



The Scottish Parliament  
Pàrlamaid na h-Alba

## PUBLIC PETITIONS COMMITTEE

### AGENDA

11th Meeting, 2010 (Session 3)

Tuesday 29 June 2010

The Committee will meet at 2.00 pm in Committee Room 1.

1. **Declaration of interests:** Cathie Craigie MSP will be invited to declare any relevant interests.
2. **Choice of convener:** The Committee will choose a convener.
3. **Consideration of new petitions:** The Committee will consider the following new petitions—

[PE1335](#) Support for cerebral palsy/acquired brain injury national football team

The Committee will take evidence from Maggie Tervit

[PE1334](#) Public consultation on disabled services

The Committee will take evidence from Ann Cassels and John Thomson, Fernan Street Action Group

[PE1330](#) End the use of pit ponies

[PE1333](#) Disadvantaged Scottish Gypsy Travellers and members of the settled community

4. **Consideration of current petitions:** The Committee will consider the following current petitions—

[PE1050](#) Protection of common good sites

[PE1098](#) Mandatory fitting of seatbelts on school buses

[PE1223](#) School bus safety

[PE1115](#) National and regional transport strategies

[PE1169](#) Display of sexually graphic magazines and newspapers

[PE1196](#) Tail docking

[PE1230](#) Tail docking

[PE1220](#) GP Dispensing

[PE1229](#) Processing of biological information

[PE1241](#) Review of contract: HMP Kilmarnock

[PE1273](#) Overnight running of freight trains on the Stirling-Alloa-Kincardine railway line

[PE1302](#) Larbert rail noise and vibration

[PE1284](#) Class sizes and parental choice

[PE1291](#) Why 17? campaign - save babies lives in Scotland

[PE1295](#) The planning system and the protection of national scenic areas

[PE1180](#) Further education provision for students with complex needs

[PE1298](#) Screening and diagnosis of Haemochromatosis - Iron overload

[PE1310](#) Amendment of Mental Health (Care and Treatment) Act

[PE1319](#) Improving youth football

5. **Notification of new petitions:** The Committee will consider a paper indicating new petitions lodged since the last Committee meeting.
6. **Forthcoming work programme:** The Committee will consider a paper by the Clerk.

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The papers for this meeting are as follows—

Item 1: Declaration of interests	No paper
Item 2: Choice of Convener	<a href="#">PE/S3/10/11/1</a>
Item 3: Consideration of new petitions	<a href="#">PE/S3/10/11/2</a>
Item 4: Consideration of current petitions	<a href="#">PE/S3/10/11/3</a>
Item 5: Notification of new petitions	<a href="#">PE/S3/10/11/4</a>
Item 6: Forthcoming work programme	<a href="#">PE/S3/10/11/5</a>



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### **Choice of Convener**

#### **Purpose**

1. The purpose of this paper is to inform members of the procedure for choosing a Convener of the Committee.

#### **Role of the Deputy Convener**

2. The meeting will be chaired by the Deputy Convener (or, in his absence, by a Temporary Convener following appointment) until a Convener is chosen.

#### **Choice of Convener**

3. On 7 June 2007, the Parliament agreed to motion S3M-137 which resolved that members of the Labour Party are eligible to be chosen as Convener of the Public Petitions Committee. The Deputy Convener will invite nominations for members of that party for the convenership. There is no requirement for nominations to be submitted in advance of the meeting or to be seconded.
4. Where only one nomination is received, members will be asked to agree to the appointment.
5. On being chosen by the Committee, the Convener will immediately take the chair and will convene the remainder of the meeting.

#### **Role of Convener**

6. The duties and responsibilities of the Convener of a Parliamentary Committee are set out in Rule 12 of Standing Orders. Further detail is provided in paragraphs 2.16 to 2.25 of the Guidance for the Operation of Committees which can be found at—

[www.scottish.parliament.uk/business/parliamentaryProcedure/g-committee/cg-c.htm](http://www.scottish.parliament.uk/business/parliamentaryProcedure/g-committee/cg-c.htm)

**Recommendation**

7. Members are invited to choose the Convener.

**Clerk to the Committee**  
**22 June 2010**



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**Consideration of new petitions**

The Committee is invited to consider the following new petitions—

[PE1335](#) Petition by Maggie Tervit and other parents on behalf of football players with Cerebral Palsy or Acquired Brain Injury calling on the Scottish Parliament to urge the Scottish Government to take action, including making representations to the Scottish Football Association, to bring Scotland more into line with England, Wales, Northern Ireland and the Republic of Ireland to adopt the Scottish national team for footballers with Cerebral Palsy/Acquired Brain Injury.

[PE1334](#) Petition by Ann Cassels calling on the Scottish Parliament to urge the Scottish Government to set out what its expectations are in relation to how, when, with whom and on what local authorities consult when considering the closure or relocation of centres which provide services for people with disabilities and what evidence is there that this, in reality, is what local authorities are doing.

[PE1330](#) Petition by Roy Peckham calling on the Scottish Parliament to urge the Scottish Government to prohibit the use of equine underground.

[PE1333](#) Petition by Shamus McPhee, on behalf of the Scottish Gypsy Traveller Law Reform Coalition, calling on the Scottish Parliament to urge the Scottish Government to investigate the inequalities and discrimination faced by Scottish Gypsy Travellers and other members of the settled community residing in mobile homes in terms of assessing council tax liability and water and water and sewerage charges

**Clerk to the Committee**  
**22 June 2010**



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**Consideration of current petitions**

The Committee is invited to consider the following current petitions and written submissions received—

[PE1050](#) Petition by Councillor Ann Watters, on behalf of Kirkcaldy Civic Society, calling for the Scottish Parliament to urge the Scottish Executive to introduce legislation to provide better protection for common good sites, such as Ravenscraig Park in Kirkcaldy, and to ensure that such assets are retained for their original purpose for future generations.

[Written submissions](#)

PE1050/O: Scottish Government letter of 6 May 2010

[PE1098](#) Petition by Lynn Merrifield, on behalf of Kingseat Community Council, calling for the Scottish Parliament to urge the Scottish Government to make provision for every school bus to be installed with three point seatbelts for every school child passenger and to ensure that, as part of a local authority's consideration of 'Best Value' in relation to the provision of school buses, proper regard is given to the safety needs of the children.

[PE1223](#) Petition by Ron Beaty calling on the Scottish Parliament to urge the Scottish Government to take all appropriate action, whether through amending guidance, contracts, agreements or legislation, to require local authorities to install proper safety signage and lights on school buses, to be used only when school children are on the bus when necessary, and make overtaking a stationary school bus a criminal offence.

[PE1115](#) Petition by Caroline Moore on behalf of the Campaign to Open Blackford Railway-station Again, calling for the Scottish Parliament to urge the Scottish Government to ensure that national and regional transport strategies consider and focus on public transport solutions such as the reopening of Blackford railway station which is identified as a priority action in the latest

Tayside and Central Regional Transport Strategy, and in doing so, recognises and supports the positive environmental, economic and social impacts of such local solutions.

[Written submissions](#)

PE1115/K: Transport Scotland letter of 18 May 2010

PE1115/L: Petitioner letter of 14 June 2010

[PE1169](#) Petition by Margaret Forbes, on behalf of Scottish Women Against Pornography, calling on the Scottish Parliament to urge the Scottish Government to introduce and enforce measures that ensure that magazines and newspapers containing sexually graphic covers are not displayed at children's eye-level or below or adjacent to children's titles and comics and should be screen sleeved before being placed on the shelf.

[Written submissions](#)

PE1169/K: Scottish Government letter of 13 May 2010

PE1169/L: The Front Page Campaign letter of 25 May 2010

PE1169/M: Petitioner letter of 11 June 2010

[PE1196](#) Petition by Michael Brander calling on the Scottish Parliament to urge the Scottish Government to amend the Animal Health and Welfare (Scotland) Act 2006 as a matter of urgency to allow for the tails of working dogs to be docked.

[PE1230](#) Petition by Dr Colin Shedden on behalf of the British Association for Shooting and Conservation, the Scottish Countryside Alliance, the Scottish Gamekeepers Association and the Scottish Rural Property and Business Association, calling on the Scottish Parliament to urge the Scottish Government to amend the Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2007 to allow prophylactic tail docking of working dogs under tightly specified circumstances.

[Written submissions](#)

PE1196/L & PE1230/E: Scottish Government letter of 5 May 2010

PE1196/M: Petitioner email of 9 June 2010

PE1230/F: Petitioner letter of 4 June 2010

[PE1220](#) Petition by Alan Kennedy calling on the Scottish Parliament to urge the Scottish Government to review all relevant legislation to ensure the continuance of general practitioner dispensing practices in instances where commercial pharmaceutical practices apply to operate in the same local area.

[Written submissions](#)

PE1220/X: Dr Blair and Dr Kennedy Letter of 12 May 2010

PR1220/Y: Scottish Government letter of 17 May 2010

PE1220/Z: Petitioner letter of 11 June 2010

[PE1229](#) Petition by Craig Macadam, on behalf of Biological Recording in Scotland (BRISC), calling on the Scottish Parliament to urge the Scottish Government to establish integrated local and national structures for collecting,

analysing and sharing biological data to inform decision making processes to benefit biodiversity

[Written submissions](#)

PE1229/K: Scottish Government letter of 17 May 2010

PE1229/L: Petitioner letter of 6 June 2010.

[PE1241](#) Petition by William Buntain calling on the Scottish Parliament to urge the Scottish Government to conduct an impartial and independent review of its 25 year contract with Kilmarnock Prison Services Ltd on the design, construction, financing and managing of HM Prison Kilmarnock.

[Written submissions](#)

PE1241/K: Scottish Prison Service letter of 21 May 2010

PE1241/L: Petitioner letter of 11 June 2010

[PE1273](#) Petition by Anne Massie calling on the Scottish Parliament to urge the Scottish Government to take the necessary action and make representations to the appropriate bodies to stop the overnight running of freight trains on the Stirling-Alloa-Kincardine railway line.

[PE1302](#) Petition by Colin Sloper calling on the Scottish Parliament to urge the Scottish Government to ensure that greater consideration is given to the problems of noise and vibration generated by increasing levels of heavy freight on the rail network, and to consider what action can be taken to encourage freight operators to use more track friendly rolling stock.

[Written submissions](#)

PE1273/F and PE1302/L: Network Rail letter of 14 May 2010

PE1273/G and PE1302/M: Scottish Power letter of 17 May 2010

PE1273/H and PE1302/N: DB Schenker letter of 17 May 2010

PE1273/I and PE1302/O: Transport Scotland letter of 17 May 2010

PE1273/J and PE1302/P Clackmannshire Council letter of 17 May 2010

PE1273/K: Petitioner letter of 8 June 2010

[PE1284](#) Petition by Graham Simpson calling on the Scottish Parliament to urge the Scottish Government to note the successful outcome of a number of legal cases brought by parents against local authorities involving placing requests for children and for it, and councils, to desist from applying any policy on class sizes which conflicts with the numbers stipulated by law and the statutory rights of parents under the Education (Scotland) Act 1980 to choose the school they wish their children to attend.

[Written submissions](#)

PE1284/J: Scottish Government letter of 9 June 2010

PE1284/K: Petitioner letter of 16 June 2010

[PE1291](#) Petition by Tara MacDowel on behalf of Sands, the stillbirth and neonatal death charity calling on the Scottish Parliament to urge the Scottish Government to (1) note and act upon the Sands Saving Babies Lives Report

2009 in support of its Why 17? campaign; (2) develop a strategy for reducing levels of stillbirths and neonatal deaths; (3) fund further research to improve understanding of why stillbirths and neonatal deaths happen; (4) develop gold standard antenatal care provision in all NHS boards; and (5) work with Sands to improve public awareness of these issues.

[Written submissions](#)

PE1291/G: Scottish Government letter of 5 May 2010

PE1291/H: NHS Quality Improvement Scotland letter of 10 May 2010

[PE1295](#) Petition by Flora Dickson calling on the Scottish Parliament to urge the Scottish Government to clarify how sites which have been identified as areas of national scenic value can then be considered as suitable locations for the building of crematoria and other developments and whether allowing under the planning system for applications to build crematoria and other developments runs contrary to the reasons for sites being designated as such and whether the promotion and protection of our natural heritage should merit that a full and robust Environmental Impact Assessment is conducted for any planning applications made.

[Written submissions](#)

PE1295/E: Scottish Government letter of 17 May 2010

PE1295/F Petitioner letter of 10 June 2010

[PE1180](#) Petition by Tom and Josie Wallace calling on the Scottish Parliament to urge the Scottish Government to ensure that students with complex needs are supported in achieving further education placements and that appropriate funding mechanisms are provided to enable such placements to be taken up

[Written submissions](#)

PE1180/P Scottish Government letter of 18 May 2010

[PE1298](#) Petition by George Scott calling on the Scottish Parliament to urge the Scottish Government to promote and support the introduction of national screening and a science based diagnosis of Haemochromatosis Iron Overload within NHS primary care.

[Written submissions](#)

PE1298/I: Scottish Government letter of 17 May 2010

PE1298/J: Scottish Government letter of June 2010

PE1298/K: Petitioner letter of 11 June 2010

[PE1310](#) Petition by Jean Gerrard calling on the Scottish Parliament to urge the Scottish Government to amend the Mental Health (Care and Treatment) (Scotland) Act 2003 to abolish the over-use of Compulsory Treatment Orders for non-violent mentally ill patients and to provide a process which allows patients and their representatives to challenge any perceived errors in CTO report which can lead to misdiagnoses, faulty speculation and the administration of unwarranted forms of treatment.

[Written submissions](#)

PE1310/B: Mental Welfare Commission letter of March 2010

PE1310/C: NHS Lanarkshire letter of 25 March 2010

PE1310/D: Scottish Association for Mental Health letter of 26 March 2010  
PE1310/E: Scottish Government letter of 26 March 2010  
PE1310/F: Information Commissioner letter of 15 April 2010  
PE1310/G: Petitioner letter of 9 May 2010

[PE1319](#) Petition by William Smith and Scott Robertson calling on the Scottish Parliament to urge the Scottish Government to investigate the (1) legal status and appropriateness of professional SFA clubs entering into contracts with children under 16 years; (2) audit process and accountability of all public funds distributed by the Scottish Football Association to its member clubs; (3) social, educational and psychological affects and legality of SFA member clubs prohibiting such children from participating in extra curricular activity; and (4) appropriateness of 'compensation' payments between SFA member clubs for the transfer of young players under the age of 16 years; and to (5) increase the educational target from 2 hours curricular physical activity to four hours per week; and (6) develop a long-term plan to provide quality artificial surfaces for training and playing football at all ages across all regions.

[Written submissions](#)

PE1319/A: Dundee City Council letter of 26 April 2010  
PE1319/B: Scottish Youth Football Association letter of 17 May 2010  
PE1319/C: Glasgow City Council letter of 17 May 2010  
PE1319/D: Scottish Government letter of 21 May 2010  
PE1319/E: Scottish Commissioner for Children and Young People letter of 21 May 2010  
PE1319/F: Scottish Premier League letter of 11 June 2010  
PE1319/G: Scottish Football Association letter of 14 June 2010  
PE1319/H: Scottish Football league letter of 15 June 2010  
PE1319/I: Petitioner letter of 21 June 2010

**Clerk to the Committee**  
**22 June 2010**



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**Notification of new petitions**

The Committee is invited to note the following new e-petition which has been posted on to the [e-petition site](#) since the last meeting on 15 June 2010—

Petition by Tessa Packard on behalf of Black Mountain Farms, Faccombe Estates, Horseupcleugh Estate, Burncastle Estate, Cranshaws and Longformacus Community Council calling on the Scottish Parliament to urge the Scottish Government to convene an inquiry to consider the process for consenting onshore and offshore renewable energy generating stations and whether the process achieves an adequate cost/benefit and planning developments/environment balance, particularly for those in rural communities and whether its energy and planning policies compete against local communities priorities for land and landscape conservation, tourism and public recreation.

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## **PUBLIC PETITIONS COMMITTEE**

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**Forthcoming work programme**

### **Purpose**

1. The purpose of this paper is to invite the Committee to consider and agree a revised work programme for the remainder of 2010. It sets out revised meeting dates and arrangements for external meetings and other aspects of its work. It also invites the Committee to note work being taken forward, arising from its petitions inquiry report, and which will feature in the 2010 work programme.

2. The Committee will recall that it agreed, at its meeting on 4 May 2010, the following meeting dates for 2010:

29 June (Tuesday)	29 October (Friday)
7 September (Tuesday)	9 November (Tuesday)
20 September (Monday)	23 November (Tuesday)
5 October (Tuesday)	7 December (Tuesday)
26 October (Tuesday)	

3. The meeting on 20 September would be an external meeting in Arran. However, this paper updates the Committee on a number of issues since this work programme was agreed and which may have a bearing on these future meeting dates.

### *External meeting dates*

4. The Committee is aware of the commitment it made in the [report of its inquiry into the public petitions process](#) (para.30) to hold three external meetings in 2010. This was the first conclusion arising from its inquiry. It also stated that it would seek, where possible, to meet in locations where no other committee of the Parliament has met (this it has done with its meetings in Duns, Fraserburgh, Alness and Anstruther). This was in line with its commitment to take the work of the Committee to different parts of Scotland and to seek to engage with people in local communities.

5. The next external meeting was due to take place on 20 September in Arran at the High School. However, through discussions with the school, it has emerged that this date is not suitable. Members will recall that the Committee has made a commitment to target young people and that a large percentage of the public audience at its previous external meetings (Duns, Fraserburgh, Alness, Anstruther), which have taken place in schools, has been the pupils from that, and neighbouring, schools.

6. The Committee is invited to consider whether to rearrange the external meeting to the earlier date of Monday 13 September. It is suggested that to move the meeting back into October will clash with school holidays (the school is closed on 4 October), the October recess and then other committee events such as the Scottish Youth Parliament conference (see below).

**7. The Committee is invited to consider whether it wishes to hold its external meeting on Monday 13 September and not Monday 20 September.**

8. This means the Committee will have two consecutive meetings (7<sup>th</sup> and 13<sup>th</sup>). Therefore, to avoid a third consecutive meeting, it is suggested that the 20 September meeting date is 'given up'. This means the Committee will still hold eight meetings between the summer and Christmas recess as previously agreed.

9. To summarise, subject to the decision above, the dates for the Committees future meetings would be (all Holyrood except 13 September which will be in Arran)—

7 September (Tuesday)  
13 September (Monday)  
5 October (Tuesday)  
26 October (Tuesday)  
29 October (Friday)  
9 November (Tuesday)  
23 November (Tuesday)  
7 December (Tuesday)

**10. The Committee is invited to agree the above revised meeting dates.**

*"Themed" petitions meetings*

11. The Committee will recall from its [inquiry report \(paragraph 33\)](#) that it would take forward arrangements to hold a Committee meeting at which it would only consider petitions brought forward by young people from across Scotland. This was on the back of a suggestion made by one of the pupils at Fraserburgh Academy when the Committee met there on [30 March 2009](#).

12. Initial discussions on how to take this project forward and generate the petitions themselves have taken place between the Clerk, Young Scot and the Scottish Youth Parliament and internally with the Community Partnership team around what work could be done with the partners taking part in the

[Community Partnership](#) project. Two of the partners in this year's project are the South Ayrshire Youth Forum and the Mid Argyll Youth Project who have shown initial enthusiasm to bring forward petitions.

13. The SPCB has agreed that the annual Scottish Youth Parliament conference will take place this year in the Scottish Parliament building. The event will take place on Friday 29 and Saturday 30 October, mainly in the Parliament Chamber. The Committee agreed that this would be a useful and convenient opportunity to hold its 'young petitioners' meeting.

14. There have been indications from the SYP of two or three petitions which individual MSYPs may bring forward. These have emerged from a SYP session in Coatbridge when a number of motions were discussed and voted on. Added to the Community Partnership project, it is estimated that 4-5 petitions could be brought forward.

**15. The Committee is invited to note that agreement has now been given by the Scottish Parliamentary Corporate Body for the Committee to hold its meeting at the SYP conference on the morning of Friday 29 October 2010 in the Parliament Chamber.**

16. The Clerk will continue discussions to take this forward and submit a further paper in due course setting out more details.

### **Conclusion**

**The Committee is invited to—**

**Consider and agree—**

- **whether it wishes to hold its external meeting on Monday 13 September and not Monday 20 September; and**
- **the above revised meeting dates.**

**Note that agreement has now been given by the Scottish Parliamentary Corporate Body for the Committee to hold its meeting at the SYP conference on the morning of Friday 29 October 2010 in the Parliament Chamber.**

**Clerk to the Committee  
22 June 2010**