Bearing in mind that this is the Equal Opportunities Committee, I point out that community transport is for people who fall through the net of conventional transport and they are the people who are suffering from the most damning of inequalities. If the committee can help on concessionary fares and sustaining community transport, that would make my year and I would really appreciate it.

Gordon Muir: All that I ask is that you keep your eye on public sector procurement rules and suchlike and ensure that the public sector works with the third sector a bit more to come up with solutions. I do not expect someone in a local authority or in another public sector body to say, "No, that can't be done." I expect them to say, "It can't be done in that way, but it can be done in a different way." I ask the committee to look at different ways of delivering what we need to be delivered. Public sector money is not limitless, so we need to be a bit smarter with it.

The Convener: I thank both Gordon Muir and Rachel Milne for representing their community transport organisations at the committee and shedding a lot of light on the issues that we have asked about. I hope that we will be able to take those issues forward within the scope of any inquiry that we consider holding. Thank you for travelling to give evidence—I do not know whether you travelled in your own groups' buses—and for sharing your thoughts with us.

As the committee has agreed to take items 4 and 5 in private, we will now move into private session. I thank the official report, broadcasting and security staff and observers in the public gallery.

15:52

Meeting continued in private until 16:41.

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