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Local Government and Transport Committee Official Report 13 June 2006

Col 3845

Scottish Parliament

Local Government and Transport Committee

Tuesday 13 June 2006

[THE CONVENER *opened the meeting at 14:01*]

Petition

Home Safety Officers (PE758)

The Convener (Bristow Muldoon): I call today's meeting of the Local Government and Transport Committee to order. Welcome to the meeting.

The first item is further consideration of petition PE758, on home safety officers. Our witnesses are Bob Sutherland, community safety manager for Angus Council, and Laura McDermott, home safety projects officer for Dundee City Council. I am pleased that representatives of two local authorities have come along to express their views. Members may wish to note that we asked the Convention of Scottish Local Authorities to set out a generic local government position on the petition. A paper outlining COSLA's views was circulated along with the witnesses' submissions.

I will give the witnesses the opportunity to make some introductory remarks to the committee, after which I will open the floor to questions from members. Laura McDermott will have the opportunity to speak first.

Laura McDermott (Dundee City Council): Good afternoon. I am Laura McDermott, home safety projects officer for Dundee City Council. I have been employed by the council for 15 years as a home safety officer, with a full remit for home safety in the city of Dundee. I hope that this afternoon I will have a chance to explain the work in which I have been involved and why I am here on behalf of other Scottish home safety officers to discuss making home safety a statutory function.

Bob Sutherland (Angus Council): All local authorities would welcome any increased resources that may be made available to support and to develop further home safety solutions at local level. It is right that all councils should see home safety as a high priority within the overall concept of community safety, and that it should be facilitated through local community safety partnerships and community planning partnerships. However, in my view there is no need to impose statutory obligations on local authorities, such as the requirement to employ dedicated home safety officers. Authorities should

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retain the flexibility to decide, along with their local partners, how best to develop solutions and proactive measures that meet their local needs.

I have no problem with the belief behind the petition—home safety should be seen as a priority issue. I also have no problem with home safety officers or with those authorities that see them as the most effective way of co-ordinating resources. However, not all local authorities see such

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extracted

instrument. Although members have expressed concern about the order, no motion to annul has been lodged and therefore there is no means of opposing it. As a result, I recommend that we report to Parliament that we have no comment to make on the order but I encourage the Minister for Transport to reflect on certain points that were raised in the previous debate. I intend to follow up those points in writing with the minister and after we have received a response we can consider how to take the matter forward. Are members content with that approach?

Fergus Ewing: I am broadly content with it. As I have made clear, I see no point in seeking to abolish the public transport users committee for Scotland—which, after all, will continue to enforce the bus complaints procedure—just because we do not like the fact that it will not do what we hoped it would do.

However, I wish to point out that the minister's predecessor, Nicol Stephen, stated in the stage 3 debate on the Transport (Scotland) Bill:

"the new public transport users committee will be established early next year. I want a similar rail body to be established as soon as possible"—[*Official Report*, 29 June 2005; c 18516.].

That statement led us to believe that the rail body would perform similar functions. Although further scrutiny is needed of statements that were made at stages 2 and 3 of that bill, I hope that we can all unite behind the proposal that a Scottish body should be set up to deal with rail complaints. I wonder whether, in the approach that the convener has proposed and to which I subscribe entirely, we can emphasise that work should be undertaken to find out whether there is any scope under section 76 of the Railways Act 1993 to establish the rail body similar to the committee that we are considering today that the minister's predecessor said would be established.

Paul Martin: When we write to the minister, will we refer to the number of complaints that have been made to the bus user complaints tribunal? I think that the minister referred to a figure of 181.

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Tavish Scott: It was 190.

Paul Martin: I know that the minister has probably received that many complaints from me and I am sure that that will be replicated around the table. That reflects not so much the fact that there is a lack of willingness to make complaints, but something about the bus user complaints tribunal. We said that as part of our bus inquiry. I ask the minister, in setting up the new committee, to consider the effectiveness of the way in which that tribunal receives complaints. The organisation seems to be willing to receive complaints—I saw that during our inquiry—but it does not seem to be willing to get out there and encourage people to take up the issues. I welcome the positive way in which the minister has reacted to that comment.

The Convener: Can I confirm that, formally, we have nothing to report to Parliament with regard to the instrument but that members would like me to raise the issues and concerns that they have raised during the debate on both instruments?

Members *indicated agreement.*

The Convener: I thank the minister and his officials for attending. That was another useful debate.

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Petitions

Common Good Assets (PE875)

Listed Buildings (Consultation on Disposal) (PE896)

Common Good Land (PE961)

15:45

The Convener: Agenda item 5 is consideration of petition PE875, by Mary E Mackenzie; petition PE896 by Florence Boyle, on behalf of West Dunbartonshire Heritage Ltd; and petition PE961, by Sally Richardson. All three petitions raise the issues of the means by which common good assets are recorded and the requirement of local authorities to consult communities or take cognisance of their views with regard to how common good land and property is used. The petitions cover fairly similar ground.

We are asked to consider how we wish to take forward the consideration of the petitions. There is quite extensive paperwork, including supporting documentation and the record of the consideration that the Public Petitions Committee has given to the petitions.

Michael McMahon: I suggest that we do not do anything different from what we did with the petition on home safety officers. There is an issue for us to explore. If we talk to people who have some expertise on the matter, we will get a clearer view of the issues and we will be able to reach a conclusion. We have a tried and trusted method of dealing with petitions. I leave it up to you to determine which organisations would come before us.

As the convener of the Public Petitions Committee, I can assure you that the petitions generated quite a bit of interest. Not only were they novel, but the examples that were given to us were particularly interesting. The supporting evidence demonstrates the expertise that exists in communities in Scotland and highlights how little is known about what constitutes common good assets and how they should be disposed of. Miss Mackenzie, who is one of the petitioners, saw an item in an antique shop that she knew belonged to the City of Edinburgh Council. She discovered that no one in Edinburgh could trace the item. However, she proved that it had at one time belonged to the council and that no one knew that it had been disposed of. There is no register of common good assets. No one keeps track of where the assets lie.

The Convener: These days, I think that the Public Petitions Committee refers to this

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committee only a few of the petitions that it receives. That reflects the fact that the Public Petitions Committee now plays a greater role in dealing with petitions earlier. As the petitions have been referred to us, it is appropriate that we consider taking evidence on them.

My initial suggestion is that among the people from whom it would be useful to hear are the petitioners, COSLA—given that local authorities probably form the largest group of owners of such property—and the Scottish Executive, for a broader overview. I am open to suggestions.

David McLetchie: The clerk circulated a report by Andy Wightman about the common good fund in Edinburgh. In the time that has been available I have skimmed that report, which raises interesting issues about the management of that fund, which might be an example for others. Mr Wightman has considerable expertise in land and property ownership issues and he might be a useful witness.

The Convener: I am happy to add his name to the list.

Ms Watt: As I said when we discussed the matter before, we need to know whether local authorities know how much land or assets they have and whether they have a register or inventory of that, as Michael McMahon said. It would be good to contact all local authorities, to find out whether a problem exists and, if so, what its scale is.

The Convener: Did the Public Petitions Committee find that out?

Michael McMahon: The Public Petitions Committee wrote to COSLA. The issue that was left outstanding was the fact that it was clear that no register exists. Some organisations accepted that no register or inventory existed and said that that was fine, because that is the way things are done, whereas others said that having an inventory or register would be useful. What is left for the Local Government and Transport Committee to do is to determine the best outcome. The question, which is similar to that in an earlier debate this afternoon, is whether we should allow local authorities to operate individually as they see fit. Should someone hold a register centrally, which might be controlled centrally but collected locally? That would allow people to know exactly what is

held as common good in their local authority areas.

Mike Rumbles: I, too, have skimmed the paper from Andy Wightman, who has been suggested as a witness. I would like to hear from representatives of the two councils that he cites, because the difference between the funds—and, I assume, in how they have been managed—is stark. The committee would benefit from hearing from

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representatives of Aberdeen City Council and the City of Edinburgh Council about how they manage their common good funds.

The Convener: We could do that. We could ask COSLA to appear along with those councils, rather than having separate groups on the agenda.

Mike Rumbles: You suggest a panel of three witnesses.

The Convener: Yes.

Mike Rumbles: That is a good idea.

Paul Martin: We will take evidence on existing practice, but it would also be interesting to hear about the potential of registering such information. Registering the common good assets of Glasgow, such as the Burrell collection and all the other collections, could present a positive picture of the material that people want to access and the number of facilities that people want to visit. People could use the internet to find out that such art treasures are available. That might affect the list of witnesses.

If a regime required local authorities to register such information, financing would be an issue. There is potential for the information to be used positively if people all over the world could access a database of where items are held. That is in the common global interest, particularly on art, which is an issue in Glasgow. People from all over the world visit the Burrell collection but they do not know which pieces will be displayed until they arrive at the collection. If there was some way that we could present the common good assets that our various authorities hold, that would be positive. We could inquire into that.

Dr Jackson: Another point that emerged from the documentation that we have received is what we do not know as a result of local government reorganisation. Perhaps we might ask COSLA and any of the councils from which we take evidence how big the problem of lost records is. It might be an issue not only for common good assets, but for other matters as well.

Fergus Ewing: Among the papers that have been provided were comments from Audit Scotland, which says that it has examined a number of common good funds over the years. It goes on to identify some of the issues, some of which we have covered: the completeness of the record of what is owned; the valuation of common good assets; securing best value from the disposal of common good land; the allocation of overhead and interest to common good funds; and accounting for the repair costs of common good assets. Miss Mackenzie also raises the question of whether rent is being charged to councils for assets that they rent or use that are owned by the common good fund.

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I would like to add Audit Scotland to the list of witnesses and would like to see its reports on the City of Edinburgh Council and Aberdeen City Council. Quite serious allegations are made about City of Edinburgh Council and I did not see an answer to them. I do not want to repeat them now, but I would like to see an answer to that aspect of Mr Wightman's paper.

We should have an inquiry. Michael McMahon is right. There is a general air of mystery about what common good funds are, how much they are worth and what they are spent on. Speculation—founded or otherwise—tends to be more rampant where there is an air of mystery than in the well-audited well-trodden path of local government finance. I would like common good funds to be brought into the main stream and I hope that an inquiry might help us to achieve that purpose.

The Convener: Are we happy to take evidence from the range of bodies that we have discussed? We will consider an approach paper in due course.

Members *indicated agreement.*

The Convener: That brings us to the end of today's meeting. I thank all members for their attendance and contributions.

Meeting closed at 15:58.