The Committee will consider the following current petitions—

**PE789** Petition by Eric Brown calling for the Scottish Parliament to take a view regarding the need for regulation to ensure that methadone prescriptions are taken by the patient while supervised by a suitably qualified medical practitioner.

**PE857** Petition by Mrs C A Jackson, Secretary, Comann nam Pàrant Ile agus Diùra, on behalf of Bowmore Primary School, calling for the Scottish Parliament to urge the Scottish Executive to take urgent action to ensure adequate provision of Gaelic language teachers.

**PE859** Petition by Sheena Borthwick, calling for the Scottish Parliament to urge the Scottish Executive to upgrade the Southern Section of the A77 between Ayr and Stranraer including providing passing places every six miles and developing a bypass at Maybole.

**PE937** Petition by Mrs Catherine MacKinnon, on behalf of Roy Bridge Primary School, calling for the Scottish Parliament to urge the Scottish Executive to recognise and promote “Public Community Partnership” (PCP) funding as an alternative to PPP funding as a means of securing the long term future of rural schools.

**PE944** Petition by Gary Strachan calling on the Scottish Parliament to urge the Scottish Executive to (a) investigate why there is no presumption of equal access/residence for children with both parents after separation in Scottish law; (b) investigate bias against fathers as equal parents in the Scottish Court System; (c) investigate why contact orders are not enforced and (d) investigate why parental responsibilities and rights are ignored by the medical, welfare and governmental institutions to the detriment of children.

**PE695** Petition calling for the Scottish Parliament to ensure that local authorities have affordable, accessible local transport available to disabled people who cannot use public transport and to provide ring-fenced funding to
allow local authority and/or community groups to provide Dial a Ride projects for this purpose.

**PE616** Petition calling for the Scottish Parliament to investigate and assess the health and safety hazards caused by seagulls in urban areas.

**PE887** Petition by Reverend Neil MacKinnon, calling for the Scottish Parliament to urge the Scottish Executive to review the long term planning, social, economic and transportation issues surrounding the creation of “new towns”, such as Cumbernauld.
Petition by Eric Brown calling for the Scottish Parliament to take a view regarding the need for regulation to ensure that methadone prescriptions are taken by the patient while supervised by a suitably qualified medical practitioner.
Please find enclosed a petition of 2300 signatures calling on the Scottish Parliament to take action on the appalling way Methadone is prescribed i.e. not supervised. As doctors and other officials freely admit it gets sold on. We find it shocking it is getting prescribed in such large quantities giving the nature of the condition it is used to treat,
IT IS WITHIN YOUR POWER TO PUT A STOP TO METHADONE DEATHS.

Yours Sincerely
Dear Michael

Thank you for your letter of 30 March about Petition PE789 by Eric Brown, and the responses from NHS Greater Glasgow and NHS Lothian on the arrangements for the prescribing and supervised consumption of methadone.

As you know, we have communicated in the past about Mr Brown’s petitions and I will restrict myself in this response to the discussions of the Committee around the broader issue of supervised consumption and child protection issues.

Ministers share your concerns around ensuring that children are protected, and have set out a range of actions to support work in this area through “Hidden Harm: Next Steps.” Clearly this is an issue which goes beyond decisions in individual Health Boards about methadone supervision and prescription policies. At the same time, I can reassure the Committee that Justice and Health Ministers are currently undertaking a review of the circumstances in which methadone is prescribed. As part of this, officials have recently written to every Health Board in Scotland to ask them for information about:

- The number of people receiving methadone treatment for drug misuse;
- The number of these who are on a daily supervised consumption regime;
- The number of those who receive methadone who have children under the age of 16 living with them, all or part of the time.
We will then be asking Health Boards to provide us with more qualitative information on the application and monitoring of the current UK guidelines 'Drug Misuse and Dependence - Guidelines on Clinical Management' and any locally published guidelines on the prescribing of methadone. The Scottish Executive will also be participating in the UK Government-led working group which will update these guidelines. Our input into this working group will be informed by the outcomes of our own review.

I hope this is helpful and would be happy to provide any further detail to the Committee.

ANDY KERR
The Scottish Parliament

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

Mrs C.A. Jackson

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

The petitioner requests that the Scottish Parliament........

Secretary of Comann nan Pàrsan Ilse agus Dhèirg

Petition by Mrs C.A. Jackson on behalf of Bowmore Primary School, calling for the Scottish Parliament to urge the Scottish Executive to take urgent action to ensure adequate provision of Gaelic language teachers.

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.

Comann nam Parant Ile Agus Dhiura have written in the past to a large number of MPs and MSPs e.g. Mr Jack McConnell who replied to Mr George Lyon on 23 May 2001 – “The Scottish Executive recognises that there is a dire shortage in the supply of Gaelic Medium teachers” and states that, “It continues to be a priority for Scottish Ministers.” BUT here we are again four years later looking for more Gaelic Medium teachers. SUPPLY IS NOT MEETING DEMAND. This unstable situation is very off-putting for parents considering bilingual education even a though time and time again it has been proven that pupils taught in Gaelic Medium Units attain equal or better than their monolingual peers. (SCRE Report published by CILT on behalf of SEED) etc.

George Robertson MP
Ray Michie MP
Brian Wilson MP
Michael Russell MSP
Alasdair Morrison MSP
Fergus Ewing MSP
Maureen MacMillan MSP
Local Councillors Mr J Findlay and Mr Robin Currie
A C Morton, Education Director
Etc

*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 05/05/05

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
5th June 2006

Dr James Johnston
Clerk to Public Petitions Committee
Scottish Parliament
EDINBURGH
EH99 1SP

Dear Jim

Scottish Parliament Public Petitions Committee - Consideration PE857

In response to your meeting of 17th May 2006 we would like to comment as follows:

You were being petitioned in 2000 asking for Gaelic to be made a normal part of the education system and it was pointed out that due to the low number of speakers you had 20 - 30 years to win the battle against losing Gaelic completely. Six years have passed already.

We asked a number of questions in our letter of 12th January 2006. Where are the answers? It sums up a lot of what is wrong - too little action.

The political cogs turn very slowly - our petition was first heard over a year ago. What is the delay all about? Where is education for education’s sake?

Our petition came about because of our concern about our children’s education, indeed all of the children in GME’s education. We are not interested in Argyll and Bute looking good or people career climbing on the back of GME - we are interested in our children’s education.

The children of Bowmore Primary have now gone without a second teacher for 1.5 years, as well as suffering years of disruption before. Argyll and Bute say that they care very much about Gaelic education yet they are giving us a probationer with 0.7FTE and they think that we are lucky because they have now decided since numbers are dropping (what a surprise!!) that we are only due another 0.5FTE and we will actually be over-staffed. No regard at all for the past disruption or for the fact that a probationer is in training. The positive point is that they say in their response to yourselves that in 2007 they will be in a position to offer the probationer a permanent post.
What is this numbers game all about? Money? Why can GME not be over-staffed, run smoothly and give us a chance to recruit more families in with confidence, knowing that we can rely on stability.

Despite the glowing self-praise in Argyll and Bute's letter it is hard from our perspective to respond positively because we know that the Councils have far too strong a grip on education. Yet - they do not have houses for teachers in rural areas, they do not advertise as widely as they claim or include any of their incentives in their advertising and they scrimp on teacher hours.

The most pertinent response is to urge the Scottish Executive to centralise Gaelic provision, take politics out of education and recruit for families and teachers for GME centrally.

We already pointed out that children are missing out because of the passing of time. We think that the Scottish Executive should promote Scottish language and heritage on home soil with as much enthusiasm as is displayed for Tartan Day in New York.

You have the means to turn GME round.

Think of the educational benefits to the children of Scotland. Give the teachers who already have Gaelic an incentive to teach in Gaelic, take teachers out and retrain them, sing from the Parliament rooftops (just do not hang on to the beams) how good GME is for the children.

We are enclosing our last 3 Chair Reports, in which the relevant parts are highlighted in the margins. We would like to suggest that you ask the other Comann nam Pàrant groups in Argyll and Bute for their Chair Reports in order to give a more rounded picture of the GME provision here.

Lastly, take a ferry to Port Askaig on Islay and admire the splendid new ferry port and read the new signs and road markings. Then, tell us how interested in and proud Argyll and Bute is of it's Gaelic heritage as there is not a single word in Gaelic.

Yours sincerely

Comann nam Pàrant Ìle agus Dhiùra Committee
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.

Sheena Borthwick,
Managing Director,

15th March 2005

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

The petitioner requests that the Scottish Parliament urges the Scottish Executive to upgrade the Southern Section of the A77 between Ayr and Stranraer including providing passing places every six miles and developing a bypass at Maybole.

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: Friday 27 May 2005
Within the proposed passing places, it is planned to place appropriate West FM/West Sound/South West Sound FM radio frequencies poster sites. The passing places, Maybole Bypass and signage have been specifically designed to save lives and alleviate driver frustration. The ability to tune in for "real time" dedicated A77 traffic & travel information is only offered by West FM, West Sound & South West Sound FM being the commercial radio licence holders for Ayrshire, Dumfries & Galloway. For full details of this petition follow the link to [www.a77campaign.co.uk](http://www.a77campaign.co.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.

Nicol Stephen, Minister for Transport.
Cathy Jamieson, Minister for Justice.
John Scott MSP.
Members of the A77 Working Group.
Various local councillors from South and East Ayrshire.
Dear

Scottish Parliament Public Petitions Committee – Consideration PE859

Thank you for your letter dated 26 January in which you sought on behalf of the Committee an update on developments regarding any proposals for a bypass at Maybole.

Whilst the Scottish Executive has no developed proposals for a bypass to Maybole, consultants for the Scottish Executive have undertaken a Transport Study to examine the transport problems in Maybole, to offer a range of solutions to those problems, and to undertake an initial assessment of the effectiveness and feasibility of each of those options.

The Report of Public Consultation produced by our consultants following the distribution of leaflets throughout Maybole, was provided to the Committee with my letter to you of last August. That Consultation Report showed that while various transport problems in Maybole were identified, there was strong support for a bypass as a solution.

The consultants have completed traffic surveys covering traffic growth, proportion of heavy goods vehicles and road safety and have produced a micro-simulation model. They have collected data on public transport provision, ferry operations, air quality and noise and vibration levels. Desktop analyses have been undertaken into the constraints that could restrict the development of options to address the transport problems identified in Maybole.

The consultants have identified a range of options to address the transport problems that they found in Maybole. These options are:

- Rationalise junctions and reduce their number;
- Produce a one-way system through Maybole;
- Improve coach and bus services;
- Improve passenger rail services;
• Improve freight rail services;
• Bypass Maybole to the North-West;
• Bypass Maybole to the South-East.

A preliminary analysis of these options has been prepared by our consultants and reviewed by officials at Transport Scotland. A final analysis of the options is expected from the consultants shortly and is expected to be available for publication in a few weeks time.

Once the consultants’ report is ready for publication it will be made available to the Committee.

I hope that this information is helpful.

Yours sincerely

JACKIE MCCAI G
Private Secretary
As discussed, please find below update.

The report referred to is the Part 1 STAG which examines a range of transport solutions to the difficulties in Maybole. The STAG was published on the Transport Scotland website on 29 June 2006 (attached). At the same time the Minister for Transport announced the next stage of the study into potential bypass solutions.

Whilst many solutions have been considered in this appraisal, Transport Scotland considers the only solutions that would significantly improve the conditions in the town centre would be the two bypass options. The Part 1 STAG appraisal shows that both bypass options would most effectively achieve the scheme objectives.

The next stage of the study will be to carry out an appraisal of the potential bypass route options. It is anticipated that the results of this study will be available by next summer. While it has been recommended that, in the long term, a bypass would benefit Maybole, such a scheme has to be considered as part of the Strategic Transport Projects Review. This review will begin in 2006 and end in 2008. It will consider the preferred bypass alignment as part of a review of all future transport investment across Scotland, following careful consideration of competing projects and available resources.
Dear James

Scottish Parliament Public Petitions Committee – Consideration PE859

I refer to your recent request for an update on progress on the A77 Maybole project.

The Part 1 STAG 1 report which examines a range of transport solutions to the difficulties in Maybole was published on the Transport Scotland website on 29 June 2006. The study report can be found at http://www.transportscotland.gov.uk/defaultpage1221cce0.aspx?pageID=107&rid=620 At the same time the Minister for Transport announced the next stage of the study into potential bypass solutions.

Whilst many solutions have been considered in this appraisal, Transport Scotland considers the only solutions that would significantly improve the conditions in the town centre would be one of the two bypass options. The Part 1 STAG appraisal shows that both bypass options would most effectively achieve the scheme objectives.

The next stage of the study will be to carry out an appraisal of the potential bypass route options. It is anticipated that the results of this study will be available by summer 2007. While it has been recommended that, in the long term, a bypass would benefit Maybole, such a scheme has to be considered as part of the Strategic Transport Projects Review. This review has recently begun and will be completed in late 2008. It will consider the preferred bypass alignment as part of a review of all future transport investment across Scotland, following careful consideration of competing projects and available resources.

I hope that this information is helpful.

Yours sincerely

JACKIE MCCAIG
Private Secretary
Public Petitions Committee – a template for public 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, email address and phone number if available

Mrs Catherine M MacKinnon

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 Mrs Catherine MacKinnon, on behalf of Roy Bridge Primary School, calling for the Scottish Parliament to urge the Scottish Executive to recognise and promote ‘Public Community Partnership’ (PCP) funding as an alternative to PPP funding as a means of securing the long term future of rural schools.

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.
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We have prepared a Community Options Appraisal which fully costs a pilot Public Community Partnership approach to delivering a new school. This has been submitted to the Highland Council, staff and councillors, and circulated widely to other relevant individuals including Rt Hon Jack McConnell MSP, Nicol Stephen MSP, Allan Wilson MSP, Malcolm Chilsholm MSP, Johann Lamont MSP, Robert Brown MSP, Ross Finnie MSP, Rhona Brankin MSP, Peter Peacock MSP, Maureen MacMillan MSP, Jim Mather MSP, Fergus Ewing MSP, Charles Kennedy MP.

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 later.

Signature: ........................................

Date: 31.1.06

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
The Clerk to the Public Petitions Committee  
The Scottish Parliament  
EDINBURGH  
EH99 1SP

Public Community Partnership

Please find enclosed our petition calling for the Scottish Executive to recognise and promote ‘Public Community Partnership’ (PCP) funding as an alternative to PPP funding and as a means of securing the long term future of rural schools.

What we are proposing is for the Scottish Executive to allow the community to lease the school site from Highland Council, build a new school (the Bank of Scotland would lend us the money) then lease the building back to Highland Council for a set number of years (probably 20) until the cost of the development is repaid.

We also want to ask the Scottish Executive to put up ‘Level Playing Field Support’ to subsidise the annual loan repayment. This is what has encouraged Highland Council to enter into the various PPP agreements and what would give weight and credibility to our PCP proposal.

Due to your restriction on enclosures I have not enclosed a copy of our Community Options Appraisal which fully outlines our proposal. If you would like me to forward a copy or any other additional information that you may require please let me know.

Yours faithfully,

Catherine M. MacKinnon
Dr Johnston
Parliamentary Headquarters
Edinburgh
EH99 1SP

Dear Dr Johnston,

CONSIDERATION OF PETITION PE937

I thank you for your letter inviting comments on Petition PE937.

Please find attached the comments from the Highland Council.

Yours sincerely

Bruce Robertson
Director of Education, Culture and Sport
PETITION PE 937 :
PUBLIC COMMUNITY PARTNERSHIP FUNDING FOR RURAL SCHOOLS

Current Position

The current approach to Local Authority borrowing and the introduction of PPP have in recent times provided significant assistance to Local Authorities in implementing their Schools Estate Management Plans.

In particular with the PPP imitative the availability of Level Playing Field funding has allowed Authorities to carry out upgrading and replacement programmes of much greater scope than would otherwise have been possible.

A founding principal of Public Private Partnership is clearly the transfer of risk from the public body to the Private Partner. A robust and externally controlled and agreed approach to such transfer of risk is essential in sustaining the offer of Level Playing Field support from the Scottish Executive.

Public Community Partnership

The Public Community Partnership as set out in the letter accompanying the petition submission seeks in essence to place a local community in the position of gathering finance to carry out capital works with a subsequent lease back of premises to the Local Authority.

Such a lease arrangement would require to have the same level of contractual detail and agreement as in a PPP arrangement in order to safeguard the position of the Local Authority and the Community organisation.

In addition it is likely that any funding body such as a bank would require equally robust contractual arrangements to protect its interests. Such arrangements would require to found not only on the legal documentation but also upon the necessary levels of due diligence for Funders and Contractors.

Risk Transfer in Public Community Partnership

The supporting letter relating to Petition PE937 requests the involvement of the Scottish Executive in providing Level Playing Field support. It is to be anticipated that the issue of risk transfer would be central to such an arrangement as is the case in PPP. It would therefore be necessary for the contractual documentation and agreement to demonstrate a required level of risk transfer and clearly this would mean that the Community Partner would require to have sufficient financial capacity and guarantee to accept such risk.

It is also to be anticipated that the requirements of external Audit of the Local Authority would necessitate a robust demonstration of risk transfer both during the construction and operation phase of any such Public Community Partnership.

Potential Impact on Planned Capital Expenditure

Currently Local Authorities take forward their replacement and upgrading programmes, either through a Capital or a Public Private Partnership route. A third potential funding route may well introduce a degree of tension within an existing planned capital programme based upon a prioritised School Estate Management Plan. Such tension is likely to arise as potential development flowing from the Public Community Partnership is likely to be much less predictable than programming funded through PPP or a traditional capital route given that the development is likely to arise through particular interest in an individual community and the ability of that community to attract funding. Potential difficulties for the Local Authority would relate to the requirement to re-schedule or potentially remove certain priorities in order to free up funding to cover lease back and other revenue costs and potentially also to identify top-up funding if the community group was in a position to secure less than the full level of funding required to take the project forward.

Director of Education, Culture and Sport: Bruce Robertson, Glenurquhart Road, Inverness IV3 5NX
Hough R (Richard)

From: Robert Nicol [RobertN@cosla.gov.uk]
Sent: 31 July 2006 14:47
To: Hough R (Richard)
Subject: Petition PE937 - COSLA Response

Richard,

I wanted to email you in response to your letter of 27 July requesting COSLA to comment on the petition on behalf of the Roy Bridge Primary School.

This petition called for the Parliament and the Scottish Executive to promote 'Public Community Partnership' as an alternative to PPP. Since this is a matter for individual councils, it is not something which COSLA would comment upon.

I hope this help,

Thanks

Robert Nicol
Policy Manager
COSLA
Dear David,

PETITION PE937

Dr James Johnston wrote to the Executive’s Finance and Central Services Department on 4 April seeking comments on the issues raised in Petition PE937 by Mrs Catherine MacKinnon on behalf of Roy Bridge Primary School in The Highland Council area.

Since the Petition is about an alternative means of funding capital works on school buildings the request for comments was passed to this Department. With apologies for the time which has elapsed, I now attach a memorandum which we have prepared as a response to the request from the Public Petitions Committee and which has been approved by the Minister for Education and Young People.

We hope that the Committee finds this helpful.

Yours sincerely

Laura Johnson
Private Secretary
MEMORANDUM FROM THE SCOTTISH EXECUTIVE TO THE SCOTTISH PARLIAMENT’S PUBLIC PETITIONS COMMITTEE ON PETITION PE937

Background

1. Petition PE937, submitted by Mrs Catherine MacKinnon of Roy Bridge, Inverness-shire, calls for the Scottish Parliament to urge the Scottish Executive to recognise and promote “Public Community Partnership” funding as an alternative to Public Private Partnership funding as a means of securing the long term future of rural schools.

2. Mrs MacKinnon goes on to summarise her position as being that the Scottish Executive should allow the community to lease the school site from Highland Council so that the community could build a new school with money lent by a bank, then lease the building back to the Council for a set number of years until the cost of development is repaid.

3. The proposal appears to have been developed against a background of community concern about the future of Roy Bridge Primary School.

Responsibility for school buildings

4. Councils have stewardship of education services at the local level. That includes responsibility for the provision of school buildings, with education authorities having the statutory responsibility under section 17 of the Education (Scotland) Act 1980 for the provision and maintenance of sufficient public school accommodation. In early 2003, the Scottish Executive and COSLA published a joint strategy for the school estate – Building our Future: Scotland’s School Estate. The purpose of the Strategy is to promote and ensure the creation of a learning and teaching environment fit for the future and buildings that will deliver better public services both to pupils and the wider community. It provides a national and coherent context for the strategic view which local authorities are expected to apply in their management of the school estate.

Funding Options

5. There is a mixed menu of funding options available to local authorities for infrastructure investment, including investment in school buildings. These options are the general capital resources which authorities generate, much of it through borrowing, under the prudential framework for local authority capital expenditure; public private partnership projects (PPP); and the Schools Fund capital grant. A key element of all of these funding options is that it is the local authorities who decide on the priorities for school building investment at a local level, in line with the statutory responsibilities they have for the delivery of school education and the prudent use of resources.

Scottish Executive Financial Support

6. The Scottish Executive provides financial support for these funding options, as follows:-

- revenue in the form of loan charges support for general local authority borrowing for infrastructure investment, including school buildings.
• financial support to local authorities for school PPP projects in the form of revenue payments over the lifetime of the PPP contracts, related to their capital value – the revenue support being broadly intended to provide a level playing field for authorities in considering whether to fund projects through conventional borrowing or through PPP. In the current tranche of PPP projects, this financial support is contributing to capital investment of some £2.3 billion.

• direct capital grant for work on school buildings in the form of the Schools Fund which is allocated by formula across all Scottish local authorities. The Schools Fund totals £131.35 million in 2006-07 across Scotland, following a recently announced one-off addition of £30 million to the previously announced figure of £101.35 million.

7. The financial support provided by the Scottish Executive is not subject to the prior agreement of the Executive for local authorities to proceed with particular projects. It is entirely for authorities to determine their school building priorities and how they should be funded from the options and resources available to them, including those resources described above which the Executive makes available on a general basis to support work on the school estate.

The Public Community Partnership (PCP) Proposal

8. Essentially, it is for local authorities to consider arrangements for funding school building work and, indeed, capital investment on other services for which they are responsible. It would, therefore, be for The Highland Council to consider the merits of the proposal which has been suggested to them by the Petitioner, and, if satisfied that appropriate contractual arrangements could be secured, whether they then had resources they could make available to support a particular project under such an arrangement. In considering such a proposal, the Council would be mindful of audit requirements and whether their auditors would be satisfied with any such arrangement. They would also be mindful of the extent to which any proposal to fund a project in the way suggested would lead to a need for them to adjust forward plans for investment in another school or schools as part of their school estate management planning process. These are, however, matters for the Council.

Scottish Executive Financial Support for PCP Proposal

9. In her letter in support of the Petition, the Petitioner indicates that she wants to ask the Scottish Executive to put up “level playing field support” to subsidise the annual loan repayment. As explained above, the Executive does not provide support for school building projects on an individual school basis. It provides general support to local authorities through the mechanisms referred to in paragraph 6 above. The loan charges support is available to local authorities to support borrowing at their own hand, and it is for authorities to determine which projects might be taken forward under that funding option. Similarly, it is for authorities to determine which individual school building proposals might be included in the PPP projects for which we provide revenue support, decisions which are made by authorities before they would sign PPP contracts. And it is for local authorities to decide which school building projects will be taken forward by utilising the Schools Fund capital grant.

10. It will be clear that Executive financial support for work on school buildings is predicated on the principle of providing that support to the local authorities who have statutory responsibility for the delivery of school education locally and who are responsible
for the management of the buildings in which that education is provided. That support is substantial and has for some time provided greatly increased resources to local authorities to address school building issues. Ministers continue to recognise that improving and maintaining the condition of the school estate is a long term issue and they intend that substantial resources will continue to be available over the long term for work on the school estate.

11. The Executive has no proposals to introduce a further funding option of the kind proposed by the Petitioner.

Conclusion

12. It is for The Highland Council to take a view on the merits of the specific proposal which has been put to them in relation to Roy Bridge Primary School and whether they could identify appropriate funding should they conclude that it has merit and that the replacement of the building is a priority.

13. The Scottish Executive already provides substantial financial resources to local authorities under more than one funding route to support their work in improving the school estate on a strategically planned basis. All of that funding is made available on the basis that it is for the authorities to agree their long term strategy for investment in the future school estate and then decide their specific priorities for work on individual schools in the light of their statutory responsibilities for school education. It is open to any school community, rural or urban, to make a case to their local authority, through the usual democratic channels, for their school to be included by the authority in a school building programme.

14. The Executive has no plans either to introduce a separate and additional funding stream for work on local authority school buildings, or to make funding available other than to the authorities themselves.

Scottish Executive Education Department
November 2006