

Ministear airson Taigheadas agus Còmh-dhail  
Minister for Housing and Transport  
Keith Mac Ille Dhuinn BPA  
Keith Brown MSP

F/T: 0845 774 1741  
E: scottish.ministers@scotland.gsi.gov.uk



David Stewart MSP  
Convener  
Public Petitions Committee  
T3.40  
The Scottish Parliament  
Edinburgh  
EH99 ISP

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## CONSIDERATION OF PE1098 and PE1223

Thank you for your letter of 6 October expressing the Committee's disappointment that no clear way forward on the transfer of additional devolved powers to the Scottish Parliament has yet been identified, and seeking assurance that work to improve school transport safety in Scotland is being treated as a priority.

I am surprised that you did not take the opportunity in your letter to acknowledge that 12 local authorities are already contracting for school buses with seatbelts of their own accord, that a further 5 local authorities partially do so through restrictions to the type of vehicles used on particular routes, and that of the remaining local authorities a number require seatbelts for dedicated primary school transport. This lack of acknowledgement is especially disappointing considering that as recently as 2008 the Committee commented that only one local authority appeared to contract for school buses with seatbelts. These latest figures clearly show that local authorities are already making considerable progress in discharging their statutory responsibility for the safety of children travelling to and from school without the imposition of further Government prescription.

I know you will agree that legislating is not a matter to be entered into lightly and it is certainly not a quick or simple option. In addition to the requirement for clearance by the UK Government, the Scotland Office and the Scottish parliament Sub-Committee on legislation – potentially taking up to one year for any legislation to be devolved, it would then also require primary legislation in the Scottish parliament which could take at least a further year to enact.

The Committee may also be aware from the similar legislation enacted by the Welsh Assembly this year, school bus providers were given a further 3 years after enactment to allow them to update their fleets. In fact, even following a simpler process due to the different devolution settlement to that of Scotland, it also took nearly 2 years from Wales first requesting powers to enactment of their school transport safety measures.



