



OFFICIAL REPORT
AITHISG OIFIGEIL

Public Petitions Committee

Thursday 10 October 2019

Session 5



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PUBLIC PETITIONS COMMITTEE

18th Meeting 2019, Session 5

CONVENER

Johann Lamont (Glasgow) (Lab)

DEPUTY CONVENER

*Gail Ross (Caithness, Sutherland and Ross) (SNP)

COMMITTEE MEMBERS

*Maurice Corry (West Scotland) (Con)

*David Torrance (Kirkcaldy) (SNP)

*Brian Whittle (South Scotland) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Fulton MacGregor (Coatbridge and Chryston) (SNP)

Chief Superintendent Garry McEwan (Multi-agency Working Group)

Alex Rowley (Mid Scotland and Fife) (Lab) (Committee Substitute)

CLERK TO THE COMMITTEE

Lynn Russell

LOCATION

The Sir Alexander Fleming Room (CR3)

Scottish Parliament

Public Petitions Committee

Thursday 10 October 2019

[The Deputy Convener opened the meeting at 09:15]

Interests

The Deputy Convener (Gail Ross): Good morning and welcome to the 18th meeting in 2019 of the Public Petitions Committee. I ask everyone present to turn their mobile phones and other devices to silent, please.

We have received apologies from Johann Lamont. Alex Rowley is in attendance as her substitute. Welcome to the committee, Alex.

Under agenda item 1, I ask Alex Rowley to indicate whether he has any relevant interests to declare.

Alex Rowley (Mid Scotland and Fife) (Lab): I refer members to my entry in the register of members' interests.

Continued Petition

Speed Awareness Courses (PE1600)

09:15

The Deputy Convener: The next item on our agenda is consideration of a continued petition, PE1600, by John Chapman, which calls for the introduction of speed awareness courses. The petition was last considered in February 2019. At that meeting, the committee agreed to take evidence from representatives of the multi-agency working group that is devising the necessary infrastructure and guidance to support the introduction of speed awareness courses.

I welcome Chief Superintendent Garry McEwan from the multi-agency working group. Thank you for coming in. We will go straight to questions.

I will take us back to July 2016 and Transport Scotland's written submission to the committee, which stated that, by the end of September 2016,

"Police Scotland will be able to provide an update on the progress that they have made in identifying all the steps required to introduce speed awareness courses and provide a steer on any identified barriers to implementation."

Clearly, that has not happened. Can you explain why?

Chief Superintendent Garry McEwan (Multi-agency Working Group): Certainly, convener. I am the commander of Police Scotland's criminal justice services division; I am also the chairperson of the road traffic diversionary course Scottish multi-agency steering group, which is a mouthful in itself. A number of key partners are represented on the group: the Crown Office, the Scottish Courts and Tribunals Service, the Scottish Government, the safety camera partnership and Police Scotland. The group's purpose is to explore the relevance of speed awareness courses down south and whether, as a joint partnership, we should recommend the introduction of such courses. I have a timeline here that I could quickly talk you through and which would probably explain some of the apparent time lapse and delays.

Between September 2016 and February 2017, there were various discussions between Police Scotland's chief constable and the Lord Advocate about the benefits or otherwise of introducing speed awareness courses across the country.

In March 2017, agreement was reached with the Lord Advocate that we should begin to scope the benefits and disbenefits of speed awareness courses. They have been on the go for a number of years down south, although there has been no clear and significant evaluation of them. The Lord

Advocate—I think rightly—asked for scoping in principle.

A study had been on-going with the Department for Transport down south, looking back over three years at the benefits or disbenefits, and a report was expected to be published on 1 August 2017. In March 2017, the Lord Advocate stipulated that we had to await the outcome of that DFT report. Unfortunately, the report was significantly delayed and was not published until 15 May 2018—a nine-month delay.

I had a look at the report from a Police Scotland perspective. I would say that the key findings were not conclusive, although they were very positive. I will relate a couple of the key points. The report ascertained that participation in the courses had a larger impact in reducing speed reoffending than fixed penalties, which are what we have in place in Scotland. The report said that no direct link to a reduction in road traffic accidents could be found, although it appeared that the courses had a positive impact on driver speeding behaviour.

As a consequence of the report, Police Scotland submitted a further report to the Lord Advocate in September 2018, recommending that we be given approval in principle to begin implementation. We received confirmation of that approval in January 2019, and we formally established the multi-agency working group in March 2019.

A number of months have run into years, but I hope that that explains the delay.

What is speed awareness? In Scotland, if somebody is caught speeding, we give them a conditional fixed-penalty notice and three points on their licence. However, if the speeding breached a certain threshold, they would not be given a fixed-penalty notice; instead, a police report would go directly to the Crown Office and Procurator Fiscal Service. A speed awareness course gives the police the opportunity to divert an individual from prosecution to the course, so long as the speed does not breach a certain threshold. For that to happen—for the police to be allowed to divert someone from prosecution—we need the Lord Advocate's approval. The Crown is responsible for prosecution policy and the police have to have the Crown's acceptance of and agreement to diversion.

The purpose of the working group is to look through the intricacies of rolling out speed awareness courses. On the face of it, that may seem pretty straightforward but it is not. For example, we will need a bespoke, standalone information and communications technology system. Police Scotland would have to implement the ICT system, which we are currently scoping and for which I have put in a bid for capital funding of £600,000. That bid is currently with my

executive, and the capital funding programme for next year is under negotiation with the Scottish Police Authority and the Scottish Government. Therefore, the bid for £600,000 is in, but there is no guarantee yet that we will get it.

We then have to establish a third-party provider. That is quite straightforward down south because each force has its own third-party provider. In Scotland, where there is one national force, there are geographical challenges to establishing a third-party provider that can offer speed awareness courses across the country. My procurement people tell me that it could take from 12 to 18 months to go through the European tendering process and so on to identify a third-party provider. Therefore, we need first to confirm that we will get the ICT system and then we need to identify the third-party provider and go through that negotiation.

Two areas that we can do in tandem are the policy and guidance process and training for operational staff, but that is just from a Police Scotland perspective. The ICT system will not just begin and end with us; there will have to be connectivity with other partners who will also have to change their processes.

The multi-agency working group is very supportive of the implementation of a speed awareness course because it educates rather than penalises certain driver behaviour, but we need to implement it properly, and that will take a bit of time to do.

David Torrance (Kirkcaldy) (SNP): The petitioner has raised concerns about the lack of progress. Is the delay basically down to you trying to evaluate and get information about the course down south and, as you mentioned, the DfT report being late?

Chief Superintendent McEwan: Yes. The delay in the DFT's report has been the biggest delay—through no fault of the DFT, I am quite sure. We expected the report in August 2017, but we did not get it until May 2018, which delayed us significantly, and now, because of our understanding of the requirement for an ICT system, a lot of money is needed. We needed at least to start the bidding process to secure that funding, which is not yet guaranteed. Once the funding is ratified, we will still need to be realistic and manage expectations, and I think that it will be between 12 and 18 months from the point of receiving the money to full implementation. However, if we do it right within that timescale, we hope that the system will last for decades to come.

Maurice Corry (West Scotland) (Con): I am looking at the financial implications. You mentioned the £600,000 bid, which has to go to the Scottish Government and the SPA. It is implied

in the research that we have received that there is some holding back of that money, or a delay in getting it approved. Are you finding any problems within the approval process?

Chief Superintendent McEwan: No. I do not know for certain yet whether we will get the money, to be honest. We have put in a bid for it but, as you can imagine, Police Scotland and all our partners have a number of competing priorities for capital moneys for next year. The bid is in and it has the support of my supervisor, but it has to be independently assessed against all the other competing priorities that will come through. There is no guarantee yet, although we hope to find out soon. There will be a meeting the week after next and a further meeting in December, by which point the force will notify people such as me as to the priorities and spend for next year. I am confident that I will receive the moneys, but it is not guaranteed yet.

Maurice Corry: What are the implications of the delay? What is the knock-on effect for road safety in your eyes if you do not get the money in time?

Chief Superintendent McEwan: The DFT paper says that the introduction of speed awareness courses cannot be directly said to have significantly improved road safety. The report is vague about that; it cannot quite tie it down. Anecdotally, we have learned that positively influencing driver behaviour should, and does, improve people's thought processes while they are on the road. To answer your question, until we get the money, until we get the ICT, and until the partnership has everything in place, we will continue with the current process, which is a conditional offer, three points on the licence, and/or a report going to the Crown Office for a court case if that is required.

Brian Whittle (South Scotland) (Con): At the beginning of the year, the Crown Office and Procurator Fiscal Service confirmed that a multi-agency working group would

"work together to devise the necessary infrastructure and guidance required to support the introduction of speed awareness courses in Scotland",

You touched on that in one of your earlier answers. Can you explain what infrastructure and guidance is required and, in doing so, maybe tell us about the progress that has been made in devising it?

Chief Superintendent McEwan: I touched on the policy guidance and process. Under the group that I chair, we have four steering groups, or sub groups: communication and engagement; course content and funding; guidance around the courses and development of the Lord Advocate's guidelines and operational parameters; and assessment of the consequential potential impact

on business levels for the Crown, Police Scotland, the SCTS and the road safety camera programme. We know the number of conditional offers that are given, but, if we to divert people from prosecution, I expect that the number of conditional offers will reduce and that a number of people will take up the opportunity of a course. The course will not be mandatory. People who are stopped and have been caught speeding may choose not to take up the course and may choose to pay the fine and take the three points. Each of the four subgroups is chaired by one of the partners. To be honest, there has not been massive traction, because we need to confirm that we are getting the money to roll out the ICT system first, because if we do not get the ICT system, it will be very challenging to roll out the course. The most important milestone will come in the next couple of months.

09:30

Brian Whittle: I have a supplementary question. I will go off at a complete tangent—that is not like me.

Is there a financial implication, whether positive or negative, to moving away from the standard fine and three points approach to the offer of a speed awareness course?

Chief Superintendent McEwan: There may be a financial implication for some agencies, although not for Police Scotland. I do not know enough of the detail, but the conditional fixed-penalties go to the courts, so potentially moneys will be moved from the courts towards paying for the diversionary course. Although we still have to go through the process of identifying the right course provider for Scotland, we know that the cost of the course down south is around £90, which is the same as the fine. Therefore, there may be financial challenges for some partners as a consequence of the fixed-penalty fines not going to the SCTS and instead going to pay the external provider for the courses.

Brian Whittle: Does the person who is caught speeding still have to pay for the course?

Chief Superintendent McEwan: Yes. That is the option: pay the fine or pay for the course. The benefit of the course is that there is some education there. Down south—and I imagine that we would follow a similar model—there is also positive traction in relation to associated insurance costs, because the individual will not get three points, which may prove beneficial to them. To me, the most important thing is getting people on the course and educating them to change their driver behaviour in a positive way.

Brian Whittle: Has there been any investigation done around those people not going through

judicial process? Is it reasonable to conclude that there will be a saving there?

Chief Superintendent McEwan: We have not—not as yet, anyway—calculated any consequential savings. I am aware that there will be some additional back-office costs. The ICT system is a one-off cost, but there may be recurring costs for its lifetime management and we will require staff to input the data and so on. We are hoping that some of the staff who currently do other bits of what I call middle-office work will be able to assist with the process once it is rolled out.

Alex Rowley: I have a couple of questions. Drivers would be given the choice of a fixed fine or taking the course, but would they still get three points on their licence?

Chief Superintendent McEwan: No—there would be a threshold for that, which has not been agreed with the Lord Advocate yet. I am going off piste here, because I am not a road-traffic expert, but down south, in a 30mph zone it tends to be that up to 39mph no action would be taken against someone who is caught speeding. Beyond 39mph, they would get a fixed penalty. I am not certain about this, but I think that a person who was caught at between 39mph and 49mph might be given the option of having three points and a £90 fine, or taking a speed awareness course. Someone who was caught driving over 49mph, whose driving was erratic and fast, would not be given the option to take the course; that case would go straight to the Crown Prosecution Service.

Alex Rowley: I will come later to a question that is set out in the committee's papers.

First, however, why has this taken so long? From what Chief Superintendent McEwan is saying, if the funding is not provided in the next few weeks, the scheme is going nowhere. This is my first time at a meeting of the committee, but I presume that that would be something that the committee would not be happy about. In the olden days—when we had Fife Constabulary, for example—there was a police committee, but where would we go if the funding is not made available in the next few weeks? If it is not available, the idea will not take off. Where in Parliament would we take the matter up? I am assuming that the committee wants to see the speed awareness courses happen. That is a question that we need to answer.

A number of years ago there was a campaign called "Safe drive stay alive" in Fife. I attended a course in Stirling a few years ago, at which a box of hankies was handed round at the start. We came out of there really thinking about what we had seen: it was shock and awe sort of thing. I remember that it was said on the course in Stirling

that the number of young people who were in accidents had fallen. Is that right?

Chief Superintendent McEwan: Yes. Again, I point out that I am not head of road policing. I am sure Chief Superintendent Stewart Carle would know the detail. There is the "Safe drive stay alive" course in Fife, and there are other similar courses, perhaps not called that, across Scotland. Those courses are targeted at young people, not at drivers who have been caught speeding, at whom speed awareness courses are targeted. The courses that Alex Rowley mentioned are about positively influencing the behaviours of young people when they get behind the wheel.

Alex Rowley: When does the multi-agency working group intend to report its conclusions to the Lord Advocate, and where else would it report to? The proposal will represent quite a significant change in road policing if it goes ahead. Where does it all come together and where will the report go? Where do we go if the money is not available?

Chief Superintendent McEwan: There is a road safety scrutiny board—it might not be called that. I do not sit on it, so this might sound a bit muddled. The report will go to a board that is attended by senior partners from across the country. It will be for that group to support, or otherwise, the rolling out of speed awareness courses.

I am hopeful that the funding will come, but if it does not, we will need to go back to the drawing board and look at alternative information and communications technology solutions—although we have already looked into that—and at other things, including going back to paper system, which would not be ideal. That would be the next step.

Alex Rowley: If the committee thinks that the proposal should go ahead, and given that it would be a significant change in road policing, we need to be able to flag up to the committee that deals with Police Scotland not only our support, but our concerns about funding. This is hit or miss: if you get the funding, it will happen; if you do not get it, it will not happen.

Brian Whittle: You advocate that the educational route is beneficial for some people who have been caught speeding, especially in respect of preventing reoffending. The Department for Transport commissioned an impact evaluation of the national speed awareness course, which concluded that such courses have a better effect than penalties. Does the multi-agency working group accept, as you do, that the speed awareness course would be a useful tool in prevention of reoffending?

Chief Superintendent McEwan: Yes. All the members of my group are overwhelmingly

supportive of the principle behind speed awareness courses.

Brian Whittle: I will follow on from what Alex Rowley said about funding. Is the working group clear about the Scottish Government's policy on introduction of speed awareness courses?

Chief Superintendent McEwan: There is no direct instruction. There is an action point in "Scotland's Road Safety Framework to 2020" that says—I am paraphrasing—that introduction of speed awareness courses should be explored, but there is nothing more than that. There is no direct instruction to implement speed awareness courses: it is for the multi-agency partners to explore the benefits and disbenefits.

Brian Whittle: In that framework, is there a general commitment from the Scottish Government that it will implement any policy that the multi-agency working group recommends as the best way forward?

Chief Superintendent McEwan: Transport Scotland sits on my group and is very supportive of the introduction of speed awareness courses. Transport Scotland is, of course, part of the Scottish Government.

The Deputy Convener: I want to get a couple of things about funding clear. Is the £600,000 a bid into Police Scotland's capital budget?

Chief Superintendent McEwan: Yes.

The Deputy Convener: What kinds of things in the list of bids is your bid competing against?

Chief Superintendent McEwan: Examples include personal cameras for police officers and vehicle-fleet requirements. There is a list, which I have not seen, of 20 to 30 priorities. They are real priorities for policing. Speed awareness courses are on the list, but clearly not everything can be funded. I know that the Executive and others have meetings—there is one next week, I think, but the most important one is in December—to see what they can and cannot prioritise, and what will be given the green light for next year.

The Deputy Convener: So, a decision will be made in December and we will know then.

Chief Superintendent McEwan: Yes.

Alex Rowley: Should we write to the Cabinet Secretary for Justice to flag this up? As a committee, are we saying that we support the proposal? If we are, we should flag that up. There are other budgets, including road safety budgets and all the rest of it. If we are serious, we need to do that and have the discussion with those in authority who have the power to make it happen.

Brian Whittle: I would like to write to the Scottish Government to ask what its policy is on

the introduction of speed awareness courses. It will come down to finance and priorities. The proposal is competing against the speed-camera infrastructure network, fleet requirements and so on, so its funding is certainly not a given. It would be interesting to know the Scottish Government's policy; I certainly want to ask the Justice Secretary about the matter.

Maurice Corry: We could write directly to the Lord Advocate and ask him when the courses are likely to be rolled out, and exert a bit of top-down pressure.

The Deputy Convener: Yes, so we will write to the Scottish Government—

Brian Whittle: The justice secretary—

Maurice Corry: And the Lord Advocate.

The Deputy Convener: Okay. When do members want that to happen? Will we let the matter play out and wait to see whether the funding is granted in December, or will we write immediately?

David Torrance: I would like to wait and see whether the funding is delivered in December. If it is, the programme will then take 18 months to implement. If the funding is not delivered, however, we can put pressure on the Government and the Lord Advocate to say why it has not been granted.

Brian Whittle: In general, and most of the time, I would agree with that, but in this particular instance I am concerned to understand what the Scottish Government's policy is. We can write to the Scottish Government to get a feeling for where it sits. We do not need to wait until December to ask that question, although we can wait until then to write to the Lord Advocate. We also have to see how this plays out.

Alex Rowley: It is important to understand where this fits within the wider road safety agenda. I am not sure that competing against those other police priorities is right when there are road safety and other budgets available. What is the Government's overall coherent approach?

Moving from fines and fixed penalty points to educational courses would be a significant change in road policing and would be a clear policy shift. If the evidence supports the change, that is good. However, there is a more strategic issue that the Government needs to be on top of. If it supports the shift, it needs to say whether there are other funding routes, because every bid for capital budget will, no doubt, be worthy. Let us look at the matter more strategically; we need to understand. Either the Government supports the change and is willing to look at it more strategically, or it does not.

Brian Whittle: I will give some of my more tangential thoughts. First, the policy, if it is implemented, is about improving road safety. That is fundamental. It would be interesting to know the financial implications of implementation—the capital costs. What would come out at the other end in terms of people not going through the judicial system, and what are the implications for the overall budget? We should not be talking just about the police budget—other budgets would be positively or negatively affected. The cost of the ICT system would come out of the Police Scotland budget, but other budgets will be affected. It is for the Scottish Government to do cost impact assessments. Implementation might not, in the end, if money is saved elsewhere, cost £600,000.

The Deputy Convener: Thank you. It will require quite a substantial letter to the Scottish Government to cover all the points that we have just listed. We will watch the situation very closely and get feedback in December. We hope that the bid is successful, so I wish you good luck.

09:46

Meeting suspended.

09:49

On resuming—

New Petitions

Pre-1989 Scottish Secure Tenants (Rights) (PE1743)

The Deputy Convener: The first new petition for consideration today is PE1743. The petition was lodged by John Foster, on behalf of Govan Community Council and others, and is on amending the law to protect the rights of pre-1989 Scottish secure tenants. The petition calls on the Scottish Parliament to urge the Scottish Government to amend the Rent (Scotland) Act 1984 to prevent disproportionate rent increases from being set for Scottish secure tenants.

Our briefing explains that, from September 2002, all registered tenancies with social landlords, except for short assured tenancies, were automatically converted into Scottish secure tenancies by section 11 of the Housing (Scotland) Act 2001. The determination of fair rents is governed by section 48 of the Rent (Scotland) Act 1984. According to our paper, rents are deemed fair through comparison with rents from comparable properties in the area. However, this does not differentiate between private and social housing rents, which can vary considerably.

Do members have any comments or suggestions for action?

Alex Rowley: Pauline McNeill sends her apologies; unfortunately, she has been delayed. She supports the petition and her view, which she very much wanted to express to the committee in person, is that the method used to calculate rents gives out a false figure because private rents are in many cases very high, and that therefore we should look to set rents based on social rents. That is the view that Pauline McNeill asked me to express to the committee, and it is one that I share.

The Deputy Convener: Thank you. Anyone else?

Maurice Corry: If I recall correctly, there is a system within local authorities to which tenants can take their observations—I will call it a rent tribunal, but something is already in place. That is what was ringing in my head when I read the papers yesterday. It may be worth writing to the Convention of Scottish Local Authorities to find out exactly what the policy is on that. I have heard people say that they do not agree with their rent, particularly when they are renewing a lease or moving into a different form of housing. We need to establish what councils have set up at the local level.

We should also write to the Scottish Government and the First-tier Tribunal for

Scotland to seek their views, but we need to drive this at a local level as well. I recall that there is something there.

Brian Whittle: I reiterate what Maurice Corry said about writing to the Scottish Government and the First-tier Tribunal. Those should be the first ports of call.

The Deputy Convener: We should also write to COSLA to find out what happens at the local level.

Maurice Corry: I think so, because undoubtedly the Government will refer to that.

The Deputy Convener: Okay. We will write to COSLA, to ask about the local level, and to the Scottish Government and the First-tier Tribunal for Scotland, to seek their views on the action that the petition calls for.

Maurice Corry: To add to what I just said, there is also the question of the registration of landlords. That is an active thing that is going on at present. Several cases have gone to court of unregistered landlords who have set ridiculous rents, which have caught tenants out. Pauline McNeill might be referring to that.

The Deputy Convener: All right. Are we agreed on the action that we will take?

Members *indicated agreement.*

Psychiatric Service Dogs (PE1744)

The Deputy Convener: Our next petition is PE1744, which was lodged by Karen Mercedes Greer. The petition calls on the Scottish Government to recognise the valuable role that psychiatric service dogs can play in helping people to recover from trauma and mental ill health; it also calls on the Scottish Government to fund a pilot programme of accredited psychiatric service dogs in Scotland.

Our paper highlights a distinction between service dogs and therapy dogs. The former are trained to carry out specific practical tasks to make the lives of those with a disability easier. They are trained to work with one particular person and their position as a companion is secondary. Therapy dogs are chosen for their temperament, the training is less exacting, and they can work with a range of people.

Currently, there appears to be no prescribed training of dogs, nor any legislation about the supply of such dogs.

Do members have any comments or suggestions for action?

Maurice Corry: If I may say so, paragraph 4 of our paper is wrong. I am talking now from the armed forces veterans' side. A lot of what the petitioner is calling for is in place, particularly

through an organisation called Bravehound. I would refer the petitioner to that organisation. It is based at the Erskine Home in Bishopton, on the west coast. A lot of study is going on, with 17 dogs currently in operation. Therefore, there is an active organisation in place in Scotland—I believe that there are others in the United Kingdom—which does exactly what the petitioner is asking for. Through its work it prevents problems for veterans who have post-traumatic stress disorder and identifies what the problems are. The dogs are given general training and they are monitored and properly looked after by Bravehound. Bravehound is funded through the Armed Forces Covenant Fund's LIBOR funding. I would refer the petitioner to the chief executive of Bravehound, Fiona MacDonald, so that she can see exactly what the organisation does. There is a model in this country.

Brian Whittle: The petitioner is asking for a pilot programme to be instituted. If there is a programme already going on, it would be reasonable to write to that programme to see how it compares to what the petitioner is asking for. If the programme has been going for three years, you would imagine that there would be some sort of feedback on its success or otherwise. I would certainly suggest that we write to Bravehound.

I would also be interested to know what the Scottish Government has to say.

David Torrance: I agree with Brian Whittle about the Scottish Government. There is also a programme in Fife. My neighbour three doors down has a therapy dog—a retriever—that goes out into communities, hospitals and so on. It has been trained. There are projects going on across Scotland. It would be nice to find out what is happening.

Maurice Corry: That is right—there are things going on in different areas.

The Deputy Convener: What the petitioner is asking for might be slightly different. We need to get a clearer picture of what is going on.

Bravehound is interesting.

Maurice Corry: We could write to it.

The Deputy Convener: It has been operating for three years. I would like to know what its outcomes have been and, if those are the sorts of things that the petitioner is looking for, whether its programme could be extended and cover not just veterans but other issues.

Maurice Corry: Bravehound has positive evidence about preventing suicide.

The Deputy Convener: Okay. Are there any other animal organisations that we could write to?

Maurice Corry: There is also the horses for forces programme, which is in the Borders. People do not keep a horse in their home; they go to horses for forces and go through various courses. Another is HorseBack UK in Aberdeenshire. That is about riding horses as compared to working with horses, which is what horses for forces does. There is a plethora of organisations.

The Deputy Convener: Do we just want to stick with dogs?

Maurice Corry: I am just saying that there is a link with animals.

The Deputy Convener: Absolutely. There are other organisations: Assistance Dogs UK, the International Guide Dog Federation, the Society for Companion Animal Studies, Dogs for Good, Dogs for Depression, the Psychiatric Assistance Dogs Foundation and the Mental Health Foundation. It would be good to get their overview.

Maurice Corry: Absolutely.

Brian Whittle: There are lot of organisations. My next question would be to ask why they are not working together, but that is for another day.

Maurice Corry: There is an organisation that works with autistic people very successfully.

The Deputy Convener: It would be interesting to find out what all those organisations do. They might do slightly different things and reach out to different people.

Are we agreed on those actions?

Members *indicated agreement.*

Fatal Accident Inquiries (Statutory Right) (PE1745)

The Deputy Convener: Our next petition is PE1745, which was lodged by James Jones. The petition calls on the Scottish Government to ensure that families have a statutory right to request a fatal accident inquiry.

A fatal accident inquiry can be mandatory, typically where someone dies in legal custody or in an accident that is related to their work, or discretionary, where a death is sudden, suspicious, unexplained or gives rise to serious public concern.

The Lord Advocate, under certain circumstances, can use their discretion to hold or not hold a fatal accident inquiry. Legislation contains no formal right of appeal against a decision by the Lord Advocate in relation to an inquiry. However, it is notionally possible to challenge a decision using a legal process called judicial review.

During parliamentary scrutiny of the Inquiries into Fatal Accidents and Sudden Deaths etc (Scotland) Act 2016, the Law Society of Scotland commented that family members could have the right to seek a fatal accident inquiry. The right that is proposed does not appear to be absolute. Instead, a sheriff would decide whether the request should proceed.

Do members have any comments or suggestions for action?

10:00

Brian Whittle: I am quite sympathetic to the petition. I have done a bit of work on adverse event reviews, which are specifically about accidents and problems in hospitals. The approach is not consistent around the country. The Crown Office does not automatically investigate such incidents in Scotland, although I am pretty sure that they would be investigated down south. I would be quite interested to see the differences in approach.

It worries me that there is, or seems to be, no redress for families in such circumstances who are looking for an answer. I am certainly very interested in the petition. I know that the Government is doing some work on adverse event reviews. That is not the specific issue that the petition raises, although it sits within the same remit. I would be interested in the Government's view on the petition.

I would also like the views of the Crown Office and Procurator Fiscal Service, and maybe even the Law Society, on the action that is called for. I would probably also ask the Scottish Parliament information centre if it could do a comparison between what happens down south and what happens up here, because there is a difference in approach. I am not saying that one is right and one is wrong, but it would be interesting to see how they compare.

Maurice Corry: I am looking at paragraph 21 on page 3 of our paper on the petition, which relates to Scottish Parliament action. A number of petitions have come forward since 2000. It may be worth SPICe summarising the conclusions from those petitions; that would be helpful. That historical information would be useful.

The Deputy Convener: Is everyone agreed that we get those extra pieces of information about the results of the other petitions, see what happens elsewhere in the United Kingdom, and write to stakeholders, including the Crown Office and Procurator Fiscal Service and the Law Society?

Members *indicated agreement.*

Space Sector (Non-departmental Public Body) (PE1746)

The Deputy Convener: The next petition is PE1746 on the creation of a Scottish space non-departmental public body lodged by Andrew Paliwoda. The petition calls on the Scottish Government to create a non-departmental public body with responsibility for space technology and to work in partnership with other relevant organisations to ensure that Scotland's space sector potential is fulfilled.

According to our paper, Scotland has a growing space sector, which includes a number of high-tech, high-skill jobs as well as research and development businesses. The space industry in Scotland has more than 130 companies, with 7,600 employees, backed by strong relationships with researchers in Scotland's universities. Nearly one fifth of all jobs in the UK space sector are based in Scotland.

As the creation of a non-departmental public body is the main action that is called for in the petition, our paper makes the distinction between executive and advisory NDPBs. An executive body carries out administrative, commercial, executive or regulatory functions on behalf of the Government, and is normally established by statute. An advisory body provides expert advice to ministers and others, or input to the policy-making process in relation to a particular subject, and typically does not require legislation.

Do members have any comments or suggestions for action?

David Torrance: We should write to the Scottish Government asking for its views on what the petition is calling for.

Brian Whittle: As is highlighted in the paper, Scotland is particularly strong in space exploration, especially in the west of Scotland—Glasgow is particularly good. With regard to the development of spaceports, I have to mention the development around Prestwick. With the investment that is going into Prestwick through the Ayrshire growth deals, that development can only grow. This is an important petition in terms of making sure that we maximise our potential. It is certainly an area that is going to grow and grow.

I agree with David Torrance that we should write to the Scottish Government to seek its view. There are also other key stakeholders in this area that we could write to: Scottish Enterprise, Space Network Scotland—who knew that that existed?—and the UK Space Agency. Our paper suggests that we contact Highland and Islands Enterprise, as it is proposed that a spaceport be situated in that area. It would be interesting to hear from people who are involved in the UK industrial

strategy, too. Other people might think of other organisations.

Alex Rowley: The city-region partnerships are relevant. I think that some of them are looking at this area.

Brian Whittle: With regard to the Ayrshire growth deal, there is about £80 million specifically going into Prestwick airport around the development of it as a spaceport, which will link into all the space technology manufacturers in Glasgow. There are also a lot of engineering works around Prestwick that will benefit. It is certainly a sector that we should be going after.

Maurice Corry: It would be worth writing to the local authorities that have the possibility of having a spaceport: Highland Council—because of Caithness and Sutherland—Argyll and Bute Council and North Ayrshire Council. Those are the ones that have been identified.

Alex Rowley: There is a lot of potential in this industry, therefore it is worth looking to see how best to proceed to harness that potential.

Brian Whittle: We just have to be aware of where the businesses that are involved in space exploration are. A lot of them are in Glasgow. When we are looking at where the spaceports might be placed, we should remember that Glasgow is a hub for this technology.

The Deputy Convener: The issue covers the whole of Scotland. It would be remiss of me not to mention the Sutherland space hub, obviously.

Given that the sector is growing at such a pace, we could be firing off letters left, right and centre, but we have to remember that the point of the petition is the creation of an NDPB. We should certainly write to the Scottish Government and the local authorities that are currently involved in the creation of spaceports, of which I believe that there are several. We should also write to the other stakeholders that Brian Whittle mentioned—I will not repeat them all because he did it so well, but we have a note of those. Is that agreed?

Members indicated agreement.

Additional Support Needs (Funding) (PE1747)

The Deputy Convener: Our next petition is PE1747, on adequate funding to support children with additional support needs in all Scottish schools, which was lodged by Alison Thomson. The petition calls on the Scottish Parliament to urge the Scottish Government to provide adequate funding to support children with additional support needs in all Scottish schools including primary, secondary and special schools.

The majority of funding for school education comes from the Scottish Government through local authority budget settlements. In addition to that, there is the attainment Scotland fund, which provides direct funding of £10.5 million to support learning provision for children and young people with complex additional support needs and £15 million to support learners with additional support needs.

Do members have any comments or suggestions for action?

Brian Whittle: Probably all of us have been approached in our surgeries with cases—which we will have then picked up—in which the special needs and special support services in schools have not met needs. We would all recognise that.

The fact that the issue involves a local authority decision about how it spends its budget makes this petition quite a difficult one to address, because the Scottish Government does not dictate to local authorities how they spend their budgets. It is a particularly difficult petition to address, but I would like to understand the views of COSLA, Enable Scotland and Education Scotland, and we should write to them. Of course, we already know what is going to come back: that budgets are tight and the issue involves a local authority decision about how they spend their budgets.

David Torrance: I agree with Brian Whittle that we already know what is going to come back from the local authorities—that they decide where their budget goes. However, we still have to write to COSLA and those other groups.

Maurice Corry: I agree with what Brian Whittle and David Torrance have said, but there is a cause-and-effect situation here. We are seeing an increase in cases of children with learning support needs. I must declare an interest in that regard, as my wife works in special educational needs and is involved in the sector in Argyll and Bute. I also know from the armed forces sector that we are seeing more children requiring learning support. In my area, there is a Royal Navy element. Do not get me wrong—it is because of parents being away at sea or on operations and things like that.

We need to make the Government aware that this requirement is not something that will go down—I think it will probably go up—and that, therefore, there needs to be more resource put in and a consideration of how education authorities might plan for additional support needs assistants and classroom assistants, because that was certainly a good move, originally. If the Government could persuade local authorities not to consider making cuts in that sector, that would be something to be grateful for.

There is another element to the issue, which is mainstreaming. Issues arise in that regard partly

from parents understandably wanting the best for their child, but also from parents sometimes not accepting that there is an issue with their child, who needs that little bit of extra help. I sometimes see children in schools in my area who really should be in another organisation, class or school. I am involved in such a case at the moment. I spoke to the mother the other day and the child is thriving because he has been moved to a special school, which is brilliant.

There has been a push from parents, and indeed from the system—the collective national system—towards mainstreaming. I think that we have to be very careful about it. The more we push mainstreaming, the more we are going to have issues. It comes back to the getting it right for every child policy. We need to put the policy into place. We have to take that whole issue up.

Alex Rowley: Yes, there is the issue that, at the end of the day, the parents and the pupils are the people who should be able to reach decisions on what is best for the children. I was educated in a period when mainstreaming was not the norm—quite the reverse. Section 15 of the Standards in Scotland's Schools etc Act 2000 says that mainstreaming should be the presumption unless it

“would result in unreasonable public expenditure being incurred which would not ordinarily be incurred”.

However, the truth is that, if you do not put extra resource and support into situations in which you have children with learning difficulties or behavioural issues, one of the other criteria will come into play, such as the one around mainstreaming being incompatible with the provision of efficient education for the children with whom the child would be educated. We have all seen that. We have all had parents come to us saying that their children are not getting enough support, and we have all had other parents comes to us—I certainly have, over the years—to say a child with behavioural problems or special education needs is causing disruption that is interfering with the education of the other kids.

Given what is in legislation with regard to the presumption towards mainstreaming, the issue is not simply one for local authorities; there is also a role for Government. However, the right step, in the first instance, would be to have a discussion with COSLA to see what the local authority position is.

Brian Whittle: Being a list MSP, I work across several local authorities, and the difference in approach from one to the next is stark. I have constituents who move house to get into the adjacent authority so they can access services. That disparity in delivery of services is a big issue and is something that Government wrestles with.

As Alex Rowley says, the legislation takes a position on mainstreaming. Although I do not think that we should be prescriptive with local authority spend, there has to be some sort of framework that allows that disparity to close.

10:15

Maurice Corry: I agree. Coming back to my point, I am probably looking at the macro issue. Social media is definitely having an effect now on kids. Even younger children aged four or five feel peer group pressure about not having a mobile phone. I am getting feedback from teachers and headteachers about issues that are obviously down to parents in the home allowing the child to have a mobile phone or to use social media. It is a bigger problem, and that is why I come back to national Government. There needs to be a rethink at that level in relation to the funding, because we are in another era. We really have an issue here. I am dealing with two cases that involve the parent and the kid appearing in court over their behaviour in relation to the effects of social media, games stations and goodness knows what.

David Torrance: It is important to get COSLA's views because, as Brian Whittle says, there are huge differences between local authorities. I have an excellent campus in my constituency, thanks to Fife Council—Alex Rowley was one of the people who were involved in that. It does absolutely fantastic work and is integrated with the whole high school. I think that we have to get the opinion of COSLA.

The Deputy Convener: It is worth stating that the Education and Skills Committee has done a fair bit of work on this and it is keeping a watching brief on it. We should keep an eye on what it is doing as well.

Brian Whittle is absolutely right; it seems that there are disparities between local authorities, and not everybody has the luxury of being able to move into another local authority to get the assistance that they believe they need.

It is suggested that we write to the Scottish Government, COSLA, Education Scotland and Enable Scotland seeking views on what is contained in the petition. Is that agreed?

Members *indicated agreement.*

Planning Policy (Small Communities) (PE1748)

The Deputy Convener: I welcome Fulton MacGregor MSP to the committee. Good morning.

Fulton MacGregor (Coatbridge and Chryston) (SNP): Good morning.

The Deputy Convener: PE1748 is on providing protection for small communities in Scottish planning policy. It has been lodged by Isobel Kelly on behalf of Gartcosh Tenants and Residents Association. The petition calls on the Scottish Government to develop, in national planning framework 3 and the Scottish planning policy, specific provision for small communities on pre-development community assets and infrastructure audits when an area is identified as being able to accommodate large-scale urban growth, and for protection of areas that are considered by the community to be high-value scenic assets that would be at risk from coalescence of communities.

The Scottish Government is currently leading a planning reform programme, with the legislative change that is required to support that programme having been set out in the Planning (Scotland) Act 2019, which received royal assent in the summer. The act includes several provisions relating to the NPF, but the specific suggestions that have been made by the petitioners were not raised during the planning reform process or the passage of the Planning (Scotland) Bill.

Fulton MacGregor: Would it be okay to make some opening remarks?

The Deputy Convener: Yes.

Fulton MacGregor: I thank the deputy convener and the committee for allowing me time to speak to PE1748. I also thank my colleagues in the Equalities and Human Rights Committee, which I have just come from. With members' indulgence, I will return to it after consideration of the petition.

I also record my thanks to Isobel Kelly of Gartcosh Tenants and Residents Association, Liz Ward and others for lodging the petition. As Mrs Kelly has pointed out, she has had several discussions with me as planning applications for sites in Gartcosh have progressed. She has also had discussions with local councillor Greg Lennon, who I am sure the committee would wish me to mention for his hard work in highlighting the issue.

I am sure that no one here will argue against the need for house building. We have a growing population, and 500,000 new homes will be built in Scotland over the next 10 to 15 years. The Scottish Government has made impressive progress on that.

Very few people would deny the desirability of the more rural locations within the central belt—where my constituency is—to developers and to people who are seeking to purchase new homes. A few months ago, I lodged a motion celebrating the results of a study that found that Glenboig is the fifth-healthiest place to live in the UK, which perhaps illustrates that desirability.

I am certain that the advantages of village living that are attractive to the existing communities are similarly attractive to people who are seeking to become part of those expanding communities. However, as the petition states, that expansion could, in time, eliminate the advantages almost entirely, through decimation of green space, loss of the sense of community, infrastructure being unable to cope with the rates of expansion, and the inevitable coalescence of distinct village communities with the mass commuter belt. Those are the issues that the petition is trying to bring to the fore.

At this point it might, for members' benefit, be appropriate for me to describe the geographical make-up of my constituency of Coatbridge and Chryston. The larger part of my constituency—perhaps two-thirds—is Coatbridge, which is a typical large post-industrial Lanarkshire town that is very much in need of new housing and development on some of its brownfield sites. The remaining third of my constituency comprises a number of small towns and villages to the north of Coatbridge: Stepps, Muirhead, Chryston, Moodiesburn, Glenboig and, of course, Gartcosh, which we are discussing today. They are collectively referred to as the northern corridor and are encompassed by the “Chryston” part of the constituency name.

Throughout the northern corridor, every one of those unique small post-industrial former coal mining communities have witnessed extensive development. I have heard in the past week about two more large-scale proposals for Gartcosh and Stepps. Developments have led to loss of assets in green space, woodland and the wider natural environment. They have also led to transport difficulties and rapidly increasing populations that have taken schools alarmingly over capacity and left health services struggling to cope. The petitioners and others know that I have taken up those issues with some degree of success; for example, a new health centre has been designed for the northern corridor, which is long overdue.

Such scenarios are not unique to Gartcosh or to my constituency. I know that they are replicated throughout the northern corridor. I have had many discussions with community groups and individual constituents about the issues that are raised in the petition.

I recently met representatives of the “Save Stepps green belt” campaign—which is similar to the campaign of the Gartcosh Tenants and Residents Association—who have campaigned vigorously, and continue to do so, against development on the green belt, and are fighting to protect the village community. It is also worth our while to pay particular tribute to Frank and Alice Morton, Ken Maxwell and others who have

campaigning so hard. After my previous meeting with them, I am pulling together, for the group, a round-table event to discuss the issue. I hope that today's consideration of the petition can form part of the Government's eventual thinking on the issue.

Nobody is arguing against development. I would be one of the last people to do so—I have already mentioned the need for development in the large urban part of my constituency. However, there is a feeling that development has, with little to no consultation, been imposed on the smaller communities that are attractive to developers. I know that the Government and the Minister for Local Government, Housing and Planning—to whom I have spoken about this—are trying to address the issue through the provisions of the Planning (Scotland) Act 2019, to which the deputy convener referred. The voices of the people who live in, and who are invested in, the communities are not being heard, which is why the petition has garnered traction.

I apologise for my voice. I have the cold that is going round.

The specific issues that are raised in PE1748 were not considered during scrutiny of the Planning (Scotland) Bill, or during the planning reform process. Given that the Government is doing extensive work on the subject, it seems that it is something that should be focused on. I recommend that the committee keep the petition open and that it ask for a response from the Scottish Government, and perhaps other stakeholders, on the issues that are raised in it.

On my comment about a round-table discussion, I also ask that the Scottish Government be asked to consider facilitating that or some other sort of discussion, at which communities from across Scotland—including those in my community such as Stepps, Gartcosh and others—can find common ground and have their concerns heard. Communities and MSPs of all parties could get round the table to try to find the common ground between the desperate need for new housing and minimising of the impact on unique and small communities such as Gartcosh.

I will leave it at that, deputy convener. Thank you very much.

Alex Rowley: I support the petition. I disagree with Fulton MacGregor about the passage of the Planning (Scotland) Bill: I certainly lodged amendments to it to try to address such issues, as did others.

There is absolutely a need for communities to have a greater say and to be able to plan in relation to assets, infrastructure and so on. I look forward to hearing what the planning minister has to say about it.

Brian Whittle: I, too, am very supportive of this worthwhile petition. In the development of new housing, how we use open space, how we develop local assets and how we give access to shopping and play parks are often secondary considerations.

I am reminded that we on the Health and Sport Committee are doing an inquiry into primary care. We went out to communities, gave them blank sheets of paper and wee sticky notes, and said, "Plan your town." It was amazing to see how much open space there was in their plans, and where they want community assets to be. We should be much more cognisant of communities' wishes for what they want their communities to look like.

I am very supportive of this worthwhile petition. I agree that we should, as Fulton MacGregor suggested, seek the Scottish Government's views. I know that it is already doing work on the subject. That will certainly be about town planning, so we should write to town planners to ask what the rules are when we are building what are, to me, concrete jungles. Where are the local community assets within them? What consideration is given to the people who already live in the area? I support Fulton MacGregor's suggestions.

Maurice Corry: I certainly agree with all that has been said. Funnily enough, I have looked at the Gartcosh example. Among the points that I raised were the number of amenities that are not there but should be, and the fact that the housing is rather condensed. Similar developments have happened in my area in East Dunbartonshire, over towards Bishopbriggs.

From my experience as a councillor, I know how important it is that local development plans are clearly cognisant of the views of the local community. Local planning partnership consultations are very important because they are how you get the local input and all the local nuances.

I would be very much in favour of getting the Convention of Scottish Local Authorities on board and communicating with it about the policies. We could also write to North Lanarkshire Council for its views, if we continue the petition, with which I have a lot of sympathy and empathy. It is a classic example of balance and healthy living. We need only look at Glasgow, way back when the high-rise blocks were built. What has happened? A lot have been demolished. Why? It is because we had to create our communities again. That is so important, so let us learn the history lessons.

Isobel Kelly's petition talks about preventing

"coalescence of communities with a mechanism for small communities to halt development if masterplanning is not creating a sustainable community."

My point is that the LDP needs to be built on solid ground that reflects the demands of the community, although we still need to house people.

The Deputy Convener: We will write to the Scottish Government, and we will write to COSLA to ask about local development plans. We will also write to North Lanarkshire Council, the Royal Town Planning Institute Scotland, the Built Environment Forum Scotland and Scotland's Towns Partnership.

I thank Fulton MacGregor for coming and providing us with some very useful background.

Satellite Tags on Raptors (Monitoring) (PE1750)

10:30

The Deputy Convener: The next petition is PE1750, on the independent monitoring of satellite tags fitted to raptors, lodged by Alex Hogg on behalf of the Scottish Gamekeepers Association. The petition calls on the Scottish Government to introduce independent monitoring of satellite tags fitted to raptor species, to assist the police and courts in potential wildlife crime cases and to provide data transparency.

Satellite transmitters, or tags, are used to monitor the movements of many birds of prey in Scotland, with much of that work being carried out in the voluntary sector. The Scottish Government has published a "Collection of Evidence Protocol for Incidents of Raptor Crime", which provides guidance for people involved in the satellite tracking of raptors, including in what circumstances to contact the police, what information to provide, and in what circumstances incidents should be publicised.

The petitioner argues that there are issues with a lack of transparency around how satellite tag data is collected and shared and that the variability in technology and practices results in challenges when people seek to use the data as evidence of wildlife crime. The petitioner is advocating for satellite tags to be monitored by the Government or a Government-approved body that could provide the police with instant data access and independent resources to interpret the data.

Do members have any comments or suggestions for action?

Brian Whittle: This is not the first time that a petition on this subject has come to the committee. We had one on the protection of raptors. What it comes down to is that any crime committed against raptors tends to happen in very rural settings and it is, therefore, difficult to gather evidence, whether what happened was the result

of shooting or poisoning or whatever. The petition is worth while, obviously, but my worry is that it comes down to exactly the same issue that we saw in the last petition, which is how we police such crime.

In this instance, we should write to quite a number of stakeholders to ask for their views. For example, there is RSPB Scotland, Raptor Persecution UK, Police Scotland, the British Association for Shooting and Conservation, Scottish Land & Estates, Scottish Natural Heritage, and the Scottish Raptor Study Group. There are loads of them. We can write to them and see what they say, but my concern is how we implement justice in this situation.

Alex Rowley: Is it the Environment, Climate Change and Land Reform Committee's brief to look at wildlife crime? That is where the wildlife crime reports go. I wonder whether that committee—

Brian Whittle: That is where we sent the last petition.

Alex Rowley: What did they do with it?

Brian Whittle: We gathered evidence and passed it on to that committee.

I do not want to pre-empt a decision, but we should gather evidence in this committee and then refer it on to the ECCLR Committee, which is doing a more in-depth study of the area. We should certainly pursue the issue just now.

Maurice Corry: I know the previous petition well, because we discussed it when I first joined this committee. We should ask SPICe to summarise the two previous petitions, PE1705 and PE1615, and where they got to in the ECCLR Committee, as well as, obviously, the outcomes of the petitions. That needs to be addressed and then we can put the information together with what we get from writing to the other stakeholders, as Brian Whittle says. We should gather that information.

Alex Rowley: I saw recently that a golden eagle went missing in Scotland.

Maurice Corry: Its name was Fred.

Alex Rowley: The level of wildlife crime really is an issue. We perhaps do not have the answer, but the petition suggests something specific to do. Are you saying that this has already happened, Brian?

Brian Whittle: The evidence that we took about two or three weeks ago about countryside rangers and cutting down on the number of rangers we have out there all has an impact on this petition. There are a lot of interconnecting issues, which is why I think that we should write to Scottish Natural Heritage and the Scottish Gamekeepers Association and so on to gather information. They

will come back and say, "We need more people to police it", at a time when we are cutting back.

The Deputy Convener: I am minded, given that the matter came up very recently and was referred to the ECCLR Committee, to just refer this petition on as well.

David Torrance: I agree. If we have already worked on the issue, and if another committee is working on it, why the duplication? Just pass it on and let them get on with it.

Maurice Corry: I am happy with that. I agree that there is no point in reinventing the wheel.

The Deputy Convener: The ECCLR Committee is the best place for the petition to go if they are already working on the issue. They were working on it as recently as March 2019. Do members agree to that?

Members indicated agreement.

No-wild-camping Zones (PE1751)

The Deputy Convener: I declare an interest in PE1751 because it has been lodged by a member of my staff team. I will not participate in the discussion; I will leave it to other members.

The next petition is PE1751, on creating no-wild-camping zones in Scotland, lodged by Kirsteen Currie. The petition calls on the Scottish Parliament to urge the Scottish Government to legislate to enable local authorities to create no-wild-camping zones in Scotland.

Our briefing paper explains that wild camping involves pitching a portable shelter for one or two nights on unenclosed land, not using a formal, managed campsite. The briefing paper also states that, with the development of tourist routes such as the north coast 500, as well as increasingly cheap tents and camping equipment, the prevalence of irresponsible camping appears to be increasing.

Section 12 of the Land Reform (Scotland) Act 2003 provides powers for local authorities to make byelaws providing for the preservation of public order and safety, the prevention of damage, the prevention of nuisance or danger and the conservation or enhancement of natural or cultural heritage.

National park authorities also have similar powers to make byelaws under schedule 2 to the National Parks (Scotland) Act 2000.

Does any member have comments or suggestions for action?

Brian Whittle: This is an interesting petition. On the face of it, the idea that people can just pitch up anywhere they like might be something that we would want to look at. It clashes, though, with the

idea of the right to roam that we have in Scotland. The petition is asking for local authorities to be given powers and I would be fairly supportive of that, although I can see where all the potential problems might come.

I would be interested to see what the Scottish Government's perspective is on this, especially in relation to the right to roam in Scotland, which is the law. How does the petition's proposal clash with that? On the face of it, I can see what the petitioner is trying to do.

Alex Rowley: We should follow up as you have said: write to the appropriate people, get some information back and take it from there.

Maurice Corry: I would certainly write to the Loch Lomond and the Trossachs National Park Authority. The park is in my area and I know quite a lot about the issue. We had an awful problem trying to get the wild camping situation sorted and, in fact, effected a byelaw, which has been quite successful. Of course, it has created a problem with Ramblers Scotland and Mountaineering Scotland, but in the main it is accepted as a way of managing the issue that we had and that we still have from time to time.

I would certainly get some experiential research from the park as to how things have worked out since they have had the byelaw in place. What was happening was appalling and it had to be corrected. I am not on the board or anything; I am simply the regional MSP. I would say that the approach has come with some success and it might be worth looking at the results of it so far and asking the chief executive to send us an update.

Brian Whittle: We could widen that out to the national parks authority.

Maurice Corry: That is what I was saying, yes. The issue also affects Ramblers Scotland and Mountaineering Scotland.

Alex Rowley: You have identified specific areas—Highland region and Argyll and Bute. Those areas clearly have specific issues, so it would be worth checking with them as well.

Maurice Corry: I agree. Cairngorms national park is another one.

The Deputy Convener: We will write to the Scottish Government and to the national park authorities. We should probably also write to North Coast 500, given that the route is specifically mentioned in our briefing pack. Mountaineering Scotland and Ramblers Scotland were also mentioned, and we should probably include Parkswatch, too.

Alex Rowley: We should also write to the appropriate local authorities.

The Deputy Convener: We will write to the appropriate local authorities that are involved, yes.

Maurice Corry: May I suggest that we write to the Lake District National Park Authority? It has been going for many years and I know that Loch Lomond and the Trossachs national park referred to it as an authority that has had a lot of experience. It would be quite interesting if we wrote to them because that would give us some information—this is going back several years—on how it got over the problem.

The Deputy Convener: Does everyone agree on those actions?

Members indicated agreement.

Scottish Government (Management and Time Recording Systems) (PE1752)

The Deputy Convener: The final new petition for consideration is PE1752 on management and time recording systems in the Scottish Government, lodged by Bill Alexander.

The petition calls for the Scottish Government to introduce suitable workforce management and time recording systems to monitor the work activities of civil servants to ensure that reasonable standards of efficiency and value for money are being met.

In our briefing for the petition, the current management systems and policies used by the Scottish Government are outlined, as well as how tasks are managed by Government staff. The briefing also confirms that Audit Scotland employees are required to complete timesheets showing how long they have spent on various tasks, and that there do not appear to be any documents in the public domain showing how Audit Scotland staff spend their time, nor how efficient they are.

The briefing goes on to outline the challenges of measuring the efficiency of an organisation such as the Scottish Government through the action called for in the petition.

Do members have any comments or suggestions for action?

Maurice Corry: I propose that we close the petition. It is an operational matter and I see no benefit in pursuing it.

Brian Whittle: Yes. I do not want to put words in the petitioner's mouth, but it seems to me that a bit of personal experience has particularly excited the petition. I understand where they are trying to go with the proposal, but it would be difficult to achieve in practice. That is the key thing. It is not that the petition is not worth while, but I think that it would be very difficult to get to any outcomes.

Alex Rowley: I am not sure that the petition is how to go about this. People can rightly ask politicians whether the Government is efficient and effective and there are ways for politicians and others to ask those questions, but I am not sure that what is proposed is the right way to do it. I am not sure that the trade unions that represent civil servants would be too happy if we went down this route. It is right that politicians can hold the Government to account for the effectiveness and efficiency of its services, but this is not the way to do that.

David Torrance: I agree with Alex Rowley. Politicians can ask any Government department questions on how efficient it is. It is up to us to play that key scrutiny role. I am quite happy to close the petition.

The Deputy Convener: Is that agreed?

Members *indicated agreement.*

The Deputy Convener: Okay. We thank the petitioner, but we agree to close the petition under standing order rule 15.7 on the basis, as Brian Whittle said, that the action called for in the petition is considered difficult to achieve in practice.

Thank you very much.

Meeting closed at 10:44.

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