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.

<table>
<thead>
<tr>
<th>Details of principal petitioner:</th>
</tr>
</thead>
<tbody>
<tr>
<td>George Campbell</td>
</tr>
<tr>
<td>National Alliance Against Tolls Scotland</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Text of petition:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petition by George Campbell, on behalf of the National Alliance Against Tolls Scotland, calling for the Scottish Parliament to urge the Scottish Executive not to extend the tolling regimes on the remaining toll bridges (Erskine, Forth and Tay), but instead to take over the bridges and their approaches as part of the national road system and to remove the tolls forthwith.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Period for gathering signatures:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Closing date: 31 January 2006</td>
</tr>
</tbody>
</table>
Additional information:

A decision is needed now on the issue of Scotland's three remaining tolls - Erskine, Forth and Tay. This is partly because of the "Tolled Bridges Review" but in any case tolls will soon end on two bridges unless the Executive make an Order to keep them. Tolling periods were extended, but the existing power for tolls on the Erskine Bridge ceases on 1 July 2006 (originally 1991) and on the Forth Bridge on 31 March 2006 (originally 1995).

Submissions against the tolling regime on one or more of the bridges have been made by:-

**Argyll & Bute Council** - "this Council reiterates its fundamental objection to tolls continuing on the Erskine Bridge"

**Dunbartonshire Chamber of Commerce** - "It is our policy that the tolls on the Erskine Bridge should be withdrawn .... Tolls create an artificial barrier to trade and discourage the free and true movement of goods and labour from one side of the Clyde to the other."

**Federation of Small Businesses** - "Ideally we would envisage the bridges being part of the wider trunk road network and consequently toll-free."

**Fife Council** - "Council has reaffirmed its principled opposition to bridge tolls"

**Freight Transport Association** - "would prefer to see all bridges toll free"

**Glasgow City Council** - ". Council's view that the tolls on the Erskine Bridge should be abolished."

**Inverclyde Council** - "... considered that tolling on the Erskine Bridge will have adverse effects ... especially on the lower Clyde. As a result the Council agreed that tolling on the Erskine Bridge should end immediately"

**Renfrewshire Council** - "... continues to hold the view that the bridge should be free in the same manner as the remainder of the strategic road network in this area.... The strong social, economic and environmental arguments for abolishing tolls on the Erskine Bridge were forcibly made to the Executive ... in a letter signed by the 9 Council leaders associated with the Clyde Valley Community Planning partnership."

**Scottish Council for Development and Industry** - "As a supporting mechanism for economic development and social inclusion, SCDI feels that the abolition of tolls on all bridges in Scotland would be the most equitable course of action".

**Strathclyde Passenger Transport** - "... the ongoing presence of tolls on the (Erskine) bridge affects accessibility to employment opportunities, adversely affects local communities and increases traffic flows on the A82, the Clyde tunnel and the M8 in Renfrewshire."

**Transport Research Institute** - "remove all tolls and pay for maintenance etc from fuel duty"

**West Of Scotland Transport Partnership** - "The Partnership believes that tolls on the Erskine Bridge should be abolished".

Some of the points that we have made to MSPs and the Executive:-

**Bridge Tolls were intended to be temporary**
Tolled crossings were promoted at Westminster on the basis that tolls would only be levied for a limited period, during which the original cost of construction would be recovered. Some tolls remain, because promises have been broken and the goal posts moved to keep the income from tolls.

**Unfair**
Tolling is discriminatory and unfair to the few who have to use these roads. Tolls are regressive and unrelated to income or size of car. They hit those who have to travel long distances to work and who already spend a disproportionate amount of their income on fuel duty and other roads taxes.
Uneconomic
Tourists avoid areas where there are tolls. Businesses where road transport is important will prefer to locate elsewhere. The removal of these three tolls, would give Scotland a competitive advantage in attracting business from other areas of the UK and EU that suffer from tolls.

Tolls Income is an infinitesimal part of Scotland’s budget
Tolls on the three bridges raise a gross amount of about £21 million, (Erskine £5m, Forth £12m, Tay £4m). This is a great deal of money to the few who carry the burden, but it is insignificant in relation to the Executive’s budget of £27 billion for 2005/06, or the £4 billion or more which is Scotland’s share of UK taxes on roads users. If the bridges were assimilated into the normal road network, then there would be large savings in administration and toll collection, and maintenance needs could be judged more objectively.

Tolls do not reduce “Congestion”
When Forth bridge tolls were last increased the authorities said (press release 21st April) that the new level of tolls “would not deter significant numbers of bridge users”. Toll collection prolongs congestion periods. Where there is a choice, drivers avoid toll roads and use other roads, causing longer journeys, more fuel consumption and more emissions. Toll advocates also want to bring in higher tolls at certain times and/or on faster lanes. In the USA these are referred to as “Lexus” tolls or lanes, as it is the drivers of big luxury cars who use them.

New Forth road bridge
It has been suggested that a new bridge is needed because either the existing bridge will have to be closed due to corrosion or to cope with increasing traffic. Traffic is actually less in 2005 than it was in 2003 and there are various ways in which traffic flow can be improved. If it is proved that a new bridge is needed at some stage then this should be provided as part of the national road network.

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

The NAAT Scotland made a submission to the Executive as part of the consultation on the current Tolled Bridges Review. We have also been in contact with various MSPs.
Action taken to resolve issues of concern before submitting an e-petition:

The NAAT Scotland made a submission to the Executive as part of the consultation on the current Tolled Bridges Review. We have also been in contact with various MSPs.

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.

Why should anyone consider it to be fair to continue with an archaic tolls system when roads users are already paying about £7 to Gordon Brown for every £1 that is spent on the roads?

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 .............................. 19 DECEMBER 2005

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

The Clerk to the Public Petitions Committee
The Scottish Parliament
Thank you for your letter of 25 April 2006 enclosing a copy of PE925, submitted by Mr George Campbell on behalf of the National Alliance Against Tolls, which was considered by the Public Petitions Committee on 19 April. You also sent a copy of the Petition to the First Minister.

On 17 May I announced, in response to a Parliamentary Question (S2W-25967), that our study into the Tay and Forth Road Bridge tolls will focus on the impacts of the tolls on the economy and local communities in Fife and Dundee, but will also examine wider impacts, on the Lothians and nationally, and will follow the principles set out in the Scottish Transport Appraisal Guidance (STAG).

I also invited all interested parties to submit any factual evidence they wish to provide in support of the retention or removal of tolls from the bridges. We are also writing directly to members, relevant local authorities and other major stakeholders to confirm this invitation to participate in the study.

I hope this is of some assistance.
Dear Michael

PETITION PE580

I am responding to your letter of 8 February, in which you invited comments on the issues raised by John and Susan O’Brien in the above Petition. I am sorry that my response did not reach you within your original deadline of 21 March: my officials did not get sight of your letter until after that date.

You have indicated that the Committee would particularly welcome an update on how the test purchasing schemes are progressing, my views on who should be responsible for enforcement, and details of any educational programmes focussing on the risks associated with solvent abuse.

Following consideration of the findings of an independent evaluation of a tobacco test purchasing pilot scheme – undertaken in Edinburgh, Stirling, South Ayrshire and Moray - submitted in June 2004, the Lord Advocate announced on 25 February 2005 a change in prosecution policy to allow evidence gained through test purchasing age-restricted goods (excluding alcohol) to form the basis of the prosecution case. This was widely welcomed by Trading Standards who see the use of test purchasing as an important and effective enforcement tool.

It is entirely appropriate that local authority trading standards departments should be responsible for enforcement. Since the Lord Advocate’s announcement, Scottish Executive officials have been working with the Society of Chief Officers of Trading Standards in Scotland to roll out test purchasing arrangements across Scotland. Before the roll-out beyond the four pilot authority areas can take place, there are a number of important steps required: disclosure Scotland checks, purchase of surveillance equipment, staff training, and finalisation of a Scottish Enforcement Protocol including consultation with the Children’s Commissioner. These arrangements are now well advanced and authorities across Scotland expect to be in a position to adopt test purchasing arrangements within the next few months.
In terms of educational programmes, we do not have any plans for a national mass media campaign on solvents. Given the young age of many of those who die from solvent abuse, and the easy accessibility of most solvents, there is a risk that the publicity might encourage experimentation by some children which could have fatal results. Our approach is to include information about solvents within contextual materials.

All schools in Scotland provide drug education, which includes facts about solvents. Through our “Know the Score” campaign, we have produced a booklet on volatile substance abuse which is targeted at professionals and parents. There is information about the risks and effects of using solvents on the “Know the Score” website, as well as links to other relevant sites. We also fund the post of a Field Officer based at ReSolv’s Scottish office, whose role is to raise awareness about solvent abuse in communities throughout the country.

Last year, materials produced by the Executive to raise awareness of the law governing the sale of butane gas lighter refills were distributed to retailers throughout Scotland. I am pleased to say that John O’Brien was able to join me at the launch. We also supported the development of the Young Scot card, accredited under the British Retail Consortium’s Proof of Age Standard Scheme (PASS). I launched the Scheme last August and, to date, 160,000 PASS accredited cards have been issued. There will be a full roll-out to all 32 local authorities within the next few months. As part of the package, we funded the production by the Scottish Retail Consortium of a leaflet which reminds retailers of the age restrictions applicable to the purchase of various goods. This includes butane gas, which continues to be associated with the majority of solvent-related deaths in Scotland.

I hope that the Committee finds these comments helpful.

HUGH HENRY
PETITION TO SCO

Costal Erosion Kingston-upon-Spey, Moray Firth

I, the undersigned, declare that Kingston-upon-Spey is a historical village, being the place where King Charles II landed and signed the Solemn League and Covenant. In the 1800’s it was the port for Elgin and a major ship building centre. Situated at the mouth of the River Spey and in the centre of the Spey Bay, it is built on and is surrounded by a large area of gravel, all washed down by the River Spey. During the 1940’s and 1950’s gravel was extracted from a large area behind the beach to the west of the village. This area measuring approximately 1 mile by half a mile lies below or close to sea level and is now a wild life sanctuary.

The action of the sea is pushing the gravel from the beach west of Kingston eastwards across the mouth of the River Spey. In recent decades some 20 metres of beach have been eroded by the sea. On at least one occasion in recent years the sea almost broke through the small gravel ribbon between the beach and the gravel extractions. Quick action by Moray Council stopped the wild life sanctuary being flooded by the sea. Should the sea finally break through into this area, Kingston-upon-Spey would become an island as land levels behind the village and wildlife sanctuary are low lying.

During extended periods of low rainfall the mouth of the River is almost closed by these gravel deposits. Salmon netting was carried out on the lower reaches of the River Spey for generations. While that was operational the salmon nets men monitored and controlled the course of the river before it entered the sea. That work involved the mechanical moving of gravel deposits and the building of groynes with large granite blocks, concrete blocks and Gabian cages filled with boulders from the river. That work maintained the natural environment while preventing the erosion and lost of agricultural and amenity land. Such maintenance is no longer carried out and the River Spey is now moving its course westwards towards Kingston-upon-Spey. On at least on two occasions when the River Spey was allowed to follow its natural course, houses in Kingston-upon-Spey were washed into the sea. The last occasion was in the late 1950’s.

Garmouth and Kingston Amenities Association, the representative community group for the area are seriously concerned at the lack of interest and responsibility for the current situation. They have held negotiations with Moray Council and other bodies to no avail. Involvement through Members of the Scottish Parliament have failed to generate any action to resolve the issue and apportion responsibility. Proposals by Garmouth Golf Club have been blocked by Scottish Natural Heritage who refuse to sanction the extraction of gravel to allow a new course for the river or the use of any obstruction to control the flow of the River Spey.

The Petitioner therefore requests that the Scottish Executive:

1. Uses the Spey mouth area as a model for control of costal erosion;
2. Fund work to prevent further erosion of the beach to the west of Kingston-upon-Spey;
3. Approve the extraction of gravel from the course of the River Spey between the mouth and the former Spey Bay Railway bridge;
4. Ascertaining why Scottish Natural Heritage refuses to sanction steps that will control the course of the River Spey in an environmentally sound way;
5. To put in place a strategy for the future control of the course of the River Spey and beach erosion in that area to protect Kingston and the surrounding SSSI’s.

Petitioner: James A Maekie
Address

Signature

Date 22nd February, 2005.

The Convenor,
Petitions Committee,
Scottish Parliament,
Holyrood,
Edinburgh.
EH99 1SP.

Dear Sir,

I refer to the letter from your Clerk dated 27th February, 2006. I apologise for the delay in replying which was due partly to work but also the fact that I wished to discuss the attached letters with the relevant people within the villages of Garmouth and Kingston.

Neither of the two replies indicate that there is a strategy of any kind in place for Coastal or River Erosion other than the fact that the Scottish Executive put monies in a fund for Councils to apply for by way of an economic justification for the work to be carried out. The lack of a strategy is highlighted by the fact that the Executive have allocated £89 million pounds for the whole of Scotland over a three year period while Moray Council have indicated that they will require at least £160 million at today’s prices to carry out work that they have identified as being required. Therefore Ms Baillie’s comment that this Petition is ahead of its time is maybe a good thing as there is obviously a need for a strategy to be put in place to deal with what appears to be an increasing problem.

For a strategy to be put in place, the problem must be identified. To that end should the Executive not ask Local Authorities for a list of all threatened areas? This would not tie the Executive or the Local Authorities to actually doing the work immediately but would allow both to corroborate to decide policy and strategy for the future. Such a list could identify immediate areas of concern as well as longer term threats and to give an indication as to how much money will be required in the long term.

Currently the Scottish Executive funds approved schemes by 80%, the balance coming from Local Government. As both are funded by the tax payer, 100% of all flood prevention and coastal erosion repairs is paid by the taxpayer. As will be seen from the attached sheet, the Crown Estate owns 55% of the UK coast line and 100% of the sea bed out to the 12 nautical mile limit. The Crown Estates is a revenue producing organisation funding the Exchequer.

The situation at Garmouth and Kingston is interesting in that both areas where erosion is causing major problems is owned by the Crown Estates who have abdicated their legal requirement to control the river to prevent damage to adjoining land, albeit some
of the land currently under threat is owned by them. However if the Crown Estates continue to ignore their legal responsibilities land and property not owned by them will come under further threat of damage. Therefore part of a strategy would be to identify ownership of land under threat and for the Local Authority to force land owners to take some action to prevent coastal and river erosion. As part of a strategy, maybe the role of commercial interests should be looked at. In many cases, such as land fill to prevent flooding or extraction of gravel etc, commercial exploitation may reduce the burden on taxpayers in preventing flooding and or erosion.

In drawing up a long term strategy the role of other Statutory Bodies must be considered. The experience of the people of Garmouth and Kingston must be considered. In 2003, a commercial company applied to Moray Council for planning permission to remove gravel from the side of the River Spey between Garmouth and Kingston Golf Course and Speybay Village. It was well accepted that the removal of the gravel would eliminate many of the problems associated with flooding, river erosion and the constant movement of the mouth of the River Spey. Apparently Scottish Natural Heritage objected to the plans on the grounds that a roadway approximately 8 meters wide by 100 yards long would have to be cut through a large area of gorse, Alder and Willow trees and that such action may disturb wild birds. The fact that the River currently destroys a greater area each year unchecked was ignored. Not only would that proposed extraction have prevented erosion and loss of large areas of natural habitat, it would have not cost the taxpayer a penny and would have created employment for the locality. By stabilising the course of the river at this point, more long term natural habitat would have been created. (It should be noted that over the winter months the mouth of the River Spey has moved about one hundred yards westwards towards the village of Kingston. Because of the change of course of the River Spey in this area, erosion and movement of the mouth towards Kingston will accelerate.)

In the same area Garmouth and Kingston Golf Club suggested that rocks could be removed from further up the Spey valley and used to protect vulnerable areas of the banks. The local SEPA representative said that was not possible as it would mean the importing of “foreign material”. The fact that the gravel causing the problem was “imported foreign material” as it had been washed down stream by the river was not of interested to the SEPA representative. Garmouth and Kingston Golf Course is a major economic project for the local community. Not only does it draw visitors (i.e tourists) to the area, it employs the equivalent of 15 full time positions annually. It is also one of the main social hubs of the community.

I noted with interest the reply from the Chief Executive of Moray Council. In his letter he states: - “that the Council has applied for funding for some schemes but is delaying further applications because of limited funding is without foundation”. In the Northern Scot newspaper dated 17th March, 2006, an article headed “Moray faces fight for flooding cash” one of the quotes is “Councillors took the unanimous decision to scale back the Elgin Flood Alleviations scheme by focusing on the course of the river through Elgin, leaving some properties along the Tyock Burn and downstream of Elgin still vulnerable to flooding.” The reasons given are because the Council feel that they cannot meet the cost/benefit ratio. I enclose a copy of the whole article.
In their report and in newspaper articles, Moray Council has agreed in principle a scheme for an offshore break water to protect the beach at Kingston. Other than funding the Council will have to get planning permission for the project. In this the role of other statutory bodies including SEPA and SNH will come in to play. Obviously material will have to be imported to create the breakwater. The choice is either virgin material or waste from another project such as large concrete or brick materials. SEPA as already stated can block such applications on the grounds that the imported material is “foreign”. Material other than “virgin rock” from a quarry will automatically be classified as “waste material” which falls under various pieces of legislation. These problems relate to all projects to prevent coastal and river erosion. As part of a strategy programme for river and coastal erosion, the effect of these various statutory bodies and existing legislation needs to be reviewed to see if they prevent and/or hinder such projects. Any delay in dealing with flooding and/or coastal erosion problems increases the risks and costs.

One possible alternative to the situation at Kingston beach is the potential role of the Crown Estates. They own the beach and sea bed. In their web site they boast that they are a major producer of sand and gravel from the sea bed for construction work. Could they not use their technology to pump gravel ashore to rebuilt the eroded beach?

In considering a National Strategy on Coastal and River erosion/flood prevention, the Executive aided by local authorities should therefore:

- Identify all areas of risk;
- Identify ownership of all land and property at risk;
- Review current planning procedures for dealing with such issues;
- Review planning and environmental legislation that may delay/hinder such schemes;
- Review of the planning procedures to ascertain if the time scale from identification to completion can be completed quicker;
- Review the role and powers of SEPA, SNH and other statutory bodies in preparing schemes;
- Identify where commercial exploitation of the circumstances can reduce the amount of taxpayers money required for such schemes;
- To review the cost/benefit ratio of each project to include a value on the natural environmental/historical value of the area subject to a scheme as well as the value of existing buildings etc;
- Review the role of the Crown Estates in preventing coastal and river erosion.

Yours sincerely,

\[signature\]  

\[James A Mackie\]
About Us > Our History

Our History

Although the ownership of some property can be traced back to Edward the Confessor, the estate as a whole essentially dates from 1066. After the Norman Conquest, all the land belonged to William "in right of The Crown" because he was King. Despite centuries of change in law and custom, the underlying ownership of The Crown still exists and there is always a presumption in favour of The Crown unless it can be proved that the land belongs to someone else.

The Sovereign's estates had always been used to raise revenue, and over time large areas were granted to nobles. The estate fluctuated in size and value but by 1760, when George III acceded to the throne, the asset had been reduced to a small area producing little income - revenue which George III needed to fulfil the Sovereign's fiscal responsibilities to the nation.

By that time taxes had become the prime source of revenue for the United Kingdom and Parliament administered the country, so an agreement was reached that The Crown Lands would be managed on behalf of the Government and the surplus revenue would go to the Treasury. In return the King would receive a fixed annual payment - today known as the Civil List. This agreement has, at the beginning of each reign, been repeated by every succeeding Sovereign.

In 1955 a Government Committee under the Chairmanship of Sir Malcolm Trustram Eve recommended that to avoid confusion between Government property and Crown land, the latter should be renamed The Crown Estate and should be managed by an independent board. These recommendations were implemented by The Crown Estate Acts of 1956 and 1961.

Under the Act of 1961, the estate is managed by a Board who have a duty to maintain and enhance the value of the estate and the return obtained from it, but with due regard to the requirements of good management.

©2004 The Crown Estate. All rights reserved.
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.

<table>
<thead>
<tr>
<th>Details of principal petitioner:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Please enter the name of person and organisation raising the petition, including a contact address where correspondence should be sent to.</td>
</tr>
<tr>
<td>Mr Iain D. Skene</td>
</tr>
<tr>
<td>Burns Statue Sub Committee</td>
</tr>
<tr>
<td>Renfrewshire and Inverclyde Association of Burns Clubs</td>
</tr>
<tr>
<td>C/o 21 Stoney Brae</td>
</tr>
<tr>
<td>Paisley</td>
</tr>
<tr>
<td>PA2 7TG</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Text of petition:</th>
</tr>
</thead>
<tbody>
<tr>
<td>The petition should clearly state what action the petitioner wishes the Parliament to take in no more than 5 lines of text, e.g.</td>
</tr>
<tr>
<td>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</td>
</tr>
<tr>
<td>Petition by Iain D. Skene, on behalf of Renfrewshire and Inverclyde Association of Burns Clubs, calling for the Scottish Parliament to consider and debate the issue of local authority democratic accountability and in particular the accessibility of local elected representatives.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Period for gathering signatures:</th>
</tr>
</thead>
<tbody>
<tr>
<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>
</tr>
<tr>
<td>Closing date: 26 August 2005</td>
</tr>
</tbody>
</table>
**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.*

Provided separately.

---

**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 attempted for two years to arrange a meeting with the ruling Labour group on Renfrewshire Council to discuss our proposals to move the Paisley Robert Burns statue from the Fountain Gardens to the town centre. As the Labour Group would not meet us to discuss the matter, we then wrote to every local Councillor to invite them to a presentation detailing our case. Members of every group on the Council except the Labour group attended. In addition to repeated letters to the Provost we have also written to MPs Douglas Alexander and Irene Adams, and to MSPs Hugh Henry, Cathy Peattie and Wendy Alexander to try to resolve the situation, without success. We are raising this petition on Wendy Alexander’s advice.

---

**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.*
Request to speak:

Petitioners may request to appear before the Public Petitions Committee in support of their petition, although it should be noted that requests to speak will only be granted if the Convener considers that a brief statement from the petitioner would be useful in facilitating the Committee's consideration of the petition. Due to the large volume of petitions being considered the Committee will usually only hear presentations on up to 4 new petitions at each meeting.

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

Yes / No*

*Delete as appropriate

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 .............................. 22/6/05. ................................................

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
Dear Sirs,

**Petition 880: Accountability of local Representatives**

Unfortunately my earlier reply (attached) to the various responses you received to our petition seems not to have arrived in time to be considered at the meeting on the 8th of March. This we now submit for your consideration.

There is little that we can add to this original letter except to clarify the facts:

1) Over three years ago we wrote to Provost Burns asking for a meeting with both he and the Council Leader to discuss the inappropriate siting of the Paisley Burns Statue and the lack of official recognition being afforded by the town to the original fundraisers.

2) Despite our considerable efforts to arrange this meeting it has yet to take place.

3) In three years we have been unable to arrange a meeting with anyone on the ruling Labour group. On occasion we have been diverted by them to speak to various Council employees and, when this has been the case, the employees have been at great pains to point out that we could achieve nothing without having the Labour group on our side.

This is truly a Catch-22 situation – the Council’s ruling group won’t meet us, and we can do nothing without meeting them to convince them of the rightness of our case. The inevitable result of their policy is that they take decisions on this matter without considering the input of the people who are both most keenly interested in the outcome and perhaps best informed about the causes of the problem.
4) We have written to every Councillor and to a number of Council officials asking them to attend presentations outlining our case. No Labour Councillor or Council officers attended these presentations, although members of every other group on the council found time to attend. At no time during our various attempts to make contact were we advised of any alternative procedure available to us in our efforts to arrange a meeting.

5) When we persuaded a local Labour Group of the validity of our argument they resolved to write to Councillor Glen, asking that our case be heard. At first he failed to reply, but when prompted he arranged for us to meet local tourism officials. Following a now-familiar trend, no member of the ruling Labour group attended this meeting and the tourism officials assured us that nothing could be done without the Labour Group being on our side.

We feel that any reasonable person would consider that all of the above represents the clearest example of deliberate evasion possible. To add insult to injury, while we were being consistently and cruelly “fobbed off”, spokesmen from the Labour Group regularly appeared in the local press stating that they had “listened carefully to all (of our) arguments”.

These were the circumstances which prompted our petition. It is simply not good enough for the ruling group on the Council to ignore the views and wishes of concerned persons on a whim, and it demonstrates a very unhealthy situation that they currently feel able to do so with such impunity and in such a blatant way. No amount of verbiage on their part can provide a substitute for real concern.

Our experiences over the last three years are a compelling illustration of the need for a statutory conduit to ensure that the views of the people are being heard and properly considered by decision-makers within local Councils, so that these decision-makers do not come to be viewed as remote, arrogant and indifferent and instead are seen to be fully engaged, responsible and transparent.

We look forward with interest to the results of your deliberations.

Yours faithfully,

[Signature]
Tain Skene, Renfrewshire and Inverclyde Association of Burns Clubs
The Clerk to the Public Petitions committee,
The Scottish Parliament,
Edinburgh,
EH99 1SP
FAO Dr. Jim Johnstone

6/3/06

Dear sirs,

Petition 880: Accountability of local Representatives

Having now seen the responses of Renfrewshire Council in particular, we can confirm that their reply conforms to the pattern we have now come to expect from the Labour Group; that is, that they will seek to justify their actions at every turn while at the same time completely denying us access or opportunity to put our case, which is the very essence of our petition.

We will not comment on the history or the original mistaken decision to place the statue in the Fountain Gardens, as all of this is covered in my original submission, except to note that the Council appear to confirm that Dunn square was the preferred site as confirmed by the vote of the 2000 “ratepayers and inhabitants” back in 1896.

We find ourselves in agreement with the Council in the need for upgrading the Gardens, but note that their consultation showed that only 38% of their respondents said that they felt that they wished to see them “retained and refurbished”. This is in our view an eloquent expression of the status that this site, which was foisted on the original donors, enjoys today, and this is precisely the point of our campaign.
On the matter of the Council Parks and Leisure Dept. employee we met with; you will recall that our submission made mention of this meeting. Subsequent to the meeting we discovered that some days before it took place his superior and head of the department, Bernard Forteath, had stated in a letter to MSP Wendy Alexander that it was most unlikely that the statue would be moved.

Under the circumstances this was certainly not the type of consultation we expected, and also fell well short of the standards of impartiality and openness to which we felt entitled. During this short meeting we briefly explained our point of view and asked to be allowed to meet with Council Members and in particular with the Labour Group, in order that they could hear our full case and proposals. Our contact agreed that this would be the best course as nothing could be done without the Labour Group being on our side.

He promised to go and put our proposal for a bigger meeting outlining our proposals to the Council and said he would be in touch in a few days. However, when we found out from Wendy Alexander about her earlier letter from Bernard Forteath we decided to contact him again. He at first expressed amazement at the letter and promised to find out why it had been sent, but he never got in contact with us again and thereafter refused to take our calls. This could hardly be described as any form of consultation or accessibility.

As regards accessibility of elected representatives I can only say that we contacted the Provost to ask for a meeting with both he and the Council Leader as long ago as April 2003. Despite numerous reminders and despite writing to every Council Member and various Council officers (including, by the way, the Chief executive!) asking them to attend presentations stating our case, this meeting has yet to take place. It is also significant that no Labour Councillor attended these original presentations, which were held locally, although members of every other political group on the Council found time to attend.

As for the votes taken against moving the statue, these were taken against a background of ignorance, as none of the ruling Labour Group had any idea of what our proposals were. As predicted, the votes split down party lines and it is worth noting that some councillors who would have been expected to vote for the move were unavailable due to suspensions etc. Another particularly gallant fact is that some members of the Labour group who voted against the move have told us in private that they actually support our campaign, but are "obliged" to vote the way they do because of the political considerations of the Labour group.

In all of this many questions remain: who are the "local people" who are opposed to the move? Remember this work of art was given by all of the people of the town to all of their fellow inhabitants, not just to the people of Shortroods or the very few people who use the park today. Why are the Council so determined, at all costs, to ensure that they do not hear our case?

As regards openness and accessibility, both of these are very poorly served in local government if the ruling groupings in local Councils feel that they can simply "fend off" those who have a case to make, for their own reasons which are not necessarily those of the electorate as a whole. Who knows, after all, what these reasons might be?

I trust that you will make copies of this letter available to all of those involved. A hard, signed copy is to follow.

Yours faithfully.

Táin Skene – Renfrewshire and Inverclyde Association of Burns Clubs, Burns Statue Sub Committee