



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# PUBLIC PETITIONS COMMITTEE

Tuesday 4 September 2012



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**PUBLIC PETITIONS COMMITTEE**

**12<sup>th</sup> Meeting 2012, Session 4**

**CONVENER**

\*David Stewart (Highlands and Islands) (Lab)

**DEPUTY CONVENER**

\*Sandra White (Glasgow Kelvin) (SNP)

**COMMITTEE MEMBERS**

\*Jackson Carlaw (West Scotland) (Con)  
\*Angus MacDonald (Falkirk East) (SNP)  
\*Mark McDonald (North East Scotland) (SNP)  
\*Anne McTaggart (Glasgow) (Lab)  
\*John Wilson (Central Scotland) (SNP)

\*attended

**CLERK TO THE COMMITTEE**

Anne Peat

**LOCATION**

Committee Room 2



## Scottish Parliament

### Public Petitions Committee

*Tuesday 4 September 2012*

[The Convener *opened the meeting at 10:00*]

### Interests

**The Convener (David Stewart):** Good morning, ladies and gentlemen. I welcome you all to this meeting of the Public Petitions Committee and remind everyone to switch off mobile phones and electronic devices, as they interfere with our sound system.

I welcome Jackson Carlaw to the committee. He and I had the joy of serving on the Forth Crossing Bill Committee. I do not know what we did to deserve that, but I am very pleased to see him with us today. He is replacing Nanette Milne. I record the committee's thanks to Nanette for all the work that she has done in this and the previous session.

Agenda item 1 is a declaration of interests by Jackson Carlaw. In accordance with section 3 of the "Code of Conduct for Members of the Scottish Parliament", I invite Mr Carlaw to declare any interests that are relevant to the committee's remit.

**Jackson Carlaw (West Scotland) (Con):** I am happy to refer members to the register of interests. I have nothing to add to what it says.

**The Convener:** Thank you for that.

## New Petition

### Corroboration (PE1436)

10:01

**The Convener:** Agenda item 2 is consideration of a new petition: PE1436, by Colette Barrie, is on the abolition of the corroboration requirement. There is a note on the petition by the clerk—paper 1—and a Scottish Parliament information centre briefing on it.

Probably all members will know that the Scottish Government set up the Carloway review. I understand that the responses to that review are due in by 5 October. I also understand that the Scottish Government's legislative programme, which will be debated this afternoon, may contain a legal reform bill that will incorporate aspects of it, and that there may be reference to the Cadder ruling. Members will recall that we have had a long and detailed debate about legal representation.

I am sure that members will be aware from reading the papers that the retrospective abolition of the corroboration requirement is an essential element of the petition. The issue is interesting and requires members' attention. There is quite a lot of detail. Members will be aware that corroboration has been an essential element of Scots law so the debate is a serious one. It is clear that there is a lot of sympathy from the Scottish Government on the issue. The other side of the coin is that many campaigners have raised awareness that corroboration often makes it quite difficult to get convictions in domestic abuse and rape cases. The petition is therefore very interesting and very good.

There is a strong argument for referring the petition to the Justice Committee, because it has already taken evidence on the matter. That is clearly for the committee as a whole to decide, so I am keen to hear members' views.

#### **Mark McDonald (North East Scotland) (SNP):**

As you know, the committee tends not to want to close or refer petitions on at the first hearing; rather, we always like to give them a little bit of a run through the system. However, I do not see any sense in taking a twin-track approach in which we would essentially duplicate the work of the Justice Committee. We are perfectly entitled to refer the petition to that committee so that it can incorporate it into its deliberations, rather than our simply going through the motions and repeating its work.

**Sandra White (Glasgow Kelvin) (SNP):** The petition is very interesting. Obviously, the Justice Committee is looking at some of the issues. I have sympathy with some aspects of the petition, and will be interested in what the Justice Committee

comes up with on retrospective abolition of the corroboration requirement.

I agree with Mark McDonald. The petition and the issue are important. If the Justice Committee is taking evidence, I am not saying that we would miss the boat if we wrote to others and waited for them to reply, but the petition is best left to it. I agree with the convener's recommendation.

**Anne McTaggart (Glasgow) (Lab):** I agree with the recommendation to pass the petition to the Justice Committee.

**Angus MacDonald (Falkirk East) (SNP):** I concur with the general feeling of the committee. I also want to bring to its attention one of the most salient points, which is that removing the requirement for corroboration retrospectively or otherwise would not create any new criminal offences. I am happy to refer the matter to the Justice Committee.

**The Convener:** Are members satisfied that we should formally refer the petition to the Justice Committee?

**Members** *indicated agreement.*

## Current Petitions

### Mosquito Devices (PE1367)

10:05

**The Convener:** There are 10 current petitions for our consideration. The first is PE1367 by Andrew Deans, who is a member of the Scottish Youth Parliament, on banning Mosquito devices. Member have the note by the clerk and the submissions.

We have had quite a wide-ranging discussion about the devices and members have, rightly, expressed strong views. I read the papers again during the weekend and I am still appalled by the devices in supermarkets because I feel strongly that they breach young people's human rights. Member will have seen from his correspondence that Andrew Deans is—rightly—frustrated by the lack of progress. It is interesting to note that the manufacturer of the devices is also not particularly keen on their on-going use.

Andrew Deans recommends that we take evidence from the Minister for Community Safety and Legal Affairs, Roseanna Cunningham. That makes a lot of sense to me. Fergus Ewing has given evidence in the past. It is important that we get a strong line in the sand; where there is a will, there is a way. There are hints of legislation that would ban the devices so let us get to the bottom of the issue and ensure that we get them banned once and for all.

I recommend that we continue the petition and take evidence from Roseanna Cunningham.

**Sandra White:** I am not sure whether we should call the minister to the committee or write to her for an explanation. We need to see an end to the issue; it has been going on for far too long. We heard from the previous minister, who was in favour of what the petitioner said against the Mosquito system, but the Government has done nothing concrete. Would it be better to get the minister to come to give evidence even though we have already done that, or would it be better to start with a letter asking for an update? That is what I am concerned about. Should we get the minister here right away or should we give her the opportunity to reply by letter first?

**The Convener:** I am sure that other members will have views. Normally, I would be relaxed about writing to the minister in the normal way, but purely because there has been some debate and delays, having the minister at the committee would bring the issue to a head and we could establish a way forward. There was some suggestion of taking action under the Civic Government

(Scotland) Act 1982. We need to find an exact resolution to the issue.

**John Wilson (Central Scotland) (SNP):** The debate has been going on for some time now. We have held evidence sessions and, rather than write to the relevant minister, we have to ask her to come and give evidence. Like the petitioner, I am frustrated with the time that it has taken for us to get a definitive response to the question. It would be useful to have the minister in front of us so that we can decide whether to proceed or to close the petition having achieved a satisfactory outcome.

**Angus MacDonald:** I also understand the petitioner's frustration. Calling the minister to give evidence would highlight the committee's concern at the delay in bringing the petition to a conclusion. A letter would prolong that delay and asking the minister to appear might show our frustration as well.

I refer members to the statement by the Minister for Community Safety in March 2011, when he stated that it might

"be better to act across the UK"—[*Official Report, Public Petitions Committee*, 8 March 2011; c 3521.]

on the issue. The briefings that we have had do not give us much indication of the United Kingdom Government's view, so it would be helpful to find out whether any action has been taken down south.

**Mark McDonald:** If we wish to continue the petition—it is clear that the committee wishes to do so—the only logical step that is available to us is to call the minister to give evidence. We have received consistent replies from the Scottish Government, and it appears that everybody is of the same mind on the devices. The questions are what is the best way to deal with them, and whether a ban would be the most effective way to do so.

As members know, I have rather strong views on the matter. They were compounded by the evidence that we heard from the National Autistic Society. It would be good to invite the minister to give evidence to the committee. We could probably close the petition at that point. If we did that, we would have to wait and see whether the conclusion is satisfactory or unsatisfactory for the petitioner.

I note that the committee is invited to consider whether we should invite the petitioner to give evidence again. My view is that we should not invite him to give further evidence to us; rather, we should invite only the minister to give evidence. I think that the petitioner was at the initial evidence session, and he has had the right of reply throughout the process. The best way to proceed

would be to invite the minister along for an evidence session.

**The Convener:** I understand that we have had correspondence with the UK Government on the matter, but a refresh might be quite useful before our next meeting.

Do members agree that we should continue the petition, invite the Minister for Community Safety and Legal Affairs to give evidence to us, and get a refresh from the UK Government?

**Members indicated agreement.**

### Bonds of Caution (PE1412)

**The Convener:** The second current petition is PE1412, by Bill McDowell, on bonds of caution. Members have a note by the clerk, which is paper 3, and the submissions. I invite contributions from members.

**Sandra White:** From reading the replies that we have received, it seems that everyone agrees that something has to be done and that everyone very much agrees with what the petitioner is asking for, but so far it has not happened through primary and secondary legislation.

I would like to continue the petition, as is recommended. We should write to the Government—or perhaps the relevant minister—and seek a clear response on when a decision will be taken on bonds of caution. As I said, it seems that everyone agrees that something has to be done, but there has been nothing definitive. We are considering further legislation, so it is incumbent on us to write to the minister to ask for an update on the matter.

**The Convener:** Do members agree to Sandra White's recommendation?

**Members indicated agreement.**

**The Convener:** We agree to continue the petition and to write to the Scottish Government to get an update. We will write to the relevant minister.

### Burial Grounds (Scotland) Act 1855 (PE1415)

**The Convener:** The third current petition is PE1415, by John Steele, on updating the Burial Grounds (Scotland) Act 1855. Members have a note by the clerk, which is paper 4, and the submissions. I invite contributions from members.

**Sandra White:** I think that we have all found the petition interesting. It seems to be quite au fait on updating the Burial Grounds (Scotland) Act 1855. There is a burial and cremation review group, which might be news to some people. There are two recommendations or suggestions: to continue

the petition and seek further information, or to close it, basically because the burial and cremation review group will look at the matter. If we continued it, we could write to the Government to ask whether it will include

“the issue of archaeological excavations of burial grounds within the still pending activity from the Death Certification, Burial and Cremation consultation”,

to quote from the briefing. The other recommendation is that we close the petition and ask the Scottish Government to request that the review group take the issue on board. Can we write to the Scottish Government and ask it to do that and then close the petition?

10:15

**The Convener:** It is technically possible to close the petition, and to say that one of the grounds for closing it is that we are writing to the Scottish Government to ask that the issue it raises be included in the work of the review group.

**John Wilson:** I agree with Sandra White that we could close the petition and write to the Scottish Government to make a specific recommendation to the review group to take on board the issues that the petitioner raises and also to involve the petitioner in some way in the review group. That would mean that we have closed the petition but have made the review group consult the petitioner, and that the petitioner's views would be with the review group.

If any other issues arise from the review group's findings, the petitioner has the opportunity to come back to the committee at a later date with a new petition. We can close the petition and advise the petitioner that if matters do not turn out as they would want them to, they can come back with a refreshed petition at a later date.

**Mark McDonald:** Can I clarify what, if any, time bar there is on a similar or identical petition being lodged if this one were to be closed?

**The Convener:** The time bar is a year.

**Mark McDonald:** In that case, I would be more content to leave the petition open until we have the Scottish Government's response, because leaving it for a year might not be to the satisfaction of the petitioner if he does not get the response that he seeks. Other options might be available to the committee, were that to be the case.

We would be closing the petition and asking the Scottish Government to do something that it might not do—I am not saying that it will not do it, but it might not. I would be slightly uncomfortable about closing the petition until we have a response.

The petitioner has clearly identified a grey area, given that the Scottish Government's response

appears to say that nothing permits disinterment but, equally, nothing disallows it. It would be good practice for the review group to consider the issue that the petition raises. I would be more content to leave the petition open until we have the response to that suggestion, because if the petitioner finds that he has to wait a year before he can come back to the Public Petitions Committee, that would not necessarily be to his satisfaction.

**The Convener:** Other members may wish to add further points. However, one way forward is to say that the committee is minded to close the petition but that we will refer it to the Scottish Government and await its response. If the Scottish Government says that it will take the petition on board for the review, we can close it at our meeting after we receive the information. That gives us a little bit of control over the next steps.

**Mark McDonald:** I am content with that approach.

**The Convener:** Are members content with that approach?

**Angus MacDonald:** I agree that Mark McDonald's solution is the ideal one.

**The Convener:** Are members happy with the form of words that I previously identified?

**Members indicated agreement.**

### Telecommunications Masts (PE1416)

**The Convener:** PE1416 by Eileen Baxendale is on the review of health issues and planning guidance in respect of telecommunications masts. Members have a note by the clerk, paper PPC/S4/12/12/5, and submissions. I invite comments from members.

**Sandra White:** We have no option but to close the petition under the recommendation in paragraph 22(4) of the note by the clerk, on the ground that

“the planning framework is regarded as being sufficient and is based on a precautionary approach and the Scottish Government has advised that it does not plan to undertake an independent review.”

That basically answers the petitioners' point.

**The Convener:** As no other members wish to contribute, are members satisfied that we close the petition under rule 15.7?

**Members indicated agreement.**

### DVLA Local Office Closures (PE1425)

**The Convener:** PE1425, by Maureen Harkness, is on the adverse impact of Driver and Vehicle Licensing Agency local office closures. We have submissions and a note by the clerk. We took evidence from Maureen Harkness. Just for the



record, I note that she and some of her colleagues met me in my constituency office to talk about the impact of the Inverness office closure, which I am clearly concerned about, as other members will be about the office closures in their areas. I ask members for comments.

**Sandra White:** This is an important petition that touches on a subject that will affect all our constituencies and many people around Scotland. The evidence session brought out to me that, rather than the issue being only about job losses and office closures, it is about a form of criminality. We had not thought about that.

I want the petition to be kept open and I support the recommendation at paragraph 17(1) of the clerk's note, which is that we

"write to the Scottish Government seeking an update on the discussions it intended to have with the DVLA and UK DfT"—

I know that those discussions have taken place—

"regarding the decision, consultation results, impact assessments and crime issues, with particular reference to the local offices in Scotland."

The issue affects many constituents and many people's jobs, so it is important that we get as much evidence as possible.

**The Convener:** I agree. Another vital aspect is the concept of spreading public sector jobs around Scotland. Successive Scottish Governments have looked at that important issue and we should ensure that the UK Government does not forget how important public sector jobs are to the Scottish economy and avoids the centralisation of jobs.

**Mark McDonald:** I would go further, and suggest that we write back to the Department for Transport and the responsible minister, be that Mike Penning or somebody else—after the coalition reshuffle, who knows?—to ask for a firm timetable for decision making because Mike Penning's letter states only that the consultation results are being analysed and that

"No decisions have yet been taken and a further announcement will be made".

There is no reference to a timeline, so we should write back to ask when it is expected that a decision will be taken. We should also keep open the option of inviting a UK Government minister to come to the committee. The issue is extremely important for many Scottish communities—including for the convener's area, given that we received evidence about the impact in the Highlands and Islands—and warrants inviting the UK Government to come and give evidence.

**Jackson Carlaw:** I declare an interest in that I was in the motor industry for 25 years.

I disagree with the fundamental aspect of the petition. I found DVLA offices positively obstructive and unhelpful in processing many individual constituents' licensing requirements. The new arrangements will be far superior. For people who do not live in Aberdeen, Dundee, Edinburgh, Glasgow or Inverness, there is nothing local about the facilities whatsoever. I am not particularly sure why, in an age when applications can be progressed online and much more efficiently, as is proposed, the people living in those areas should have a superior service—if that is how they see it—over those who live elsewhere in Scotland.

When I was in the motor industry, I did not find the existence of DVLA offices to be helpful. We were actively looking for an alternative way in which we could speedily progress the licensing and other requirements relating to vehicles on behalf of customers and those people who were seeking to reregister vehicles. I have considerable difficulty in being sympathetic to the petition.

**John Wilson:** As usual, I disagree with Jackson Carlaw's interpretation of what we are trying to achieve. Although in his previous life he may have found difficulties with local DVLA offices, there is clearly a move by the UK Government to turn the DVLA into an electronic format. As well as the issue of the five access points, we have figures that show that anything between 30 to 40 per cent of the Scottish population does not have access to the internet. If everything is to be done electronically, the difficulty is how those without access to the internet or a computer do that. For many people, it is about going along to their local DVLA office. However inconvenient that may be, for some people that is a better option.

I take issue with the penultimate paragraph of the minister's response, which states:

"The equality impact assessment and cost-benefit analysis were not published as part of the consultation because of its high level nature."

The equality impact assessment and cost-benefit analysis are crucial to identifying whether individuals might be affected by the issues that I have raised regarding internet and broadband access and access to computers. As we all know, people without access to those facilities are extremely restricted. If anyone attempts to find that phone number for the DVLA, they will have great difficulty doing so and, when they do so, they will find it even more difficult to get a response when they call it up.

We need to ensure that everyone has access to those services, no matter how onerous that might be to the present UK Government. There are crucial issues for people seeking the services of the DVLA, as people can face harsh penalties if they do not comply with the current legislation because they do not have access to the

information or to the internet in order to make the appropriate registrations and applications to ensure that they are legal.

**The Convener:** Members have seen the various dates for closure in the committee papers. The updated information that we have is that the DVLA will centralise enforcement operations by March 2013 and close 39 offices by the end of 2013.

**Anne McTaggart:** My major concern is that Glasgow will lose 67 jobs. Although I appreciate Jackson Carlaw's experience of visiting the DVLA offices, we have to take on board the fact that more than 30 per cent of people do not have access to computing systems and that it is sometimes better to go and get some advice from the office itself.

I would be concerned if we were simply to close the petition.

**Mark McDonald:** I could not help but hear Jackson Carlaw say, "Go to the post office," when Anne McTaggart was speaking. If post offices in communities the length and breadth of Scotland were not being closed, that might indeed be an option for people.

**Angus MacDonald:** That was going to be my point, too.

I have some sympathy with Mark McDonald's suggestion that we ask the relevant UK Government minister to appear before us. I think that the proposal is a serious threat to the service in Scotland and we must address that.

Following on from Mark McDonald's point, I think that if Governments—particularly the previous Government, under the urban intervention scheme—had not closed so many post offices, the proposal would have less of an impact, but it is still a serious issue that we must address.

**John Wilson:** If my memory serves me correctly, I was not here on 30 March when the committee heard evidence on the petition, so I do not know whether the committee discussed the fact that the UK Government is reviewing the issuing of road tax applications from some post offices and is talking about restricting that further.

When we write to the UK Government minister, could we ask that they consider extending a wide range of DVLA services to local post offices—particularly sub-post offices—if they are concerned about ensuring that services are being delivered at a local level?

**The Convener:** That is a useful point. Members will be aware that not all post offices currently have the full range of services. Normally, what were called Crown post offices had that right,

which means that the local village post office probably never had the right to deal with road tax. However, that is not in any sense to argue for the closure; I am merely making the point that greater diversification of services in post offices is important.

I believe that the previous UK Government had a pilot e-commerce scheme for post offices. It is important that we increase the range of services that post offices can provide, so that they can survive. Unfortunately, many rural post offices in my area have very low turnover. It is important to get footfall through post offices so that they can survive.

10:30

**Jackson Carlaw:** I do not wish to extend the debate, but I make the point that, even though not all post offices can provide the service, more than five of them can do so, which is the number of DVLA facilities that we are talking about. We should not simply state that, because DVLA branches existed throughout the United Kingdom to meet a need at a particular time, they should be retained in perpetuity if things move on. Given my experience and that of customers and people whom I know who have reregistered vehicles, if there was a modern way of doing that, whether it be online or at a local post office—which we want to support—that would seem to me to be a perfectly sensible way forward.

Therefore, I am happy with the measure. It would be useful to get the minister to confirm how many post offices in Scotland can provide the service and where they are. In the event that the closures proceed, we should have a published list of post offices where vehicles can be registered or reregistered and advice can be obtained. That would be useful public information, irrespective of the ultimate outcome of the Government's policy.

**The Convener:** I am sure that the committee would agree with Jackson Carlaw's final point. It is certainly important to get an understanding of what our post offices do.

**John Wilson:** I seek clarification, convener. At the previous meeting, did the committee agree to write to the Scottish Motor Trade Association on the issue?

**The Convener:** My understanding is that we did not.

**John Wilson:** I suggest that we write to that association to ask for its views on the issue. Although Mr Carlaw makes the point that visiting a local DVLA office was not helpful and he feels that the UK Government's planned move to an electronic system might be beneficial, it would be useful to find out the views of the Scottish Motor

Trade Association. In particular, we should ask whether the transfer of ownership when cars are bought is being done at the speed that the motor trade would like. It can take up to a couple of weeks just to get a new road tax disc issued by the DVLA. The change of ownership of motor vehicles sometimes has to be done quickly, particularly given the turnover in the motor trade. I would appreciate it if we wrote to the SMTA to ask for its views on the issues for its members.

**The Convener:** Are members happy with that approach?

**Members** *indicated agreement.*

**The Convener:** It is clear that we do not have a complete consensus on the way forward. I am conscious that it is not necessarily fair for members who have not had the benefit of hearing the evidence to consider the next steps but, in time, all of us will see all the evidence as the petition moves through the system. It appears that we have a consensus on action point 1, which is that we write to the Scottish Government, and on the suggestion that we invite the relevant UK minister to attend. We can also take up Jackson Carlaw's point by asking for an audit of post offices in Scotland and of what they can and cannot do. In effect, we want a breakdown of key post offices that carry out DVLA functions. We will also write to the Scottish Motor Trade Association, as John Wilson suggested.

**John Wilson:** When we write to the UK Government, could we ask for a copy of an executive summary of the equality impact assessment and cost benefit analysis?

**The Convener:** Yes, that is a good point.

Are members happy with that approach?

**Members** *indicated agreement.*

### **National Donor Breast Milk Bank (PE1426)**

**The Convener:** The sixth current petition for consideration is PE1426, by Donna Scott, on a national donor breast milk bank. Members have a note by the clerk and the submissions. I know that several members have an interest in the issue, but particularly Mark McDonald.

**Mark McDonald:** That is correct, convener. Donna Scott is a constituent of mine. I have worked closely with her and others on the issue. I am encouraged by the responses from the national health service, although not necessarily by the number of them. I am also encouraged by the fact that there was a meeting on 15 August, which represents progress. The committee needs to investigate the outcome of that meeting and the next steps that the various NHS boards have identified.

As a result, the appropriate next step for us would be to write to NHS Greater Glasgow and Clyde, which hosted the meeting, to find out its outcome, the next steps that have been identified and where things sit with regard to developing some form of national donor milk service. That would be the best way of proceeding, although I am encouraged that things seem to be moving in the right direction and know from my conversations with Donna Scott that she, too, thinks that good progress is being made. We just need to ensure that things are followed through.

**The Convener:** Are members happy to go ahead on the basis of Mark McDonald's recommendation?

**Members** *indicated agreement.*

### **Access to Justice (Non-corporate Multiparty Actions) (PE1427)**

**The Convener:** PE1427 by Rob Kirkwood on behalf of the Leith Links residents association is on access to justice for non-corporate multiparty groups. Members have received a note from the clerk and the submissions, and I invite contributions from members.

**Sandra White:** I have not had a constituency case like the one that prompted the petition, but I have had constituency cases involving groups who have been put off taking things forward because of the costs involved. The petition is very interesting.

I note that the Justice Committee is considering the general principles of the Scottish Civil Justice Council and Criminal Legal Assistance Bill, and I suggest that the best way of moving things forward is to refer the petition for further consideration to the Justice Committee, which I hope will have the time to examine the issues raised.

**The Convener:** Thank you for that. Do members agree with that recommendation?

**Members** *indicated agreement.*

### **A83 (Improvements) (PE1428)**

**The Convener:** PE1428, by Councillor Douglas Philand on behalf of Argyll First, is on improvements to the A83. Members will have received the note from the clerk and the submissions, and I also remind the committee that we had an excellent evidence session with three members of the new administration in Argyll and Bute Council.

Members will know that I have a personal regional interest in the matter. In fact, I passed the Rest and Be Thankful last Wednesday, and I have to say that it was a very slow passing because

traffic lights were in operation. As the committee will be aware, since our evidence session there has been a landslide on the road, and I know that the Scottish Government is taking a very keen interest in a situation that is clearly causing massive disruption and raising safety issues for those who live in the area.

Members might also be aware that, ironically, under European Union rules Argyll and Bute is seen as an island because of its isolation and peripherality. It is therefore possible to use ferry services but, of course, they could be off because of bad weather. There has also been some debate about the planned emergency relief roads.

Although expenditure is planned for the area, there is little doubt—and again I repeat my local interest in the matter—that this is one of the most worrying and dangerous roads in Scotland. Another small local issue is the lack of trunking up to Campbeltown. If what is a strategically important road were turned into a trunk road, responsibility for it would transfer to the Scottish Government. I suggest that if we look at that part of the road on a map of Scotland and see, for example, its links with ferry services—and, indeed, consider the development of services to Northern Ireland and Ayrshire that have been talked about for some time now—we see that it is a trunk road in all but name.

I am certainly concerned about the state of the road and want to flag up my safety worries and real concerns about landslides happening again. Members who know the area will know that closing this vital link road causes mayhem in Argyll and Bute. It is interesting that Highlands and Islands Enterprise, which has no political axe to grind, has made very strong points about the road, as indeed has the local authority, police and fire service.

I thought that it might be useful to give the committee some comments from a local perspective. I now open the discussion to committee members.

**Jackson Carlaw:** I concur with those remarks. For those who use the road only occasionally, it might best be described as quaint. Although that might be nice on a day out, it is extremely frustrating and difficult—not to say dangerous—for individuals and businesses that use the road regularly.

A couple of points were made to me in advance of our consideration of the petition. The first picks up the convener's point about Campbeltown. As £11 million has been spent on access to the wind turbine factory at the harbour, it is ridiculous that access beyond and out of Campbeltown is not being improved.

There is much emphasis on the Rest and Be Thankful. The comment has been made that the

Government allocated money six years ago to improve the pinchpoints between Ardrishaig and Tarbert but that it has not been spent. It would be useful to have an indication of why that work has not happened even though provision was made for it, along with getting the confirmation of progress that we are still trying to get on many other points.

**Sandra White:** I concur entirely with the convener and Jackson Carlaw. The evidence session was very good and it was put across that not just the economy but local people and tourism are suffering. I remember saying that the island of Davaar up at Campbeltown should get more publicity, but people cannot reach it. The Drimsynie estate and all that are also affected.

The petition is really important. We must continue it and get updated information, as it concerns not just the economy and businesses but the lives of local people, who find it difficult even to get around because of the landslides.

**Angus MacDonald:** I agree with all the points that have been made. It was slow going when I went along the Rest and Be Thankful a week last Saturday. As the briefing paper says, the problems persist, as we have seen in recent weeks.

I note from the briefing paper that Keith Brown said:

“There are no plans to trunk the A83 road between Kennacraig and Campbeltown.”—[*Official Report, Written Answers*, 14 March 2011; S3W-40142.]

Given that, it is clear that we need an update from the Scottish Government. The questions that are detailed in the suggested action should be forwarded to the relevant minister as a priority.

**The Convener:** Angus MacDonald makes a good point.

When we write to the minister, it might be useful to clarify the criteria for trunking roads. We are all aware that such a road must be part of the strategic network. It is clear to anyone who looks at a map that Campbeltown is part of that network. It would be useful to have from the Scottish Government an analysis of the tick boxes that qualify a road for becoming a trunk road. The local campaign for achieving that is strong.

**John Wilson:** We received extremely useful information from Transport Scotland about the economic impact of the landslides and road closures that have taken place at the Rest and Be Thankful, but could we write to ask it to update the figures? The figures that it gave us for the economic cost of alternative routing and transport seem rather low. Some of the figures are four years out of date, and we know that petrol and diesel prices have risen by more than 30 per cent in that time.

Particularly in the light of the latest landslip at the Rest and Be Thankful, it would be useful if Transport Scotland told us its current economic impact assessment of people having to use alternative routes and transport to avoid landslips at the Rest and Be Thankful. The report from 2009 refers to an impact at the height of the season of approximately £540,000, which seems rather low when it is supposed to take account of more than 40,000 affected journeys. If 40,000 journeys are rerouted—even for 20 miles—that involves a substantial amount of money. The figures underestimate the total economic cost of finding alternative routes for locals and hauliers.

10:45

**The Convener:** The current time delays because of the traffic lights around the repairs also add to the cost. They will not last for ever, but traffic light delay is a big issue for the haulage business. Time is obviously money.

This is an important petition and it is important that we keep careful watch on what is going on. Are we agreed to write to the Scottish Government with the various points that members have raised? I am sure that the petition will come back at a future meeting and we will then analyse all the information that we have. Is that agreed?

**Members indicated agreement.**

### **Education (Accessibility) (PE1429)**

**The Convener:** The ninth current petition is PE1429, by Wajahat Nassar, on making Scottish education more accessible. Members have a note by the clerk and submissions. I invite contributions from members.

**Sandra White:** The Scottish Government's reply is clear that the availability of scholarships for students to study in Scottish universities relates to the various regions that have been highlighted in terms of economic impact. It makes it plain that the work with the four priority countries contributes to the international framework and economic strategy and that there are no plans to broaden that out, although the situation will be kept under review. I therefore think that we have no option but to close the petition considering the reply that we have had from the Scottish Government.

**Jackson Carlaw:** I might or might not agree with the Government's strategy, but it has set it out and its actions are entirely consistent with it, so I support Sandra White's recommendation.

**The Convener:** Is that agreeable?

**Members indicated agreement.**

**The Convener:** It is therefore agreed unanimously that we close the petition under rule

15.7, on the basis that the Scottish Government has explained its current strategy.

### **Childminding Businesses (Regulation) (PE1430)**

**The Convener:** The final current petition is PE1430, by Ewan Cameron, on the regulation of childminding businesses. Members have a note from the clerk and submissions. Can I have members' contributions?

**Sandra White:** We received full contributions from the Convention of Scottish Local Authorities and the local authorities that we wrote to. Every one of them seems to say that there is no need for further legislation. In fact, COSLA's submission says that further legislation might add to the cost of childminding, that there is no anomaly between what the petitioner says and what happens, and that childminders are well regulated and do a good job.

Having looked at the submissions that we have received from COSLA and other local authorities—particularly Glasgow City Council, which has given a full submission—I think that we should close the petition because current regulations exist and ensure good services to children, so the committee believes that no further legislation is required.

**The Convener:** Do other members agree with Sandra White's recommendation?

**Members indicated agreement.**

**The Convener:** The committee therefore agrees to close the petition under rule 15.7, on the basis of the submissions that we have received that show that current legislation and regulations ensure the quality of service to children. The committee also agrees that no new legislation is required.

*Meeting closed at 10:48.*



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