The Committee will consider the following new petitions—

PE977 Petition by Paddy Imhoff calling on the Scottish Parliament urge the Scottish Executive to review its proposals for the controversial Aberdeen Western Peripheral Route in light of growing public concern with this project.

PE979 Petition by Najem Al Hasan calling on the Scottish Parliament to review the Building (Procedure) (Scotland) Regulations 2004 and the Local Government (Scotland) Act 1973 in order to permit competition between neighbouring local authorities in relation to the provision of building warrants.

PE976 Petition by Peter Kelly calling on the Scottish Parliament to amend the Prescription and Limitation (Scotland) Act 1973 and the Prescription and Limitation (Scotland) Act 1984 to ensure that those wishing to raise personal injury cases in relation to events which occurred prior to 1964 are able to do so.

PE978 Petition by Diana Cairns, on behalf of Portobello Community Council, calling for the Scottish Parliament to urge the Scottish Executive to consider how best to restrict the use of jet-skis in the vicinity of public beaches, particularly in residential areas.

PE981 Petition by James Japp, on behalf of Neuropsychologists UK, calling on the Scottish Parliament to urge the Scottish Executive to (a) ensure that the recruitment and appointment of psychologists to NHS Scotland is based entirely on skills, competency and experience; and (b) initiate an independent review of neuropsychological provision within NHS Scotland.

PE980 Petition by Mev Brown, on behalf of the NHSFirst Party, calling for the Scottish Parliament to adopt the "yellow card, red card" policy drafted under the Department of Health's "Zero tolerance" guidelines on the treatment of violent and abusive patients and to amend the Antisocial Behaviour etc.
(Scotland) Act 2004 to allow hospitals and other NHS facilities to apply for antisocial behaviour orders against such patients.
Public Petitions Committee – a template for e-petitions

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<table>
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<td>Please enter the name of person and organisation raising the petition, including a contact address where correspondence should be sent to.</td>
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<td>Mr Paddy Imhof</td>
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<tr>
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<td>Please enter the closing date for gathering signatures on your petition, which we would usually recommend is a period of between 4-6 weeks</td>
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<td>Closing date: 31st May 2006</td>
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Additional information:

Please enter any other information relating to the issues raised in your e-petition, including the reasons why the action requested is necessary. The text entered in this field should not exceed 2 pages. However, you may wish to provide further sources/links to background information.

I am concerned that the AWPR has not been adequately justified and I share the concerns of many in my community about the process that has left us faced with both a bypass and a 'Stonehaven fastlink' through the greenbelt.

This project will not deliver the traffic reduction it promises. It may in fact create more traffic problems and therefore more air pollution as developers nibble away at the greenbelt along this distributor road.

The environmental impact will be massive and instead of having a sustainable transport system we will have a heavy financial millstone around our necks for years to come as project costs continue to rise.

Despite assurances to the contrary, I believe this project will be a developer's dream as more and more out-of-town housing and facilities will be built which will depend on the car for access. Alternative solutions to Aberdeen's growing traffic congestion problems have not been properly assessed due to the lack of a full multi-modal study covering the wider Aberdeen area.

For a fraction of the money which would be spent on this bypass we could have solutions to our traffic problems which would be cost-effective and sustainable.

Smaller scale road improvements along with investment in public transport, walking and cycling is the only way forward. For further information about the alternatives and the road please go to the links on this page.

http://www.stopthebypass.com
http://www.road-sense.org/
http://www.transformscotland.org.uk/
http://www.foe-scotland.org.uk/

Action taken to resolve issues of concern before submitting an e-petition:

Before submitting a petition to the Parliament, petitioners are expected to have made an attempt to resolve their issues of concern, by for example, making representations to the Scottish Executive or seeking the assistance of locally elected representatives, such as councillors, MSPs and MSPs. Details of those approached should be entered.

I have
• written to 12 MSPs.
• had a meeting with my local councillor.
• attended several public meetings on the subject.
• met a member of the WPR team on several occasions.
• met with the then Minister for Transport Nicol Stephen in 2005.
• taken part in the public consultation in 2005.
Comments to stimulate on-line discussion:

Please provide at least one comment to set the scene for an on-line discussion on the petition, not exceeding 10 lines of text.

The Aberdeen Western Peripheral Route as it stands at the present time is no longer a relief road for traffic congestion but simply a distributor road which will generate more traffic.

It risks becoming a developers charter. Rather than cutting traffic congestion, problems may grow as new tin shed retail parks and housing estates spring up along the route over time, increasing traffic and adding to our woes.

Do we really have the evidence that traffic problems and air pollution will be tackled by this increasingly complicated and expensive road? Alternative solutions to our growing traffic congestion and air pollution problems have not been appropriately or sufficiently examined.

Aberdeen City and Shire will only have a "brighter outlook" if we have a sustainable transport system. The time is right to review this controversial decision.

Petitioners appearing before the Committee

The Convener of the Committee may invite petitioners to appear before the Public Petitions Committee to speak in support of their petition. Such an invitation will only be made if the Convener considers this would be useful in facilitating the Committee's consideration of the petition. It should be noted that due to the large volume of petitions it has to consider, the Committee is not able to invite all petitioners to appear before the Committee to speak in support of their petition.

Please indicate below if you do NOT wish to make a brief statement before the Committee when it comes to consider your petition.

I do NOT wish to make a brief statement before the Committee

Signature of principal petitioner:

When satisfied that your petition meets all the criteria outlined in the Guidance on submission of public petitions, the principal petitioner should sign and date the form in the box below. Other signatures gathered should be appended to this form.

Signature  Paddy Imhof

Date  05.04.2006

For advice on the content and wording of your e-petition please contact:

The Clerk to the Public Petitions Committee
The Scottish Parliament
Edinburgh
EH99 1SP
Tel: 0131 348 5186   Fax: 0131 348 5088
e-mail: petitions@scottish.parliament.uk

Note
Completed e-petition forms should also be sent to petitions@scottish.parliament.uk.
Public Petitions Committee – a template for e-petitions

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Details of principal petitioner:
Please enter the name of person and organisation raising the petition, including a contact address where correspondence should be sent to.

<table>
<thead>
<tr>
<th>Najem Al Hasan</th>
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<tr>
<td>expressplans.com Limited</td>
</tr>
<tr>
<td>P.O. Box 1974</td>
</tr>
<tr>
<td>Livingston</td>
</tr>
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<td>EH54 8ZU</td>
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Text of petition:
The petition should clearly state what action the petitioner wishes the Parliament to take in no more than 5 lines of text, e.g.

The petitioner requests that the Scottish Parliament considers and debates the implications of the proposed Agenda for Change legislation for Speech and Language Therapy Services and service users within the NHS

Petition by Najem Al Hasan calling on the Scottish Parliament to review the Building (Procedure) (Scotland) Regulations 2004 and the Local Government (Scotland) Act 1973 in order to permit competition between neighbouring local authorities in relation to the provision of building warrants.

Period for gathering signatures:
Please enter the closing date for gathering signatures on your petition, which we would usually recommend is a period of between 4-6 weeks

Closing date: 18 August 2006
Additional information:

Please enter any other information relating to the issues raised in your e-petition, including the reasons why the action requested is necessary. The text entered in this field should not exceed 2 pages. However, you may wish to provide further sources/links to background information.

The legislation currently allows for appointment of “Verifiers” but this has been restricted to local authorities responsible for their geographic areas. It is my belief that by opening up the process of acquiring a Building Warrant from neighbouring authorities, it will encourage better performance and quality of service to the users of this specific system.

For example, a Building Warrant Application in South Lanarkshire Council takes twice as long to process than in North Lanarkshire Council for exactly the same works, applying the same regulations and scrutiny. It should be noted that legislation and regulations are the same throughout Scotland.

Building Standards departments throughout Scotland perform the same tasks in each authority. By opening up the process of acquiring a Building Warrant, an applicant or their agent will have choice in which Verifier to use for a better standard and quality of service opposed to the current “post-code lottery” situation that persists.

No local knowledge is required for the processing a Building Warrant as most works are either covered by Building Standards or indemnified by qualified engineers.

This will encourage better performance from Verifiers and poorer performing verifiers will be identified by the lack of applications to the authority.

80% of Building Warrant applications have a build cost of less than £25,000 – this stimulates and feeds the Scottish Economy. Unless the warrant is granted, the Scottish Economy does not reap the rewards. Furthermore, local authorities benefit the most from any proposed works – in most cases, the Council Tax banding for an extended property goes up to the next level, thereby increasing the revenue generated by Council Tax for the said property.

Action taken to resolve issues of concern before submitting an e-petition:

Before submitting a petition to the Parliament, petitioners are expected to have made an attempt to resolve their issues of concern, by for example, making representations to the Scottish Executive or seeking the assistance of locally elected representatives, such as councillors, MSPs and MSPs. Details of those approached should be entered.

We have made representation to:
Bristow Muldoon MSP
Derek Brownlee MSP
Cliff Jason Rust
Euan Robson MSP
Scott Barrie MSP
Cathie Craigie MSP
Christine Grahame MSP
Patrick Harvie MSP
John Home Robertson MSP
Tricia Marwick MSP
Mary Scanlon MSP
Comments to stimulate on-line discussion:

Please provide at least one comment to set the scene for an on-line discussion on the petition, not exceeding 10 lines of text.

Building Standards departments at some Local Authorities are obstructive and unhelpful, yet we as customers cannot take our business elsewhere. This monopoly/post-code lottery situation needs to stop and we should demand a better quality of service – or take our custom to an authority that performs to our expectations. The legislation allows for this competitive situation and should be introduced sooner rather than later. The poorest performing authorities will soon realise their obstructive behaviour is resulting in lost revenue and inevitably performance improvements will be harnessed in a competitive environment.

Petitioners appearing before the Committee

The Convener of the Committee may invite petitioners to appear before the Public Petitions Committee to speak in support of their petition. Such an invitation will only be made if the Convener considers this would be useful in facilitating the Committee's consideration of the petition. It should be noted that due to the large volume of petitions it has to consider, the Committee is not able to invite all petitioners to appear before the Committee to speak in support of their petition.

Please indicate below if you do NOT wish to make a brief statement before the Committee when it comes to consider your petition.

I do NOT wish to make a brief statement before the Committee

Signature of principal petitioner:

When satisfied that your petition meets all the criteria outlined in the Guidance on submission of public petitions, the principal petitioner should sign and date the form in the box below. Other signatures gathered should be appended to this form.

Signature ...

Date 25 May 2006

For advice on the content and wording of your e-petition please contact:

The Clerk to the Public Petitions Committee
The Scottish Parliament
Edinburgh
EH99 1SP
Tel: 0131 348 5186 Fax: 0131 348 5088
e-mail: petitions@scottish.parliament.uk

Note
Completed e-petition forms should also be sent to epetitions@scottish.parliament.uk.
Public Petitions Committee – a template for public petitions

Should you wish to submit a public petition for consideration by the Public Petitions Committee please complete the template below. Please refer to the Guidance on submission of public petitions for advice on issues of admissibility before completing the template. You may also seek advice from the Clerk to the Committee whose contact details can be found at the end of this form.

Details of principal petitioner:
Please enter the name of person and organisation raising the petition, including a contact address where correspondence should be sent to, email address and phone number if available

Mr Peter Kelly,

Text of petition:
The petition should clearly state what action the petitioner wishes the Parliament to take in no more than 5 lines of text, e.g.
The petitioner requests that the Scottish Parliament considers and debates the implications of the proposed Agenda for Change legislation for Speech and Language Therapy Services and service users within the NHS.

"Petition by Peter Kelly calling on the Scottish Parliament to amend the Prescription and Limitation (Scotland) Act 1973 and the Prescription and Limitation (Scotland) Act 1984 to ensure that those wishing to raise personal injury cases in relation to events which occurred prior to 1964 are able to do so."

Additional information:
Any additional information in relation to your petition, including reasons why the action requested is necessary, should not be included here. However, it may be appended to the petition and will be made available to the Public Petitions Committee prior to its consideration of your petition. Please note that you should limit the amount of any additional information which you may wish to provide in support of your petition to no more than 4 sides of A4.
Action taken to resolve issues of concern before submitting the petition:

Before submitting a petition to the Parliament, petitioners are expected to have made an attempt to resolve their issues of concern by, for example, making representations to the Scottish Executive or seeking the assistance of locally elected representatives, such as councillors, MSPs and MPs. Please enter details of those approached below and append copies of relevant correspondence, which will be made available to the Public Petitions Committee prior to its consideration of your petition.

Mr Phil Gallie MSP, Mr John Scott MSP, The First Minister Mr Jack McConnell.

Mr Cameron Fyfe, solicitor Ross Harper Solicitors. Nicola, Sturgeon. MSP.

Petitioners appearing before the Committee

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Please indicate below whether you request to make a brief statement before the Committee when it comes to consider your petition.

I DO request to make a brief statement before the Committee [X]

I DO NOT request to make a brief statement before the Committee

Signature of principal petitioner:

When satisfied that your petition meets all the criteria outlined in the Guidance on submission of public petitions, the principal petitioner should sign and date the form in the box below. Other signatures gathered should be appended to this form.

Signature .....  

Date 07/06/06

Please note that any additional information, copies of relevant correspondence and additional signatures should be appended to this form and submitted to:

The Clerk to the Public Petitions Committee,  
The Scottish Parliament,  
Edinburgh  
EH99 1SP  
Tel: 0131 348 5186 Fax: 0131 348 5088  
E-mail: petitions@scottish.parliament.uk
Public Petitions Committee – a template for e-petitions

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Details of principal petitioner:
Please enter the name of person and organisation raising the petition, including a contact address where correspondence should be sent to.

Diana Cairns

Text of petition:
The petition should clearly state what action the petitioner wishes the Parliament to take in no more than 5 lines of text, e.g.
The petitioner requests that the Scottish Parliament considers and debates the implications of the proposed Agenda for Change legislation for Speech and Language Therapy Services and service users within the NHS

Petition by Diana Cairns, on behalf of Portobello Community Council, calling for the Scottish Parliament to urge the Scottish Executive to consider how best to restrict the use of jet-skis in the vicinity of public beaches.

Period for gathering signatures:
Please enter the closing date for gathering signatures on your petition, which we would usually recommend is a period of between 4-5 weeks

Closing date: 25 August 2006
Additional information:

Please enter any other information relating to the issues raised in your e-petition, including the reasons why the action requested is necessary. The text entered in this field should not exceed 2 pages. However, you may wish to provide further sources/links to background information.

The misuse of beach and the appropriation of the water by jet skiers and other antisocial users is getting worse every year. We will end up losing our beach areas as peaceful, safe and traffic-free environments if nothing is done to nip this problem in the bud now before it gets out of control. Jet skiers drive their vehicles onto beaches, sometimes when they are very busy with children and families, even though it is illegal to do so. I have observed them ignoring the designated area in which they are supposed to stay and straying into areas which are supposed to be safe for swimmers and other non-motorised water sports enthusiasts.

Jet skis should be completely excluded from residential areas because of noise pollution; I can hear them in my house half a mile away even with my windows and door shut. They should be completely excluded from where people swim, wind surf or canoe as they cannot coexist safely with these water sports practitioners who will always come off worse in the event of a collision. There is no obligation on jet-skiers to have licence or pass any sort of proficiency test and some I have observed have been barely in control of their machines. This makes the likelihood of an accident or a fatality highly likely. I attach a link to a news article from last year which refers to the problems at Portobello and a near-miss in Musselburgh harbour

http://edinburghnews.scotsman.com/edinburgh.cfm?id=1661612005

Apart from noise pollution, there is the problem of water pollution: apparently jet skis discharge around half their fuel into the water. It would be a pity if the improvements in water quality achieved over recent years were to be cancelled out by the water pollution caused by increasing number of jet skis. There is also a danger, through pollution and disturbance of habitats, to wildlife, not to mention the contribution to emissions and global warming to take into account. Having said this, jet skiers should be able to use their machines off beaches where there is no housing nearby, as long as they are very clearly segregated from other water users.

I have had discussions with the police about this problem who claim that there is no suitable legislation under which to prosecute jet skiers who cause disturbances. Whether there is any appropriate legislation under which to prosecute jet skiers in the event of a death through their irresponsible or incompetent behaviour is unclear.
Action taken to resolve issues of concern before submitting an e-petition:

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Complaints about vehicles parked and being driven on the beach, plus jet skiers not respecting the designated area for jet skiing made to police on several occasions. Sometimes these have been verbal reports in person at the police station and they have not always been recorded.

E-mails sent to local councillors, Lawrence Marshall and Maureen Child, who have forwarded them to various council officials, including Scott Thomson (who got the buoys put in place last year), Brian Sibbald (the Council's chief safety officer) and Mark Turley (whose remit covers noise nuisance).

The problem of jet skis has been raised at least twice at Portobello Community Council meetings.

Comments to stimulate on-line discussion:

Please provide at least one comment to set the scene for an on-line discussion on the petition, not exceeding 10 lines of text.

My local beach is where I go to relax, to hear the lapping of the water, the calling of the birds and the sound of families enjoying themselves in a safe, traffic-free environment. This is being threatened by the appropriation of the beach area by jet skiers with their noisy machines and their vehicles being driven on the beach with no regard to people's health and safety. It's time to reclaim our beaches from the noise, pollution and danger of jet skis.

Petitioners appearing before the Committee

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Signature ........................................................................................................................................

Date ...............................................................................................................................................

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Edinburgh
EH99 1SP
Tel: 0131 348 5186 Fax: 0131 348 5088
e-mail: petitions@scottish.parliament.uk

Note
Completed e-petition forms should also be sent to petitions@scottish.parliament.uk
SUBMISSION IN SUPPORT OF PETITION TO RESTRICT THE USE OF JET SKIS PARTICULARLY IN RESIDENTIAL AREAS RAISED BY DIANA CAIRNS ON BEHALF OF PORTOBELLO COMMUNITY COUNCIL (PE 978)

Introduction
Over the last three years I have noticed a significant increase in the use of jet skis off the beach at Portobello, Edinburgh. My observations of the problems with jet skis has been made in Portobello but in gathering information it has become clear that similar problems are experienced in many places. Many of the examples quoted are from American research because they have a far higher use of jet skis and have consequently more experience of the problems caused by them. The problems associated with these craft are numerous, for example, they pose a real danger to other water users such as swimmers and canoeists; the machines cause air and water pollution, as well as noise pollution which can be heard half a mile away. The beach is supposed to be a safe, peaceful, traffic-free environment yet this is threatened by the presence of jet skiers. If the increased use of these machines remains unchecked and unregulated there will inevitably be an increase in accidents and fatalities.

Safety concerns
There are many safety issues relating to the use of jet skis. Research done by the University of Florida found that jet skis cause far greater injury than other boating mishaps, for example, more head injuries and trauma to chest and abdominal areas. The majority of jet ski accidents occur when riders strike another object with a jet ski. The type of injury sustained is similar to that caused by a motorcycle.

One of the main problems with the safety of jet skis is their lack of controllability. The president of Aquatic Risk Management in Florida states that: "what makes a personal water craft [jet ski] so ultradangerous is the fact that it will not steer when you suddenly have a surprise and let off the throttle. Unlike traditional boats jet skis are rudderless. When the throttle is off a speeding jet ski is like a car on ice. It can't stop. It can't turn and the driver has no control." This was unfortunately illustrated by the recent accident of an eight year old boy in Gloucestershire who lost control of a jet ski which careered off a lake, skidded across a car park and collided with a passing car injuring the boy seriously (report in The Guardian on Friday 25 August 2006).

A 2001 study funded by the US Coast Guard tested a range of jet skis in their ability to avoid an obstacle. The vehicles were operated by an equal number of novice, intermediate, and expert jet ski users, with the following findings:

At 30 MPH, they were unable to avoid the obstacle 51% of the time
At 55 MPH, they were unable to avoid the obstacle 86% of the time
At 60 MPH, they were unable to avoid the obstacle 100% of the time

This demonstrates the dangers to any person or other vessel that a jet ski comes across unexpectedly.
Attempts to provide a designated “safe” area for swimmers and other non-motorised water users using buoys are not successful because a) the designated “safe” areas are disproportionately small to the number of users with buoys not far out enough from the shore and b) the jet skiers often ignore the buoys and ski on the landward side of them. Jet skiers pay little heed to other water users and come in close to the edge of the water even when there are people swimming or paddling in the vicinity. The fact of the matter is that jet skiers and swimmers cannot safely co-exist in the same stretch of water and should be kept strictly segregated from one another. A swimmer will always come off worse than a jet skier in the event of any collision. If further proof were needed that jet skiers should be kept well away from swimmers and canoeists etc, jet ski operator manuals instruct users to allow at least 348 feet - longer than a football field - to allow the craft to come to a safe, complete stop.

Jet skis are unregulated in Scotland; jet skiers are under no obligation to have any training, licence or certificate of competence, nor is there any minimum age limit for users, yet their machines are capable of causing death. With the increased use of these craft, accident rates will rise especially when their usage is unregulated.

Other dangerous behaviour I have observed is that jet skiers drive their vehicles onto the sand to launch their craft, often speeding across the beach even when there are pedestrians about. This is both illegal and dangerous. Illegally parked vehicles have been notified to the police but their drivers have persisted in continuing this practice. The beach is one place where people are supposed to be able to walk in safety way from traffic dangers but the actions of a few selfish individuals put this in jeopardy.

Environmental concerns
According to the California Air Resources Board, a typical jet ski releases more than two times as much pollution as a conventional marine outboard of comparable horsepower. The Air Board also found that one hour on a typical jet ski produces more smog-forming emissions than a modern car emits in one year. This is surely unacceptable at a time when we are aware of the urgent necessity to cut the emissions that cause climate change. Jet skis also release more raw fuel than conventional boats based on higher fuel consumption rates. Many 1999 model year Jet skis burn 14 gallons of fuel per hour, more than any two-stroke outboard. Two-strokes discharge 25-30% of their fuel unburned into the environment, or in this case, 3.5 gallons per hour. This figure exceeds the raw fuel pollution rate of any conventional boat. The US Environmental Protection Agency has confirmed that a single jet ski can dump up to six gallons of raw fuel into the water in a mere two hours. Attempts to clean up water and beaches are undermined by this type of pollution.

Noise pollution is also a significant problem with jet skis; they emit 85 to 105 decibels of sound per unit, more noise than any motorboat in any speed category. By comparison, a busy city street produces about 85 dB. The BBC health website states that research has shown that:
• at 55 dB to 60 dB noise creates annoyance
• at 60 dB to 65 dB annoyance increases considerably
• above 65 dB serious damage caused by noise occurs.

But there is also the indirect damage that this noise causes. Again the BBC health website states that, "As well as this direct damage to hearing, constant unwanted noise is very stressful, even at lower levels, causing rises in blood pressure and heart rate, or disturbing sleep (even noise as low as 30 dB can affect sleep if it's continuous)."

In my experience it is possible to hear the noise inside my house, with windows and doors closed, half a mile away. This is another reason for restricting the use of jet skis in residential areas. The high-pitched, chain saw-like whining noise produced by jet skis is found to be very stressful by many people but residents bothered by the noise have no recourse to the services of environmental health wardens. It also appears that the machines are not obliged to have silencers; if they were motorbikes on land they would be stopped for operating without a silencer.

The design of jet skis results in noise that is particularly disturbing to humans and particularly dangerous to marine wildlife. The jet drive emerges from the water every time a jet ski goes over a wave which causes the engine noise to increase in loudness and pitch; this continual change in loudness and pitch during normal use makes jet skis much more disturbing than the constant sounds of conventional motorboats.

Impact on wildlife
Jet skis also have a significant negative impact on wildlife. Local residents have noted jet skiers ploughing through a family of eider duck and scaring seals away. In The Scotsman of 4 August 2006 there was a report of jet skiers travelling at high speeds close to colonies of bottlenosed dolphins in the Firth of Tay, causing them distress. The Tayjet Personal Watercraft Club has acknowledged the danger to cetaceans, stating that: "Collisions with boats or jet skis may result in injury or death of cetaceans; engine noise may interfere with their acoustic communication, prey-detection and orientation systems; and erratic patterns of movement of boats may cause the animals to suffer stress".

A jet ski position paper produced by the Bluewater Network says, “Wildlife biologists throughout North America have testified on the existing and potential impacts of jet ski use. In California, marine mammal experts have voiced their concern that jet ski activity near seals, sea lions, and elephant seals disturbs normal rest and social interaction, and causes stampedes into the water that can separate seal pups from adult mothers.” Joanna Burger of Rutgers University in New Jersey, found that fast and noisy jet ski traffic sent almost 200 birds flapping into the air, more than six times that of ordinary motorboats. There are also examples quoted of danger caused by jet skis to nesting birds and spawning salmon.
Lack of enforcement
Because jet skis are a relatively new development in the UK, legislation has not had time to catch up to deal with problems that arise owing to misuse of these craft. There is a lack of clarity on how to deal with jet skiers who drive on the beach, come in dangerously close to the shore and create noise for hours on end, shattering the peace of the beach area and local residents. It is also unclear under whose remit enforcement falls. Whilst the council can regulate access to the beach, they are short of resources to implement preventative measures and environmental health officers have no powers to take action against jet skiers on the grounds of noise nuisance. The police can only arrest jet skiers under a local by-law if they ski inside the buoys but apparently have no powers to prosecute them for reckless use of the craft or noise nuisance. If this problem is not nipped in the bud now, it will only become worse, to the point where far more money and resource will have to be expended to bring it under control. Preventative measures taken now could save lives and money.

There are a few measures which could significantly reduce the dangers posed by jet skis. Such measures should include:

- Mandatory training and insurance for jet ski users. This will require a registration and licence scheme.

- Jet skis should only be used 1000m from the shoreline. The maximum speed closer to the shoreline should be limited to four knots (this will cut down danger and noise).

- The maximum speed within 100m of another vessel or swimmer etc. should be four knots (there have been reports on TV of the dangers of jet skis wake jumping ferries in the Firth of Clyde).

- Only four stroke powered craft should be used in Scotland as they are less polluting and less noisy.

- The introduction of designated zones for jet ski usage, as far as possible off shore and as far away as possible from other water users, where their impact can be minimised.

- The introduction of clear, unambiguous legislation with strong penalties for infringement of the above, confiscation of craft and large fines, custodial sentences where they've been proven to be negligent or involved in accidents.

More and more, those on and off the water see a need to recognise that thrills for a few should not become a safety and environmental hazard for the majority.
Public Petitions Committee – a template for e-petitions

Should you wish to submit an e-petition allowing signatures to be gathered online on the Public Petitions Committee e-petitioner web pages please complete the template below. Before submitting your e-petition please consult the Guidance on submission of public petitions for advice on what is and is not admissible. You may also seek advice from the Clerk to the Committee whose contact details can be found at the end of this form.

Details of principal petitioner:

Please enter the name of person and organisation raising the petition, including a contact address where correspondence should be sent to.

James Japp
Neuropsychologists UK

Text of petition:

The petition should clearly state what action the petitioner wishes the Parliament to take in no more than 5 lines of text, e.g.

The petitioner requests that the Scottish Parliament considers and debates the implications of the proposed Agenda for Change legislation for Speech and Language Therapy Services and service users within the NHS

Petition by James Japp, on behalf of Neuropsychologists UK, calling on the Scottish Parliament to urge the Scottish Executive to (a) ensure the recruitment and appointment of psychologists to NHS Scotland is based entirely on skills, competency and experience; and (b) initiate an independent review of neuropsychological provision within NHS Scotland.

Period for gathering signatures:

Please enter the closing date for gathering signatures on your petition, which we would usually recommend is a period of between 4-6 weeks

Closing date: 25 August 2006
Psychology has made tremendous progress in relation to health services in recent years. Traditionally the NHS would generally only fund mental health provision but in recent times through the commitment, dedication and hard work of a wide range of psychologists and other groups, the NHS has seen the value in extending psychological provision to encompass a much wider need including neuropsychology, long term chronic conditions and healthy living.

Despite tens of thousands of graduates in psychology every year and the development of a number of new divisions, there are still shortages of psychologists. There has been little in the way of modernisation within the NHS and there is still often a demand from the NHS that post holders hold a qualification in clinical psychology preventing many experienced and relevantly qualified psychologists from applying.

Practice in the profession of psychology (which remains an unregulated profession) is by competence and experience and should not be by divisional boundary or Union affiliation. In the modern NHS with the changing agenda and focus of service provision, having a clinical psychology qualification or not can no longer be considered a benchmark that a particular psychologist has or does not have the necessary skills to undertake NHS provision. It is not in the best interest of Scottish NHS patients and prevents real modernisation of the NHS.

Although the petition makes a general point about applied psychology as a whole, I have specifically raised the issue of neuropsychology with the Scottish Health Minister. Neuropsychology (or the broad principle of working with brain deficit) is a mainstay of all psychology practice (psychology = study of the mind) and cannot and should not be ring fenced by a single division.

I am concerned at the Minister in his reply which has stated that the range of activities that the NHS require post holders to have is much broader than neurological assessment without full clinical training. This statement in my view is to over represent the skills of the majority of traditional NHS psychologists’ and underplay the range of skills of other groups of psychologists. This response I suspect may go further than the practice of neuropsychology but again would welcome any views.

There is a solution to this which I have enclosed below and ask you to constructively comment on the pros and cons of this position. It would be helpful if in your response you stated your divisional background (if appropriate) although this of course is voluntary.

**SOLUTION**

The appointment system within NHS Scotland for psychologists is anarchic and currently skewed in favour of established service provision to the detriment of NHS clients, leading to a shortage in some areas. However psychologists do not need to belong to a Division or to a Union to provide services in that area as practice in psychology has always been by competence and not by divisional boundary. Many of the positions in the NHS could be undertaken by equality if not more competent, experienced and qualified psychologists than that advertised for.

By a simple change to NHS boards advertising for appropriately qualified psychologists rather than limiting job applications by specifying a divisional title such as clinical, health or occupational would enable all suitably qualified psychologists to apply for employment, reduce any historical bias and provide the following benefits to the NHS:

- Help to reduce the skills shortage in applied psychology
- Give NHS Scotland patients access to more appropriately qualified/experienced psychologists
- Achieve the governments agenda for reforms and skillmix
- Improve life chances of patients
- Reduce NHS salary costs as market forces respond to the increase in supply
- Reduce NHS training costs as access to trained and experienced staff is possible
- Circumnavigate much of the inherited bias with the present system of appointment
- Will encourage psychologists to work together so that the best service can be delivered to NHS Scotland patients
- Provide improved balance to NHS teams
- Prevent NHS Scotland falling outside European employment law

As mentioned above, psychology is a profession where the individual practices by competence and not by divisional boundary. It is not appropriate to restrict practice accept on the basis of competence. This restriction is however endemic within NHS Scotland.

Nb
Chartered psychologists are bound by the code of conduct not to practice outside their area of competence and expertise consequently ensuring that psychologists have the appropriate competences and clinical experience to meet the need of NHS patients. This would ensure that any job applicants had sufficient clinical skills to meet NHS expectations.

Action taken to resolve issues of concern before submitting an e-petition:

Before submitting a petition to the Parliament, petitioners are expected to have made an attempt to resolve their issues of concern, by for example, making representations to the Scottish Executive or seeking the assistance of locally elected representatives, such as councillors, MSPs and MSPs. Details of those approached should be entered.

Contacted my MP, written to the Scottish Minister for Health.

Comments to stimulate on-line discussion:

Please provide at least one comment to set the scene for an on-line discussion on the petition, not exceeding 10 lines of text.

Should the Scottish NHS advertise for appropriately qualified psychologists rather than limiting job applications by specifying a divisional title such as clinical, health or occupational.

In the modern NHS with the changing agenda and focus of service provision, can having a clinical psychology qualification or not be considered a benchmark that a particular psychologist has or does not have the necessary skills to undertake NHS provision.

Are services being ring fenced and if so is there justification.

What are the advantages and disadvantages of limiting job application to single divisional groups.

How does the current system protect members of the public.

Can a system of general provision exist alongside a Divisional system.
Petitioners appearing before the Committee
The Convener of the Committee may invite petitioners to appear before the Public Petitions Committee to speak in support of their petition. Such an invitation will only be made if the Convener considers this would be useful in facilitating the Committee’s consideration of the petition. It should be noted that due to the large volume of petitions it has to consider, the Committee is not able to invite all petitioners to appear before the Committee to speak in support of their petition.

Please indicate below if you do NOT wish to make a brief statement before the Committee when it comes to consider your petition.

I do wish to make a brief statement before the Committee

Signature of principal petitioner:
When satisfied that your petition meets all the criteria outlined in the Guidance on submission of public petitions, the principal petitioner should sign and date the form in the box below. Other signatures gathered should be appended to this form.

Signature

Date

For advice on the content and wording of your e-petition please contact:
The Clerk to the Public Petitions Committee
The Scottish Parliament
Edinburgh
EH99 1SP
Tel: 0131 348 5186 Fax: 0131 348 5088
e-mail: petitions@scottish.parliament.uk

Note
Completed e-petition forms should also be sent to petitions@scottish.parliament.uk
Public Petitions Committee – a template for e-petitions

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Details of principal petitioner:

Please enter the name of person and organisation raising the petition, including a contact address where correspondence should be sent to.

Mev Brown

Text of petition:

The petition should clearly state what action the petitioner wishes the Parliament to take in no more than 5 lines of text, e.g.

The petitioner requests that the Scottish Parliament considers and debates the implications of the proposed Agenda for Change legislation for Speech and Language Therapy Services and service users within the NHS

Petition by Mev Brown, on behalf of the NHSFirst Party, calling for the Scottish Parliament to adopt the "yellow card, red card" policy drafted under the Department of Health's "Zero tolerance" guidelines on the treatment of violent and abusive patients and to amend the Antisocial Behaviour etc. (Scotland) Act 2004 to allow hospitals and other NHS facilities to apply for antisocial behaviour orders against such patients.

Period for gathering signatures:

Please enter the closing date for gathering signatures on your petition, which we would usually recommend is a period of between 4-6 weeks

Closing date: 18 August 2006
**Additional information:**

Please enter any other information relating to the issues raised in your e-petition, including the reasons why the action requested is necessary. The text entered in this field should not exceed 2 pages. However, you may wish to provide further sources/links to background information.

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I was appalled to read a recent case about a patient who has been terrorizing staff at a kidney dialysis unit where he receives life saving treatment 3 times a week.

Hospital management have responded to his behaviour by providing an "isolation facility" at a cost of £18,000 plus security staff at a cost of £1,500 per month, pay £2,000 a year for taxis to stop him loitering around the hospital and gained an interim interdict in the Court of Session banning the patient from physically and verbally attacking staff.

These measures did not prevent the patient assaulting a nurse in April.

This patient should be the one inconvenienced by his behaviour.

The NHF First party feels that the Scottish Parliament should adopt the "yellow card, red card" guidelines issued by the Department of Health and also, where a criminal conviction has been secured, to allow hospitals to apply for ASBO's to limit or ban access to the hospital, as is the case south of the border.

And if this means that the patient has to pay the travel expenses out of their own pocket to the next nearest hospital, maybe this will encourage patients to reconsider their behaviour.

In April 25, Lothian MSP Kenny MacAskill said: "All right-minded people will be appalled by the cost when so many other patients go without. Tragically, though, it's part of our common humanity to treat everyone, irrespective of who they are. This, unfortunately, is the embodiment of that."

This is insufficient.

We need to protect our nurses by adopting the same guidelines used south of the border.

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**Action taken to resolve issues of concern before submitting an e-petition:**

Before submitting a petition to the Parliament, petitioners are expected to have made an attempt to resolve their issues of concern, by for example, making representations to the Scottish Executive or seeking the assistance of locally elected representatives, such as councillors, MSPs and MSPs. Details of those approached should be entered.

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I have asked Mike Pringle, my local MSP, to raise this matter in the Scottish Parliament. Email attached.
Comments to stimulate on-line discussion:

Please provide at least one comment to set the scene for an on-line discussion on the petition, not exceeding 10 lines of text.

The NHSFirst party has four founding principles, the second being to "To promote good citizenship and place equal importance on citizens' responsibilities as on citizens' rights".

The recent case where a patient who has been terrorizing staff at a kidney dialysis unit where he receives life saving treatment 3 times a week is a classic example of this principle.

How can a so called civilised society talk about preserving an individual's human rights, when it means knowingly and with forethought, take away the rights of victims?

A civilised society would protect its nurses with our question.

I hope you agree.

Petitioners appearing before the Committee

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Please indicate below whether you request to make a brief statement before the Committee when it comes to consider your petition.

I DO request to make a brief statement before the Committee

I DO NOT request to make a brief statement before the Committee

Signature of principal petitioner:

When satisfied that your petition meets all the criteria outlined in the Guidance on submission of public petitions, the principal petitioner should sign and date the form in the box below. Other signatures gathered should be appended to this form.

Signature .................................................................

Date .................................................................
For advice on the content and wording of your e-petition please contact:

The Clerk to the Public Petitions Committee
The Scottish Parliament
Edinburgh
EH99 1SP
Tel: 0131 348 5186       Fax: 0131 348 5088
e-mail: petitions@scottish.parliament.uk

Note
Completed e-petition forms should also be sent to petitions@scottish.parliament.uk