



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# MEETING OF THE PARLIAMENT

Tuesday 15 March 2016

Session 4

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# Scottish Parliament

*Tuesday 15 March 2016*

*[The Presiding Officer opened the meeting at 14:00]*

## Time for Reflection

**The Presiding Officer (Tricia Marwick):** Good afternoon. The first item of business this afternoon is time for reflection. Our time for reflection leader today is the Right Rev David Robertson, minister of St Peter's Free Church, Dundee, and Moderator of the General Assembly of the Free Church of Scotland.

**The Right Rev David Robertson (Minister of St Peter's Free Church, Dundee, and Moderator of the General Assembly of the Free Church of Scotland):** Thank you for the opportunity to be here. I am a Free Church minister, so confining this to four minutes is going to be miraculous—you will all believe that by the end.

As moderator of the Free Church, I bring you prayerful greetings from our growing denomination. I would like to reflect on the relationship between church and state, which has sometimes been troubled in Scotland. My church was formed as the Church of Scotland, Free, because of the intrusions of the state into matters that were none of its business. My favourite story about all this is that of the famous encounter between Andrew Melville and James VI in Falkland palace in the 16th century. Melville told James that he was but "God's sillie vassal"—language that, I am sure, the Presiding Officer would rule out of order in this chamber—before going on to inform him:

"thair is twa Kings and twa Kingdomes in Scotland. Thair is Chryst Jesus the King, and his Kingdome the Kirk, whase subject King James the Saxt is, and of whose kingdome nocht a king, nor a lord, nor a heid, bot a member!"

I submit to you that the church in Scotland has been the most radicalising, equalising, democratising force in Scottish history.

I realise that we live in different times and that not every member of this august body is a member of Christ's church—yet; although all are welcome—but we need to work out what the roles of the state and the church are. From our perspective, we do not believe that the church has the right to tell the state how to govern, except in the most general principles. Despite rumours, we do not want a theocracy. We all have our opinions as private citizens but, as public bodies, the churches do not have the right to tell you, our elected representatives, the rate of tax, whether

we should belong to the European Union or anything else. Our role is to pray for you, to serve the poor, to preach the gospel of Jesus Christ and to have a prophetic witness—to challenge the powers that be.

History teaches us that when the church seeks to run the Government or the Government seeks to control the church, trouble awaits. Just as the church should not seek to govern politics, so the state should not seek to act as God. However, we can work together in partnership now, as we have done in the past, on vital issues such as education, welfare provision, and healthcare. The teaching of the "twa kingdoms" is not just an important part of our common history but an excellent model for today. It would be good for all of us to recognise that we are all servants of God, but in different, interlocking kingdoms. The relationship of the church and the state in Scotland should be that of good neighbours and good friends.

I pray that each of you would know, individually and collectively, the presence, peace and power of Jesus Christ.

## Business Motion

14:03

**The Presiding Officer (Tricia Marwick):** The next item of business is consideration of business motion S4M-15930, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a revision to the business programme for this week.

*Motion moved,*

That the Parliament agrees—

(a) to the following revision to the programme of business for

Tuesday 15 March 2016—

after

*followed by* Standards, Procedures and Public Appointments Committee: Admissibility of Petitions and Minor Rule Changes

insert

*followed by* Scottish Parliamentary Corporate Body motion: Amendments to the Reimbursement of Members' Expenses Scheme

(b) to the following revision to the programme of business for Wednesday 16 March 2016—

delete

5.00 pm Decision Time

*followed by* Members' Business

and insert

7.30 pm Decision Time

*followed by* Members' Business

(c) to the following revision to the programme of business for Thursday 17 March 2016—

delete

6.00 pm Decision Time

and insert

6.30 pm Decision Time

(d) and that Rule 2.2.5(a) of Standing Orders be suspended for the purpose of allowing the Parliament to meet beyond 5.30 pm on Thursday 17 March 2016.—[*Joe FitzPatrick.*]

*Motion agreed to.*

## Topical Question Time

14:04

### Air Passenger Duty (Abolition)

**1. Alison McInnes (North East Scotland) (LD):** To ask the Scottish Government what independent assessment has been carried out into the impact of abolishing air passenger duty (S4T-01363).

**The Cabinet Secretary for Infrastructure, Investment and Cities (Keith Brown):** We will reduce the burden of air passenger duty in Scotland by 50 per cent, with the reduction beginning when a Scottish replacement tax is introduced in April 2018 and delivered in full by the end of the next session of the Scottish Parliament, which is expected to be in 2021. We will also abolish the tax entirely when resources allow.

We launched a public consultation on a Scottish replacement tax on Monday 14 March. The consultation seeks views on how the replacement tax should be structured and operated to help boost Scotland's international connectivity and generate sustainable growth. In recognition of the important environmental issues that need to be considered, a consultation has also been launched on the initial findings and proposed scope and methodology of the strategic environmental assessment that we are undertaking.

**Alison McInnes:** My question was what independent assessment had been carried out. In 2013, my colleague Willie Rennie asked the same question and asked for the evidence. In the official written answer at that time, which I have, the Scottish Government referred us to the easyJet corporate website, to a report that had been commissioned by four airlines. Did I miss the news—is the Scottish Government now just a wholly owned subsidiary of the aviation industry?

**Keith Brown:** If Alison McInnes had listened to my initial answer, she would know that I mentioned that we have gone out to consultation. In addition, we have a stakeholder group, which includes, for example, environmental groups and others. Of course, the industry will have an interest in the issue. In addition to the reports that she mentioned, there is the York Aviation report. Those reports are in the public domain, but it is important that we take on everyone's views. We have sought to do that by establishing the stakeholder group, which will also consider responses to the initial findings of the strategic environmental assessment, and the further responses from consultees—that is, from anyone in the country who wants to respond. That is the responsible way to proceed and it will give us an

idea of the feelings of those who would be most affected by the change.

**Alison McInnes:** The York Aviation report was also commissioned by the aviation industry—you could not make it up. Look at the stakeholder forum that the minister has referred to—I counted 15 airlines and airport representatives and just one environmental voice. Is that really the best balance that the minister can get?

**Keith Brown:** No, there is more than one environmental voice. As well as Stop Climate Chaos Scotland, we have links with Scottish Environmental LINK, which also responded. We are taking the point very seriously. However, the proposal will have a profound effect on airlines and airports, and it is only natural that we want to take their views on how best to proceed. We have also undertaken a separate environmental assessment on the likely emissions.

We are moving forward in a responsible way. I do not hear from Alison McInnes a single word of support for a measure that will greatly increase economic activity in Scotland and provide benefits for passengers and for small businesses, tourist attractions and the general economy across the country. It is a positive move, and it would be nice if Alison McInnes could occasionally be positive about some of the things that the Scottish Government does.

**Alison McInnes:** Stop Climate Chaos Scotland has said that a cut in APD would lead to 60,000 more tonnes of CO<sub>2</sub>, which is on top of emission targets being missed for four years running and a 10 per cent cut in the climate change budget. Passenger numbers are already at record levels. Is a £250 million aviation tax break not the final nail in the coffin of the Scottish National Party's green credentials?

**Keith Brown:** The reference to £250 million is as accurate as some of the other statements that Alison McInnes has made. It is completely wrong.

What would have been the purpose of consulting and involving in the stakeholder group only those with whom we agreed? That is why Stop Climate Chaos is there.

We have to meet the emissions impact targets across the whole range of Government activity. It is also possible to introduce the replacement tax in a way that will have the effect of reducing emissions, not least by encouraging, if that is what is chosen to be done, long-haul routes at the expense of short-haul routes. That way, some of the most environmentally damaging short-haul routes can be cut out. This is a positive move, and it is being received very positively. We will of course take on board the views of all interest groups, including those with an environmental interest. That is why they are involved in the

stakeholder group, and that is the right way to proceed.

**Mark McDonald (Aberdeen Donside) (SNP):** Given that Aberdeen airport is in my constituency and that the managing director of Aberdeen airport has been very open about the economic benefits that would be brought not just to the airport but to the wider north-east economy as a consequence of a reduction in air passenger duty, does the minister share my horror that a north-east representative in the shape of Alison McInnes is talking down the impact that the proposal could have on the economy of the region that she is supposed to represent?

**Keith Brown:** Mark McDonald makes a good point. It would be interesting to hear a conversation between Alison McInnes and Carol Benzie, the chief executive of the airport, in which Alison McInnes tries to talk against something that, according to one study, would have led to around 0.7 million additional passengers passing through Scotland's airports in 2015, rising to 0.9 million by 2020, as well as the direct, indirect and induced impact of a 50 per cent reduction in operational impact, and nearly 4,000 additional jobs and £200 million per annum in gross value added by 2020. Those are the beneficial effects of the measure.

As well as the Government having to address the issues of people who have concerns about the matter, it would be interesting to hear Alison McInnes—I do not know whether she is arguing for APD staying as it is or for increasing it even further, bearing in mind that it is already the most expensive tax of its type in the world—address the concerns of people who support the move.

**Chic Brodie (South Scotland) (SNP):** I welcome the Government's consultation, including on the impact on the environment. Will the Scottish Government talk to the Dutch Government? In 2008-09, the Dutch Government applied APD to accrue €280 million but scrapped it after 18 months because it was losing €1.3 billion and many jobs in the hospitality and tourism industry.

**Keith Brown:** We are very conscious of that example, and we would, of course, be more than happy to receive a submission from Chic Brodie on that particular point, which we have noted.

I think that, in the previous United Kingdom Parliament, the UK Government afforded Northern Ireland the opportunity to reduce APD to zero for transatlantic flights. That is interesting. I also think that the Liberal Democrats supported that. The question is why the Liberal Democrats would support that for other parts of the United Kingdom but not for Scotland.

I entirely agree with Chic Brodie that other places, including the Republic of Ireland, have found it very beneficial to avoid doing what the UK seems to have wanted to do in relation to Scotland, which is to give the country the highest tax of its type in the world and therefore an inhibition on economic activity.

### High-speed Broadband (Access)

**2. Rhoda Grant (Highlands and Islands) (Lab):** To ask the Scottish Government what plans it has to ensure that every household in Scotland will have access to high-speed broadband. (S4T-01360)

**The Cabinet Secretary for Infrastructure, Investment and Cities (Keith Brown):** Our goal is to ensure that everyone has access to high-speed broadband. Our investment through the digital Scotland superfast broadband programme will deliver at least 95 per cent fibre broadband coverage by 2017. Through community broadband Scotland and a second phase of investment, we will ensure that the remaining 5 per cent have access to superfast broadband as early as possible. If the Scottish National Party is re-elected in May, an SNP Government will ensure that superfast broadband is delivered to 100 per cent of premises across Scotland over the next session.

**Rhoda Grant:** I have recollections of the Scottish Government making a similar promise prior to the 2011 general election. The Deputy First Minister has now taken to writing to BT to complain about the lack of progress in the Highlands and Islands, although I have been telling him about that for a very long time. I have also invited him to visit innovative projects in my region, which he has not found time to do. What proportion of the people in the Highlands and Islands will have access to high-speed broadband by 2017?

**Keith Brown:** I am happy to provide those figures to Rhoda Grant. She will be aware that nearly 7,000 homes a week are being put on to broadband. She will also be aware of the innovative schemes that the Deputy First Minister has overseen in some of the small isles, for example, to make sure that other methods of ensuring that people have access to broadband are taken forward.

The target to ensure that every single person can access superfast broadband is very ambitious, not least when we consider some of the households that Rhoda Grant is talking about, which can be very remote and very expensive to connect. The Scottish Government's commitment is to ensure that everybody benefits—it is a universal obligation whereby everybody gets

access. Perhaps it would be better if Rhoda Grant were able to support that.

**Rhoda Grant:** I not only support that, I have fought for it for years. It is disappointing that we have made so little progress.

When I met the Deputy First Minister, he promised to let me know which houses would be covered by the first phase of the roll-out in the Highlands and Islands. I am still waiting for that information, as are my constituents. Why is he reacting now? Could that be because he is just afraid that, during the election, he will be judged on his record of a lack of progress on broadband?

**Keith Brown:** I do not accept that there has been a lack of progress. We have already met our interim target of 85 per cent coverage six months ahead of schedule, and we are working very closely with BT, which was mentioned, to ensure that 95 per cent coverage is achieved on schedule.

As I said, excellent progress has been made. On average, the programme is connecting 7,000 new homes and businesses every week. In fact, we are making such good progress that that has allowed us, if we are elected in May, to commit to extending superfast digital broadband not to 95 per cent, but to 100 per cent of premises across Scotland over the next session. That shows the Government's ambition, and that should draw support from the rest of the chamber.

**Mike MacKenzie (Highlands and Islands) (SNP):** I am much more optimistic than Rhoda Grant and have a better insight into the immense technical difficulty we have seen in laying cables—not least submarine cables—to many of our islands. Will the cabinet secretary explain some of the benefits of delivering high-speed broadband across the Highlands and Islands and say whether that will boost the economy?

**Keith Brown:** Mike MacKenzie and Rhoda Grant are right to point out that connectivity is extremely important for rural areas, not just for employment opportunities, but also for educational and health opportunities. That is why we are developing an action plan on mobile connections for rural areas in collaboration with industry. That plan will contain a package of measures designed to set the right conditions to encourage investment in under-served areas.

The potential benefits are transformative for some of the premises and individuals that will be connected. That is why the Scottish Government is putting in the resources to ensure that that happens for everybody in Scotland.

**Alex Johnstone (North East Scotland) (Con):** Although remote and hard-to-reach areas remain of great concern, will the cabinet secretary take



the opportunity to comment on the many town centres in some of Scotland's most populated areas that have been bypassed by high-speed broadband because they have direct exchange lines? It seems that BT expects to have Government support to overcome that, but does the cabinet secretary think that the company should be doing that on a commercial basis?

**Keith Brown:** There are particular issues in town and city centres, including here in Edinburgh, in Rose Street, for example, where state-aid rules do not allow BT to do the kind of things that we are working with the company to do in other areas. I accept that there are issues sometimes. We are working with BT in relation to gain share funding—I am not sure whether Alex Johnstone is familiar with that funding, but essentially it is the benefits that have been accrued from the programme so far—to ensure that we roll the programme out to those areas where that has proved difficult. Sometimes it will remain difficult because of state-aid rules. There has been some misunderstanding about that.

This morning I visited a cabinet that is being developed in northern Edinburgh, which will provide people with the ability to access broadband. I should say that that is all it does—people will still have to subscribe to a broadband provider in order to use that facility.

As I said in response to Mike MacKenzie and Rhoda Grant, it is our intention to have 100 per cent of premises across Scotland served by broadband over the course of the next session. That must include dealing with some of the difficulties mentioned by Alex Johnstone.

**Liam McArthur (Orkney Islands) (LD):** Reference was made to the subsea cabling work undertaken by BT, although it is not the only company that is undertaking cabling. Will the cabinet secretary speak to the Deputy First Minister and the Minister for Energy, Enterprise and Tourism about pressing SSE and other utilities companies to consider laying fibre when they undertake cabling work, so that we do not miss that opportunity?

**Keith Brown:** Liam McArthur makes an interesting point. I will take up those issues with the Deputy First Minister and the energy minister. When we are involved with large, and sometimes very expensive, infrastructure works, it is often the case that we can achieve more than one thing at a time. For example, the ability to lay fibre along the Borders railway was something that we looked at very closely and managed to move along. I am happy to raise those issues on Liam McArthur's behalf.

**Dennis Robertson (Aberdeenshire West) (SNP):** Will the cabinet secretary expand on which

other companies, such as mobile phone companies, will provide superfast broadband? Are you in discussions with them to share masts? Are you in discussions with local authorities who will buy into those plans?

**Keith Brown:** Those discussions are under way. Perhaps even more important, we are in discussion with Ofcom to ensure that the Scottish Government's new access to Ofcom is used for the benefit of mobile users across the country. Dennis Robertson raises the issue of mast sharing, which is something that we are trying to encourage. We are also looking at some of the other industry demands in relation to the way in which the planning system deals with applications for mobile masts. That is a controversial area.

The issues that Dennis Robertson raises are under active consideration and we are starting to see a way forward to make further progress. I am more than happy to keep him up to date with the other companies involved and the way in which they are helping us to achieve that progress.

## Energy Strategy

**The Presiding Officer (Tricia Marwick):** The next item of business is a statement by Fergus Ewing on Scotland's energy strategy. The minister will take questions at the end of his statement, and there should therefore be no interventions or interruptions. Members who wish to ask a question of the minister should press their request-to-speak button now.

14:20

**The Minister for Business, Energy and Tourism (Fergus Ewing):** There are few things as important as secure, affordable and sustainable energy provision that delivers the best outcome for Scotland's businesses and consumers. The Scottish Government has a well-established approach to energy: ensuring good stewardship of Scotland's oil and gas resources, while prioritising the long-term development of clean energy sources as part of a varied energy mix and being driven by some of the most stretching legislative targets for emissions reduction in the world.

Today's statement is to update Parliament on the Scottish Government's plans for a new, overarching energy strategy, which I set out when I addressed the chamber last September.

On 1 March, the First Minister and Professor Sir Jim McDonald chaired a meeting of the Scottish energy advisory board and proposed to its members a new approach to energy and a better deal for Scotland. I am pleased to say that there was a very clear consensus in that meeting on the priorities of a new energy strategy. Three things must be achieved. First, there must be a stable, managed energy transition. We must ensure that Scotland has secure and affordable energy supplies in future decades as we address the need to decarbonise our energy system in line with this Parliament's Climate Change (Scotland) Act 2009. The Scottish Government must also continue to support innovation and expertise from our oil and gas industry, the deployment of renewable energy technologies and the development of more innovative and low-cost ways of producing, storing and transmitting energy.

Secondly, we must take a whole-system view of the challenge. By that, I mean that there must be consideration of Scotland's energy supply and energy consumption as equal priorities; we must also build a genuinely integrated approach to power, transport and heat. Our success rests on continuing our good work to make our homes, workplaces and vehicles more energy efficient and more affordable to run.

Thirdly, we must embrace a truly local vision of energy provision by promoting local energy solutions, planned with community involvement and offering community ownership of energy generation, and by delivering a lasting economic asset to communities in every part of Scotland.

Developing our new energy strategy is an ambitious programme, but we have many of the building blocks in place. If re-elected by the people of Scotland in May, we will then set out more detail about the new approach, and a draft energy strategy will be published for consultation by the end of this year to accompany the draft third report on policies and proposals, required by the Climate Change (Scotland) Act 2009, which will set out how Scotland can achieve future emissions reduction targets. In formulating the draft energy strategy, we will draw on the expertise of Scotland's industrial and academic communities. We will also embark on a public dialogue with Scottish communities and energy consumers over their energy future.

As I set out the plans to develop a new energy strategy, I would like to reflect briefly on the Scottish Government's commitment to developing a thriving renewable energy sector, which, in partnership with industry, development agencies and academia, has led to major changes to energy provision in recent years. Almost 50 per cent of domestic demand for electricity is met by renewables. That is up from about 10 per cent only 10 years ago.

Scotland has met the 2020 target to install 500MW of community and locally owned renewable generation capacity. The development of onshore wind—in the right places—has underpinned investment in grid upgrades that will enable us to develop our offshore and marine potential through projects such as SSE plc's Beatrice offshore wind farm, which at £2.5 billion will become, subject to final investment decision approval, the largest infrastructure project in Scotland.

With substantial Scottish Government support, we are on the cusp of two record-breaking projects. MeyGen Ltd is developing the world's largest tidal stream array in the Pentland Firth, with the first four turbines being installed this year, and the next stage of Hywind—the world's largest floating offshore wind project—will be in place by 2018.

We should celebrate those successes, but I am sorry to say that we now face stiff headwinds to continued progress across the full range of Scottish energy priorities. Indecision and inconsistency in energy policy from Westminster are now placing Scottish investment and jobs at risk. United Kingdom Government inaction continues to threaten the prosperity of the oil and

gas industry. We are using our devolved powers to provide support where possible, but I have repeatedly called on the UK Government to do more with its powers over the fiscal regime and over non-tax measures, such as loan guarantees, to support the industry and its highly skilled workforce. I await tomorrow's budget with eager anticipation.

We face an onslaught against renewables from the UK Government with its abrupt and irrational termination of financial support for the best-value technologies, which places Scottish jobs and investment at risk and jeopardises further progress towards our 2020 renewable energy targets. The UK Government has, in effect, chosen nuclear power over carbon capture and storage with its abrupt cancellation of the CCS demonstrator competition, which could have done so much for Peterhead.

Scottish energy consumers—all of our constituents—now face unprecedented risks to the basic tenet of energy provision: secure energy supplies at the best price. Power station closures across Britain—including Longannet, which will close in the next fortnight—continue without the prospect of replacement. The Competition and Markets Authority confirmed last week that consumers are still not getting a fair deal. In a further blow, the UK Government has halved the value of the support that is available to help the most vulnerable in society heat their homes more affordably.

Scotland cannot wait for the Department of Energy and Climate Change and the Treasury to get it right. It would be easier for me to stand here and talk about our intentions for the next session of Parliament, but those issues are too important to wait. We are now acting on some of the programmes that begin to address those major challenges.

The Scottish energy efficiency programme, which follows from the Cabinet's agreement that energy efficiency should be a national infrastructure priority, will provide an offer of support to buildings across Scotland, domestic and non-domestic, to improve their energy efficiency rating over a 15 to 20-year period. It builds upon the success of existing programmes, which, since 2009, have delivered over £0.5 billion to improve energy efficiency and tackle fuel poverty. A new energy efficiency procurement framework, developed with the Scottish Futures Trust, will improve the public sector's energy efficiency to the tune of £300 million.

Our local energy challenge fund last week awarded up to £10 million of funding to nine new projects, all of which explore a new kind of localised energy provision, with innovative technologies and community involvement. Today I

am announcing a further £7 million for investment in district heating for the next financial year. That will bring our total investment in district heating to over £17 million.

There is so much economic opportunity and societal benefit for Scotland in that new approach, and securing the benefits must be a shared endeavour. I hope that I can rely on the support of members as this important work to develop Scotland's energy strategy progresses.

**The Presiding Officer:** The minister will now take questions.

**Sarah Boyack (Lothian) (Lab):** I thank the minister for advance notice of his statement and welcome the Scottish Government's commitment to producing an energy strategy, although we are disappointed that it has taken so long.

We are also disappointed that the Scottish Government's budget contained cuts to renewables and energy efficiency—given the failure to meet our first four climate change targets and the fact that the Government will not have eradicated fuel poverty by the November target. However, I agree with the minister about the short-termism of the Tory Government, which has created massive uncertainty and job losses. Its cancellation of carbon capture and storage projects and the fact that it has put renewables into reverse have cut green energy to the bone.

In advance of tomorrow's budget, will the minister support Labour's proposal for a new public body to invest in North Sea assets, which are strategically important for getting us through the current difficult times in the industry? Will the minister also tell us now whether fracking will be part of the Scottish Government's energy policy later this year?

**Fergus Ewing:** I am able to welcome the measure of consensus in what Sarah Boyack said at the beginning of her question. We have worked pretty much together, in many ways, with many of Ms Boyack's colleagues over the past five years, for which I am grateful.

I will answer the questions as follows. First, we have made very clear our position on unconventional extraction. A moratorium is in place at the moment and there can be no developments. It is right, however, that we study the matter using an evidence-based approach; it is fair to say that we have set out extremely detailed plans about what evidence we will take and what will follow. We will then have a national debate. That is very clear indeed.

The second question was specifically about oil and gas. I await with interest learning precisely what the Labour Party proposes: what sum of money is proposed and for whom, what will be

invested in, on what advice, and when and how that will take place. I say to Ms Boyack that it has appeared to me for quite some time—I have put this on the record in the chamber—that the immediate risk that is faced by the industry is that some operators are under considerable financial pressure, and that the immediate action that is required is for the banks to keep faith in those operators. That point has been well made by Sir Ian Wood in the past couple of days, and that is the most immediate issue that must be dealt with. I have written to the major banks and I am in dialogue with them to urge them to keep faith in the oil and gas industry through these toughest of times, and to avert the risk, which is well recognised in the industry and which I have discussed with Andy Samuel, the Oil and Gas Authority chief executive, of financial contagion or—as it is otherwise known—the domino effect.

Those are answers to the two questions that Ms Boyack asked. I will check to see whether I have missed anything, and if I have I will revert to her.

**Murdo Fraser (Mid Scotland and Fife) (Con):** I thank the minister for the advance copy of his statement, although his text was rather long on criticism of others and remarkably short on concrete proposals about Scottish Government policy.

The minister's criticism of the UK Government's policy sits rather at odds with comments that I read in *The Herald* just two weeks ago from Keith Anderson, who is chief corporate officer at Scottish Power and whom I am sure the minister knows well. He announced plans for his company to invest £6.3 billion in renewable energy over the next five years,

"reflecting the ... company's confidence in the UK market."

Mr Anderson went on to praise the UK Government

"for providing the stable regulatory environment needed to encourage firms to invest in onshore windfarms",

such as the Beatrice project to which the minister referred.

In an effort to get some specifics, I ask the minister two questions. First, now that energy efficiency is a national infrastructure priority, how much of the Scottish Government's capital budget will be allocated to it in future years? Secondly, is not it time that the minister finally got off the fence on fracking? He talks a lot about scientific evidence. The Scottish Government's own expert scientific panel concluded as long ago as July 2014 that fracking could be conducted safely in Scotland if properly controlled and regulated. Why is the Scottish Government not listening to its own scientists?

**Fergus Ewing:** I point out that Keith Anderson is not investing in Beatrice, which is an SSE project, not a Scottish Power project. Scottish Power is, of course, investing in renewable energy. Some of that is in Scotland and some is in England, with the benefit of contracts for difference. Keith Anderson expressed very clearly the reason why we are seeing the premature closure of Longannet. Because it operates north of the border in Scotland, rather than somewhere in England such as Surrey, it faces additional charges for the cost of transmission—to the tune, if I recollect correctly, of about £40 million. By mentioning Keith Anderson, Murdo Fraser makes it clear that he has misconceived his point. Mr Anderson has said repeatedly that there is a blockage to a new thermal plant being built in Scotland, as is indubitably the case.

Mr Anderson has also pointed out that what the UK needs in the short term to maintain security of supply is new combined-cycle gas turbines, but there is no means of incentivising that. He wrote an article in the *Financial Times* making that clear: I am afraid that the UK Government has not responded in any meaningful way.

Turning to the two questions, we will consider very carefully how we can use every means at our disposal to further the aims of a whole-systems approach, a managed transition and more local energy provision with community involvement. Obviously, we have to consult on that, as is right, but I have mentioned already the £300 million investment in the public estate.

I could mention the £50 million investment in the community and renewable energy scheme—CARES—over the past two years. That is more than the whole amount that was invested in community schemes south of the border. I could also refer to the continued investment of funds from the renewable energy investment fund, which have been used to good effect.

Secondly, on the unconventional gas question, the answer is exactly the same as it has been. Unlike the Conservative seats in the chamber, where they are gung-ho for fracking, or the Labour side, where somewhat belatedly and contrary to the position down south they have come out against it, we think that we should take a moderate approach based on analysing the evidence, following which we should have a debate and then come up with a conclusion, after the involvement of, and consultation of, all the people of Scotland.

If I may make one further point, I say that I suspect that quite a lot of people in our electorate—the people of Scotland—would like to know a bit more about fracking. They may not know enough about it, so providing them with evidence on it is an extremely valuable and

necessary process if we wish to have a rational debate—which, of course, in Scotland we do.

**Mark McDonald (Aberdeen Donside) (SNP):** The minister mentioned in his speech the vision of local and community involvement. Does he see opportunities for much greater community ownership of and involvement in renewable energy provision as a consequence of community empowerment legislation?

**Fergus Ewing:** Yes, I do. We have reached our target of 500MW by 2020. Let me give you a practical example: The Point and Sandwick wind farm in the Western Isles is the largest wholly community-owned wind project, at 9MW. The revenue from that project is £1 million a year. What a tremendous contribution to communities for future generations—£1 million a year! What a tremendous achievement.

To answer Mark McDonald's question, of course we want the opportunities of the Community Empowerment (Scotland) Act 2014 to be maximised. That act encourages and supports enterprising community developments. The problem is that the UK Government's abrupt and savage cuts to fixed tariffs make that project much more difficult. That was the very clear message from the CARES conference at which I spoke earlier today.

**Claudia Beamish (South Scotland) (Lab):** The minister will rightly draw on expertise and have public dialogue in formulating the energy strategy, but he failed to reference unions in his statement. Why? Also, surely the strategy needs to come as a result of the forthcoming "Third Report on Proposals and Policies", not to accompany it, in order to address future emissions in a targeted and effective way.

**Fergus Ewing:** We routinely engage with unions; I did not mention bosses either. I cannot mention absolutely everybody.

Of course we engage with trade unions. I can inform Claudia Beamish that I met, for example, several senior union representatives from the oil and gas industry just a couple of weeks ago. I meet them at least twice a year because we want to learn what they have to say about how we can best shape our policy on oil and gas. That has a great effect, because the people who work in the industry very often know how to do things better and more efficiently. Indeed, some of the enlightened companies in the sector have already used that to best effect. Of course we will fully consult trade unions; I am very happy to give an assurance to that effect to Claudia Beamish and other members.

**Liam McArthur (Orkney Islands) (LD):** I welcome the plans to develop a revised energy strategy, particularly an approach that integrates

power—on which good progress has been made by successive Administrations since 1999—with transport and heat, on which I think that a great deal more needs to be done. In that respect, I would be grateful for more detail on how the £7 million will be used to support district heating projects, such as the one in Shetland, where I understand that infrastructure remains a stumbling block.

Sticking with infrastructure, although I agree that confidence in the renewables sector has nosedived since my colleague Ed Davey left office and the Conservatives were left to their own devices, will the minister outline the next steps for securing the grid connections to Orkney and the other island groups that are essential if we are to harness the full potential of our wind, wave and tidal resources?

**Fergus Ewing:** I am happy to write to Mr McArthur with details about the expenditure of the £7 million in due course. The announcement has just been made, and I will furnish him with the details.

At the convention of the Highlands and Islands—COHI—last Monday, I had the opportunity to discuss the issue in Mr McArthur's second question with representatives from Orkney Islands Council: Steven Heddle and colleagues were represented. As Mr McArthur knows, it is my top priority to connect the islands of Scotland to the grid. The reason for that is the tremendous benefits that connecting to the UK grid would have for the people in Orkney, Shetland and the Western Isles. The Baringa report estimated those benefits to amount, if I remember correctly, to £725 million. Mr McArthur and I have worked on the matter for some time. Those benefits would be game changing.

We are concerned—and those concerns were expressed at COHI—that, although Andrea Leadsom told us last September that the process of obtaining European Union approval for the state aid procedure would take two months, the UK Government has still not put in the application, even though it is our understanding that the application is put in after the substance has been agreed. We are extremely concerned that the UK Government has not taken the necessary steps to make progress with the island connections, and we are, of course, pressing it on that point.

**Roderick Campbell (North East Fife) (SNP):** Will the minister advise me how biomass energy centres, such as the new biomass plant in Guardbridge in my constituency, help the Scottish Government to achieve the target set out in the new energy strategy? Will he also clarify the Government's position on independent emissions monitoring of such centres?

**Fergus Ewing:** I have had the benefit of visiting the Guardbridge development and discussing it with colleagues, including the University of St Andrews. Scottish partnership for regeneration in urban centres—SPRUCE—funding, which is an innovative funding model, of £11 million was provided for the development, which is very important and will transform the energy provision in the University of St Andrews.

The project is terrific. It will deliver enormous benefits, and I have been pleased to work closely with the university and others to deliver it. Such projects can make a substantial contribution towards emissions reduction. We will wish to analyse that contribution carefully once the Guardbridge development is installed.

**Chic Brodie (South Scotland) (SNP):** I welcome the range of planned energy initiatives mentioned by the minister, particularly those on energy efficiency. Given the possibility that EDF will face major difficulty in obtaining the funding to progress the Hinkley Point nuclear facility, will the minister advise me what discussions he has had with the Department for Energy and Climate Change and the National Grid regarding imminent security of supply issues? Do not recent funding actions and strategic decisions that the UK Government has made regarding renewables in Scotland, Peterhead and Longannet smack of petty, post-referendum reactions and have little meaning for a thriving, stable and secure electricity supply?

**Fergus Ewing:** I have raised extensively with the UK Government our concerns that its energy policy is putting security of electricity supply in the UK at serious risk. I have raised our concerns with Ed Davey and Amber Rudd. The First Minister raised them with the Prime Minister in a letter urging him to intervene to avert the premature closure of Longannet.

I am afraid that the Prime Minister would not lift a finger. To justify his inertia, he alluded to the stance taken by National Grid. At that point, National Grid had a very optimistic view about what was going to happen on the grid. I put the argument to National Grid that the coal-fired power station was going to come off the grid more quickly than it anticipated. The power stations that will close reasonably soon include not only Longannet but Fiddlers Ferry, Rugeley, Eggborough and Ferrybridge. That amounts to about 15 per cent of peak energy demand in Great Britain.

We believe that that is a very serious issue and that, frankly, the UK's approach of introducing a new nuclear power station, some time towards the end of the next decade, does not cut the mustard.

**Elaine Murray (Dumfriesshire) (Lab):** The minister mentioned grid upgrade, and he may be

aware that Scottish Power Energy Networks proposed a pylon network in the style of the Beauly to Denny line across Dumfries and Galloway. As far as I have been made aware, local people consider—to a person—that that would benefit large multinational power generation companies, rather than the local economy.

Will the minister assure my constituents that the Scottish Government, when considering any planning application for a new transmission line in the region, will give top priority to consideration of factors such as the landscape, environment and tourism and that, where possible, it will encourage underground and undersea cabling?

**Fergus Ewing:** I can say only that, in determining any application under section 36 of the Electricity Act 1989, I have to act in accordance with the procedure that is set out, consider each application on its merits, and consider them safely. It would be wrong of me to ascribe weight or importance to some criteria over others. Elaine Murray has, as a constituency MSP, raised the issue with me, and I can assure her that I will look at it very carefully.

To conclude, we cannot have more energy schemes—renewable or otherwise—unless grid connections are in place. We now see the possibility of wave and tidal energy precisely because of the robust approach that we have taken and because of the support for onshore wind. That would not happen if we did not have the Beauly to Denny line, and nor would the Beatrice project. This is all one of a piece; we cannot pick and mix. Grid upgrades are part of the process that is necessary to ensure that Scotland realises her renewables potential.

**Rob Gibson (Caithness, Sutherland and Ross) (SNP):** Given the urgent need to better serve Scottish consumers with clean power, and the minister's welcoming of the deployment of the Hywind floating turbines off Aberdeenshire by 2018, will the minister give us an update of the large-scale deployment of those floating structures? Will they take less time to build, and be less expensive, than sea-floor based offshore wind turbines in areas such as the Pentland Firth and the Moray Firth?

**Fergus Ewing:** Scotland is about to have two world firsts: the first largest tidal stream in the Pentland Firth—by Atlantis and MeyGen—and the first largest floating offshore wind farm—by Statoil—off the north-east coast of Scotland.

In response to the member's question about the offshore floating turbines, research by the Carbon Trust suggests that that concept could reduce generating costs to below £100 per MWh, with larger concepts producing even lower costs by the mid-2020s. Floating offshore turbines can also be

deployed wherever the best wind conditions are, and they can take account of different wind directions compared with fixed offshore wind developments. Thereby, they can access the market at a more commercially suitable time.

In conclusion, as Mr Gibson rightly signalled, floating offshore and other technologies offer the potential, through substantial cost reduction, to provide excellent renewable low-carbon solutions for electricity provision over the next several decades.

**Patrick Harvie (Glasgow) (Green):** When I saw that we were going to have a statement on a new energy strategy for Scotland, I assumed—silly me—that we would hear some detail about what would be in that strategy. Nevertheless, I thank the minister for the advance copy of his statement, which tells us once again that he thinks that there ought to be an energy strategy in the future.

The minister said:

“It would be easier for me to stand here and talk about our intentions for the next session of Parliament”—

and I rather wish that he had done so. Perhaps he can tell us this. If reducing energy consumption is to have equal prominence alongside supply, as he says it should, when is the right time to stop cutting the budgets that perform that work? How much more do we need to spend than is in the current Scottish budget? When will the idea of a national infrastructure begin to be taken seriously? Does he think that it can all be done by wishing?

**Fergus Ewing:** I naively thought that Mr Harvie would welcome the new approach of focusing on how we can use energy more efficiently. I thought that he would welcome the approach of cutting energy demand. I thought that one of the Green Party's basic tenets since it was founded was to use less energy and to use it better.

The cynical, negative and point-scoring contribution that Mr Harvie made serves to advance us not one jot. I thought that he would welcome the emphasis on heat as well as light; I thought that he would be pleased that we are focusing on transport. All that was mentioned in the statement, but he apparently missed it.

Nonetheless, in the spirit of good will to all men, I hope that, in the open and transparent process of dialogue that we will adopt in developing the strategy, we will have the benefit of Mr Harvie's detailed thoughts.

**Stewart Stevenson (Banffshire and Buchan Coast) (SNP):** Can the minister confirm that it is the Government's view that the proximity of north-east Scotland—and Peterhead in particular—to emptied oil basins creates not only a domestic opportunity for CO<sub>2</sub> storage but an international opportunity to take other people's CO<sub>2</sub>? In

particular, given the engineering expertise in the north-east, has he had any positive indications of any kind that tomorrow's budget might help to provide employment as well as address climate change?

**Fergus Ewing:** I have not heard from Mr Osborne any indications, positive or otherwise, but Mr Stevenson is absolutely right about the opportunity to use depleted oil and gas fields off the shores of Scotland, and indeed of England. That is an enormous opportunity for the environment and for the oil and gas industry. That is the case for the environment because—as the International Energy Agency has often said—in order to cut our emissions and meet climate change targets, carbon capture and storage is a necessity; it cannot be done without it. That makes the Greens' refusal to support the policy somewhat astonishing.

On Mr Stevenson's second point, the engineering expertise that was encompassed in the SSE-Shell partnership that was working on the CCS project, which the UK Government unilaterally and abruptly scrapped, was international. The people who were involved, whom I met on a half-day visit to Peterhead, were hugely looking forward to the project and there was a spring in their step. They were looking forward to Scotland and Britain leading the world, but all of that was scrapped in a moment in a short-sighted, venal decision by the UK Government.

**Patrick Harvie:** On a point of order, Presiding Officer. I know that there are certain words that we are not expected to use about other members in the chamber, and I certainly do not want to break that rule. For clarity, however, I ask whether Fergus Ewing was, in his last answer, stretching the truth beyond breaking point in misrepresenting the Greens' position. Would that be a legitimate way to describe his position without using words that we are not expected to use?

**The Presiding Officer:** The member is well aware that there was no unparliamentary language used and that any language that is used in the chamber in response to questions is entirely a matter for the member himself. I always expect all members to treat each other with courtesy and respect, and I sincerely hope that, over the next two weeks, every member in the chamber will do so.

## Forth Road Bridge Inquiry

**The Presiding Officer (Tricia Marwick):** The next item of business is a debate on motion S4M-15904, in the name of Jim Eadie, on the report entitled, “Inquiry into the circumstances surrounding the closure of the Forth Road Bridge”. Members who wish to take part in the debate should press their request-to-speak buttons now.

I call Adam Ingram to speak to and move the motion, in the name of Jim Eadie, on behalf of the Infrastructure and Capital Investment Committee. Members will wish to note that this is Mr Ingram’s last speech as a member in the chamber. Mr Ingram, you have 13 minutes.

14:54

**Adam Ingram (Carrick, Cumnock and Doon Valley) (SNP):** Thank you very much, Presiding Officer.

On behalf of the Infrastructure and Capital Investment Committee, I am pleased to open the debate on the committee’s inquiry into the circumstances surrounding the closure of the Forth road bridge. It is clear that the bridge’s closure on 3 December last year caused widespread disruption and frustration for the travelling public and had a significant impact on many businesses during one of the busiest periods of the year. The committee therefore felt that it was essential to examine the circumstances that led to the closure of this key artery in Scotland’s transport infrastructure and to consider whether what happened could reasonably have been foreseen.

In its inquiry, the committee benefited greatly from the expertise and experience of our witnesses and our technical adviser, Alan Simpson, and I take the opportunity to record the committee’s thanks to them, and to those who submitted written evidence, for their input.

Before I outline the key issues that the committee addressed in its inquiry report, I want to comment on the suggestion made by some members following the report’s publication that it was somehow incomplete, as it did not address the impact that the closure of the bridge had on businesses, particularly the haulage industry. That suggests a failure on the part of those members to recognise the highly focused nature of the inquiry, which the committee agreed should focus only on issues related to the structural defects that led to the bridge’s closure, and their repair.

However, the committee is very conscious that issues such as the design and operation of alternative travel routes following the closure, and its economic impact, may justify further detailed

scrutiny, so it intends to include in its legacy report a recommendation that its successor committee or committees should consider whether further work on such matters should be carried out early in the new session.

I turn to the report. One issue that was explored by the committee was the timeline of the decision making that led to the closure of the bridge on 3 December. It emerged that there was a time delay of five hours between the recommendation by Amey at 4 pm that the bridge should be closed and the decision to close it, which was taken at 9 pm at a meeting with ministers. The committee recognises that the delay on 3 December did not present any immediate danger to bridge users, but it is of the view that it should be possible for an emergency closure that is considered necessary by senior engineers to be implemented by them without delay, without there being a requirement—

**The Minister for Transport and Islands (Derek Mackay):** I confirm, for accuracy, that it is the case that, at any point, Amey—the operating company—can close the bridge for an emergency at a moment’s notice, without recourse to Transport Scotland or ministers, if that is required.

**Adam Ingram:** I thank the minister for that helpful intervention.

As part of its inquiry, the committee was keen to establish whether the defect that led to the closure—a crack in part of the bridge mechanism that is known as the truss end link, which was subsequently found to have been caused by a seized pin—could have been identified earlier and the closure somehow prevented.

We were advised that, despite the fact that since 2001 there had been 23 inspections of the area of the bridge where the defect occurred, most recently in May 2015, no defects had been identified by engineers from the Forth Estuary Transport Authority—FETA—which was responsible for the maintenance and operation of the bridge up until June 2015.

The committee was advised that a key difficulty in finding the problem in question during an inspection was that the pin that was ultimately found to have seized, which led to the defect, would not have been visible, so there was no way of determining whether it was rotating properly. The former bridgemaister made it clear to the committee that, even with the robust inspection regime that FETA had in place at the time, FETA engineers did not foresee the issue with the pin sticking.

All the independent expert witnesses who appeared before the committee believed that everything reasonable had been done to inspect the truss end links and the pins on the Forth road bridge, but that the failure had been unforeseen



and unforeseeable. The committee agrees with that view.

The committee heard how, following the identification of the defect and the closure of the bridge, temporary and permanent repair solutions were designed and implemented. The efforts made to deliver those engineering solutions, leading to the reopening of the bridge to the majority of traffic on 23 December, were considerable. However, the bridge could not be opened to heavy goods vehicles at that point, as further seized pins were identified, which necessitated a wider programme of repairs. The bridge was finally reopened to all traffic on 21 February this year.

The committee notes that the estimated costs of the full phase 1 to phase 3 programme of repairs are in the region of £19.7 million. Those costs are not insignificant, although they are clearly necessary to ensure that the structural integrity of the Forth road bridge is maintained.

The committee welcomes the fact that structural health monitoring equipment has now been installed on the Forth road bridge and notes that this will, in future, assist engineers in identifying stresses on bridge components.

A great deal of the discussion during the committee's inquiry centred on proposals to replace the truss end links contained in FETA's indicative capital plan, which was agreed in February 2010. The level of capital funding available to FETA was also discussed extensively, principally in the context of the impact that it may have had on its indicative capital plan proposals.

The indicative capital plan included proposals for carrying out work on the truss end links that had been developed following a report received by FETA in March 2008 from Fairhurst engineering consultants, which showed that the welds connecting the bracket at the top of the truss end links to the main towers were overstressed. The committee noted that the report contained no indication that either the links or the pins were found to be overstressed at that stage.

The estimated cost of the proposed works was put at somewhere between £10 million and £15 million, although it was noted that they had not, at that stage, been fully developed or designed. The committee is aware that FETA announced a tender exercise in May 2010 to identify consultants to provide advice on how the proposed work on the truss end links might be developed. That was withdrawn in March 2011.

It is not clear to the committee exactly why the tender exercise was cancelled in early 2011, although it notes that both former FETA and Transport Scotland officials have indicated that it was due to affordability issues. There is also at

least a suggestion that it may have coincided with FETA beginning to explore alternative solutions to the replacement of the truss end links.

What was also not clear was whether the work on the truss end links, as originally proposed by FETA, had it been carried out, might have avoided the Forth road bridge closure in December 2015. Several witnesses told the committee that there was uncertainty over whether that proposal would have proceeded, given that consultants, if appointed, might well have proposed an entirely different approach.

However, what did clearly emerge was that following a challenging spending review in 2011, the capital grant allocation made to FETA by Transport Scotland was not sufficient to allow FETA to deliver all the non-committed capital works that were proposed in its indicative capital plan. As a result, FETA decided to carry out a risk-based reprioritisation of its indicative capital plan proposals. That resulted in the replacement of the truss end links coming fifth in the ranking against other priority projects. Engineers assessed that the failure of the truss end links would not jeopardise either the safety of bridge users or the long-term integrity of the bridge and the project was recategorised accordingly. On that basis, the FETA board agreed a recommendation that the truss end link project be deferred.

The committee's view, from the evidence that it received, is that the development of the Forth replacement crossing would also have had an influence on FETA's decisions to reprioritise certain capital projects.

In light of that, the committee, with the exception of one member, considers that FETA's decision to defer the proposed work on the truss end links and subsequently to develop an alternative approach was an appropriate course of action, given the financial circumstances that the authority faced at the time, coupled with the engineering advice, which suggested that the project could be deferred.

The committee, with the same exception, is also content with the suggestion, which was made in evidence, that if any of the non-committed capital projects had been deemed to be of sufficient priority, FETA could have made an approach to Transport Scotland to request additional capital funding. Relevant precedents had been set.

In its report, the committee makes clear its view that FETA acted entirely professionally and responsibly in managing the maintenance of the Forth road bridge. The authority's robust maintenance inspection regimes had identified that work was required on the truss end link mechanisms. FETA had developed proposals to take such work forward, which were reconfigured

following the capital plan reprioritisation in 2011, and an alternative strengthening project was proposed. The alternative proposals were subsequently transferred to Transport Scotland and Amey and were taken forward in May 2015.

The committee commends all Transport Scotland, Amey and engineering consultant staff who were involved in responding to and resolving the defect, often in extremely challenging working conditions. The committee echoes the view of one of its expert witnesses, who referred to the response as a remarkable engineering achievement.

I look forward to hearing from other members during the debate, and I commend the Infrastructure and Capital Investment Committee's report to the Parliament.

I move,

That the Parliament notes the Infrastructure and Capital Investment Committee's 4th Report 2016 (Session 4), *Inquiry into the circumstances surrounding the closure of the Forth Road Bridge* (SP Paper 950).

**The Presiding Officer:** Thank you.

Mr Ingram, I thank you for your service to the Parliament as a member of the Scottish Parliament, a committee member and a minister, over the past 17 years. You will be missed. *[Applause.]*

15:07

**The Minister for Transport and Islands (Derek Mackay):** On behalf of the Government, I concur with the Presiding Officer in her praise of Adam Ingram for his remarkable work as a member of the Scottish Parliament, a minister and a constituency member. I well remember his substantial work on children and young people, in particular. At the time, I was leader of a council, and I know that many of the interventions that Adam made were important and significant for the life chances of young people in my area. I agree that his leaving will be a loss to Parliament.

I thank the Infrastructure and Capital Investment Committee for its work on an important issue, and I thank everyone who provided the expert evidence that enabled the committee to produce an informative and balanced report on the closure of the Forth road bridge in December 2015. At the outset, I echo the committee's view that the response by all bridge staff to the closure—in mid-winter, let us not forget—was nothing short of remarkable. I am sure that I speak for all members when I say that.

I will take this opportunity to comment on key points in the committee's report and to provide Parliament with further reflections on the information that was supplied to the committee.

There are wholly legitimate concerns about whether the defect could have been spotted sooner and, if so, repaired. There were no warnings that there was a defect at that part of the structure. Between 2001 and May 2015 FETA carried out 23 separate inspections of the truss end links. The unique nature of those structures means that identification of common defects is disseminated quickly around the globe among bridge experts.

As the experts confirmed to the committee, when defects appear they are typically accompanied either by wear and tear due to stresses that gradually become visible, by noise, which reverberates through the structure, or by both. With no evidence emerging from the biannual inspections, no indication of sudden failures from elsewhere in the world and none of the typical indicators present, no defect revealed itself to FETA's engineering staff or, latterly, to Amey's, until December 2015.

I agree with the committee's conclusion that the defect was wholly unforeseen and with the expert opinion that it was not possible to have foreseen the particular failure. Quite rightly, the committee has focused its attention on the particular defect that led to the bridge closure.

It is also crucial, however, for Parliament to understand why FETA invested significant time, money and effort not on the truss end links but on other major maintenance and investigations in the period before and after the comprehensive spending review in 2011. FETA identified that certain key tasks necessitated action; that stemmed from its own risk hierarchy, years of accumulated professional experience, an intimate and detailed understanding of the bridge, and its own enhanced bespoke inspection regime.

The original proposal to replace the truss end link was not at the top of FETA's priorities; in fact, it was only fifth in the list. The FETA board and its experienced professional management and engineering advisers all agreed on the priorities, which included the main cable, dehumidification, acoustic monitoring and £3.2 million on anchorage investigations, as well as the £2 million to replace cable band bolts. It is in that context that FETA decided not to proceed with a consultancy that might have unearthed a potential defect and might have led to actual works in a part of the end of the truss end links that never actually failed. Remember: it was the other end of the truss end link that was being looked at.

Would FETA have acted differently in how it progressed the truss end link scheme if more funding had been available? From the evidence that I have seen and heard, I do not believe that it would. FETA had other, higher priorities, and the

later engineering reports revealed no overstresses or concerns with the truss end link member itself.

**Dennis Robertson (Aberdeenshire West) (SNP):** When the minister talks about priorities, is the top priority the safety of the users of the bridge at all times?

**Derek Mackay:** Of course it is. Safety is of paramount importance—it is the number 1 priority before, during and after all such works and in all other interventions. That applies even in difficult budgetary periods. It was made perfectly clear to FETA that any financial decision should be taken with a view to always protecting the structural integrity of the bridge.

The Scottish Government had taken a wider decision that was aimed at strengthening the strategic links over the Firth of Forth. That was, of course, the construction of a completely new crossing—the Queensferry crossing.

The unpredictable event on the Forth road bridge occurred in early December, necessitating closure of the bridge. Some may conclude from the closure that a wholly different approach to risk management is required—one that somehow expects the unexpected and the unpredictable. That is not my conclusion. We must continue to apply a robust methodology in order to identify the greatest risks, to remove or mitigate those risks—subject to adapting to circumstances and emerging evidence—and to balance funding requirements, making the case for increased investment where the evidence supports that case. The decision to build in structural health monitoring as part of the new Queensferry crossing—a first for a United Kingdom bridge—is an example of the efforts that will safeguard that essential crossing for the future.

The committee has highlighted the crucial issue of Scottish ministers' grant funding of the bridge, including contrasting that with income from tolls. Prior to their abolition on the Forth road bridge, tolls generated income of around £10 million per annum. Since 2007, Scottish ministers have invested £107.8 million in the Forth road bridge, or £11 million or £12 million per annum.

FETA invested additional sums from its own reserves—reserves that reached as high as £7 million in 2011-12. In part, that was due to the Scottish Government providing maximum flexibility to FETA prior to and after an extremely tight spending round. Although it is true that following the abolition of tolls the funding mechanism for FETA inevitably changed, what did not change was the fact that Scottish ministers continued to fund fully all essential and safety-critical schemes, as well as other works at the Forth road bridge. FETA prepared an indicative capital programme of its future works needs in isolation from the

spending review process and from consideration of the impacts of United Kingdom budget cuts and what budgets might be available. However, as FETA representatives explained to the committee, because of the good professional relationships that existed, budgets were agreed, the capital programme was re-phased and re-shaped, critical and non-critical works were progressed and, when exceptional demands arose, they were funded, too. I made it clear in evidence that any further work requests would have been considered by Transport Scotland.

With regard to the works that were carried through, the final iterative report on the truss end links study to FETA by its engineering advisers noted that the truss end links were, crucially, not overstressed. The tower brackets and the welds, not the truss end links, were the focus of the report. FETA, not ministers, chose not to progress a design-development consultancy contract costing between £150,000 and £500,000, which was well within FETA's budget. No evidence exists to suggest that the decision was incorrect. As I explained earlier, the defect was unforeseen and, subsequently, FETA proceeded to develop a scheme that was proportionate to the problem that it aimed to solve, and work progressed in May 2015.

We have undertaken a complete additional inspection of the bridge and have found no significant issues. We have installed more monitoring equipment, which is providing good quality information to us on the performance of the bridge, and further additional visual inspections of the bridge are being carried out to provide extra insurance.

The defect was not foreseen, nor was it foreseeable. FETA was an independent organisation that maintained and managed the bridge and was independent of the Scottish Government. There is no evidence to suggest that FETA ought to have acted differently. Despite a tough spending review, if emergencies arose, Transport Scotland could have intervened to support FETA, if asked to do so. Scottish ministers' decision to close the bridge was the correct one. I believe that there was an excellent response to the closure and that we have taken all reasonable precautions to prevent another closure.

15:17

**Alex Rowley (Cowdenbeath) (Lab):** I, too, thank Jim Eadie and the Infrastructure and Capital Investment Committee for producing the report. It was important that the committee considered the issue, given the massive disruption and massive problems that were caused in my constituency and across Fife and the east of Scotland, and given

the costs that had to be borne personally by people, businesses and—no doubt—the wider economy.

I welcome the report. Adam Ingram and Derek Mackay have been at pains to stress that there were no warnings of a defect and I do not disagree with that. I think that the report will be important and that people who read it will be able to draw their own conclusions about what exactly happened and about the history of maintenance of the bridge.

I agree with the committee's conclusion that we should congratulate and thank everyone who worked hard to get the bridge open again, given the devastating impact that the closure was having. In addition to those whom the minister and Adam Ingram talked about, I include the police, who had to work very hard, and the local authority staff. I know that Fife Council's transportation staff in particular did an amazing job, given the circumstances.

The crux of the matter is the question whether FETA was going to replace the truss end links in 2010. The report contains a significant point about the difference between the approach of FETA and the approach of Transport Scotland that was made during the committee's evidence-taking sessions by a representative of Transport Scotland. That witness said:

"Our approach is different from FETA's. It said, 'Here is everything that we want', whereas we build up from the bottom. We highlight the minimum funding requirement for maintenance to ensure the safe operation of the asset and for the works that are required to maintain the structural integrity of the bridge; we then consider the risks of not doing that work."—[*Official Report, Infrastructure and Capital Investment Committee*, 20 January 2016; c 36.]

When the former bridgeman, Barry Colford, gave evidence to the committee, he was asked whether, if the works had gone ahead on the truss end links, that would have resulted in the bridge not being closed. He said:

"As an engineer I do not want to answer hypothetical questions. All that I can say is that at that point that we had intended to replace the truss end links the capital programme included what we considered needed to be done on the Forth road bridge. It was not a wish list or what we wanted to do; it included what we considered needed to be done. Obviously, finances come into that." —[*Official Report, Infrastructure and Capital Investment Committee*, 27 January 2016; c 16.]

It is clear that FETA and its engineers considered that the truss end links should be replaced and that that was their intention until their budgets were cut. I suspect that, had the work happened, the bridge would not have run into the problems.

It is for people to draw their own conclusions from reading the report. The bottom line for me is that the work was planned. Had it gone ahead, the

truss end links would have been replaced. That was where the problem was caused. Had the work happened, the likelihood of the closure and all the subsequent costs that came from it could have been avoided. It is for people to read the report and come to a conclusion. It is good that we have the report so that we can do that.

**Clare Adamson (Central Scotland) (SNP):** While we can say "what if" and talk about what might have been, the scoping of the truss end link project had not been done. There is no guarantee that the replacement of the truss end links would have been completed before the fault emerged on the bridge.

**Alex Rowley:** I accept that there are what ifs. The conclusion that I draw is that FETA intended to have the work done. As a result of cuts in budget, FETA did not do the work.

The bridgeman went on to say:

"FETA had the governance of the bridge, but the funding came from a third party. We had to deal with that, but the capital programme included what we felt needed to be carried out".—[*Official Report, Infrastructure and Capital Investment Committee*, 27 January 2016; c 13.]

The expertise of the engineers in 2010 indicated that the truss end links needed to be addressed.

**Derek Mackay:** I am sure that the member is aware, from having read the report and understood the indicative capital programme, that paint jobs, landscaping and vehicle replacement were also in the capital programme. I am not sure that Alex Rowley would say that they were the top priorities.

I ask Mr Rowley, rather than engaging in supposition or asking questions as if we do not know the answer, to look at the board paper that says why FETA did not take a scheme forward. The FETA board papers from 16 December 2011 say:

"given the cost and difficulty in replacing these elements and the potential disruption to bridge users, further examination of the probability of certain combinations of load occurring and further structural analysis has been carried out ... As a result of this work there is now the potential to upgrade the existing links rather than carry out a full replacement."

Will the member perhaps stick to the facts rather than empty rhetoric and political supposition?

**Alex Rowley:** The committee report is there and speaks for itself. The evidence speaks for itself and will allow people to draw their own conclusions.

Given the time that the minister took, I will have to briefly come to another important point. I am delighted that the committee is to recommend in its legacy report that we should consider further work on the impact on businesses in particular. I

wrote to the minister to highlight the emails and contacts that I had from companies in Fife. I am afraid to say that he did not show any real recognition of the major financial difficulties that companies faced.

There was a degree of ignoring the facts when it came to how businesses in Fife were impacted. I hope that the minister will think again and consider the massive costs that businesses across Fife have incurred and the massive impact of the closure on businesses and jobs in Fife. I also hope that the committee that succeeds the Infrastructure and Capital Investment Committee will pick the issue up and continue to run with it.

15:25

**Alex Johnstone (North East Scotland) (Con):**

There are many concepts for which there is no word or phrase in the English language. We usually overcome that by borrowing from the French, but there is one concept that we cannot borrow from the French for; we have to borrow from the Germans. That concept is *schadenfreude*. I will define that in my own way. It is what happens when an Opposition spokesman takes great pleasure in watching the minister whom he shadows squirm under pressure, and that is exactly what happened during the first days of the Forth road bridge closure.

When the committee decided that it would progress an inquiry, my ambition was to find the smoking gun and blame the minister for the failings. It is a fact that the inquiry produced no evidence that that smoking gun existed. The inquiry was much more interesting than that and the process was much more educational. A number of things really need to be gone through.

The closure was massively disruptive. It happened at a time of the year when a closure would be most disruptive to people who live in the Fife area and often work in Edinburgh. The long alternative routes were an economic imposition. I have been told that shops in Dunfermline and Kirkcaldy probably had their best run-up to Christmas in many a long year, but most of the impact of the closure was economically negative.

The first thing that we have to look at is what happened and whether it could have been foreseen. It was identified that the truss end links had to be worked on, but engineers who gave evidence made it clear that their concerns related to the opposite end of the same steel beam. I questioned a number of engineers at great length and suggested that, if they had gone ahead with that work, they might have discovered the problem at the other end of the link, but I could not get an engineer to agree with that concept. I believed that, had the work been done on the top end of

those links, the engineers might have discovered the problem, but there was no evidence to suggest that that could have happened. In fact, it became fairly obvious that the problem that existed at the bottom end of the links with the pins that seized had not been foreseen or experienced in any similar circumstance.

The news that the bridge had been closed for that reason had a big impact on the local economy, but it also sent engineers around the world scurrying across suspension bridges to see whether that problem existed at the equivalent point in their constructions. The evidence was that that problem had not been experienced on any similar bridge anywhere else, although we heard that a similar component on the Humber bridge had experienced excessive wear. However, the problem there was exactly the opposite of the one that caused the problem on the Forth road bridge.

During the inquiry, we heard about the inspection regime—the components were inspected regularly—and about the decision-making process to close the bridge. Perhaps there was a concern that the decision to go ahead with the full closure apparently required a Cabinet meeting. The minister addressed that in his opening remarks, but we should take cognisance of that.

One of the big concerns is about the way in which capital funding was decided on in the time that led through the issue. When tolls were charged for using the bridge, the bridge had its own income. As the minister pointed out, the spend on the bridge has exceeded the expected toll revenue in the time since the tolls were abolished. However, he did not recognise that the bridge managers had the capacity to borrow against the toll income in the longer term, so the abolition of the tolls had an effect on funding.

What concerns me most—I still have questions that were never answered adequately—is the relationship between FETA and the Scottish Government at the time when the decisions about prioritising work on the bridge were being taken. Both sides believe that they were doing the right thing, but I am not convinced that both sides were thinking in the same way. The evidence from FETA was that it believed that it was operating in a set of circumstances where funding was limited, while the Scottish Government believed that it was in a position to fund any work that was necessary. Those two views do not match up 100 per cent; there was some confusion in that relationship.

**Derek Mackay:** I hope that I can further reassure the member with the example of the cable bolts issue. In 2012, money was requested to address the emerging concern about the cable bolts, and money was provided by Transport

Scotland. That is evidence that the system worked.

**Alex Johnstone:** The minister is convinced that that is how the system works and I am sure that it is. The problem is that there was a mismatch of expectations on both sides of the relationship.

It was an unforeseen problem, which we will have to deal with going forward. Many people lost money as a result of the problem—not least the transport industry, whose heavy goods vehicles had to take long routes to bypass the bridge right through to February. Those issues need to be addressed.

In the future, we will have two road bridges and there may be unforeseen problems. I am concerned that the design of the road network, which is being changed to suit the new bridge, might not be up to the job if anything went wrong and we had to divert traffic back on to the old bridge to avoid problems. Perhaps ministers should consider the road layout so that they can divert the traffic between bridges if such a problem occurs in the future.

**The Deputy Presiding Officer (John Scott):** We now move to the open debate.

15:32

**Mike MacKenzie (Highlands and Islands) (SNP):** Presiding Officer, I have a confession to make: I expected the Infrastructure and Capital Investment Committee's investigation into the Forth bridge closure to be dull as ditch water and for us to plod through tiresome technicalities and meaningless minutes, but instead I found it riveting. My attention has been welded to the wonders of our wonderful bridges. I have become a bridge nerd. I can no longer look at or cross a bridge without pondering the mysteries of its construction. I have discovered that bridge building is neither science nor engineering but is in fact a form of art.

I pay tribute to all those who were engaged in the very quick and successful repairs to the Forth road bridge and to those who are involved in the construction of the Queensferry crossing. Such bridges are marvels of construction. They are not just fabrications of concrete and steel, but are living sculptures with the sublime utility of connecting people and places. They are not fixed and sterile edifices, but are dynamic systems, elegantly swaying under the loads that they bear and hosts to a whole community of engineers and technicians, who care for them and keep them pliable and supple.

I also pay tribute to our clerks and to our technical adviser, who cleverly and carefully

guided us through what might have been a complex and confusing maze.

Of course, when the bridge was quickly closed in December after the discovery of the crack in the truss end link, Labour members sensed an electoral opportunity. With all the desperation of a drowning man, they would have been only too delighted to point the finger of blame, especially if it could be pointed at the Scottish Government. The committee indulged them only in as much as we looked for the truth, the whole truth and nothing but the truth.

Our inquiry, although short and focused, was exhaustive. We looked at every aspect of the bridge, pored over its plans and heard about its history; we talked to engineers and experts, board members and bridgemasters; and we examined the decking, the trusses and the truss end links.

We found out a lot about the bridge. We found that the Scottish Government had been unstinting when urgent repairs were called for. It got out its cheque book to pay £3.2 million for anchorage investigations. It got out its cheque book to pay £2 million for the cable band bolts. It did not get out its cheque book for the truss end links, because no one ever asked it to do so. The truss end links were never identified as an urgent priority; the truss end links were never identified as an urgent risk.

As the committee report says, the defect that led to the closure of the bridge was “unforeseen and unforeseeable”. It is worth repeating that the truss end links were never identified as an urgent risk. They were at number 5 on FETA's list of priorities in its indicative capital plan—with the emphasis on “indicative”.

When consultants looked at the links, they identified the bracket welds as the weak point, but even that was not deemed to be an urgent priority. A pilot was instigated to replace the welds. That work was carried out only a few months ago, after Amey took over responsibility from FETA. No one knew that the truss end link pins had seized. They cannot be seen or inspected.

Truss end links are common in bridges across the world. Never before in any of those bridges—across the whole wide world—have truss end link pins seized.

The committee found that there was no fault or blame. Labour's electoral hopes may have flowed under the bridge and out to sea, but there was no fault on the part of FETA, on the part of any of those who look after and operate the bridge or, indeed, on the part of the Scottish Government. On the contrary, bridge builders and operators across the world are full of praise for the speed and the technical ability of those who put right the defect in record time.

Our inquiry fully vindicated the Scottish Government's decision to build the new Forth replacement crossing.

15:38

**Cara Hilton (Dunfermline) (Lab):** The Forth road bridge is one of the most important transport links in Scotland and it is crucial to Fife's economy. More than 70,000 vehicles cross the bridge every single day, which means that there are about 24 million crossings a year.

Last December's bridge closure had a huge impact on the communities that I represent in Dunfermline, Kincardine and west Fife. The closure impacted on commuters, who faced the choice of doubling their journey time by travelling by bus, squeezing on to a train, with little prospect of getting parked anywhere nearby, or driving the long way round via the Clackmannanshire bridge, again doubling—or often trebling—their journey time.

The closure impacted on businesses, which experienced significant losses. Some, such as the walled garden near Kincardine, were cut off entirely from their customers, and virtually all were affected detrimentally not just by the closure of the bridge, but by the restrictions on the A985. They paid the price in lost working hours, late deliveries and higher fuel bills.

The closure impacted on workers. Some contacted me to say that their hours had been cut or that they had been laid off entirely, and many more told me that they faced a huge increase in travel costs. Many shift workers were unable to get to their workplace at all due to no public transport being available during the night; others were forced to leave for work at ridiculous hours in the morning, with many hours added on to their daily commute, which bumped up childcare costs.

The closure impacted on residents of villages such as Culross. There was a traffic nightmare as roads became jam packed with vehicles using the village to bypass the A985. Children were left unable to cross the road to get to school due to the continuous flow of traffic. One of my constituents could not even leave his house due to large vans passing within inches of his front door—the historic village where he lives is simply not designed for such traffic. The constant changing of permitted routes with no notice caused mayhem on local roads and added to the frustration for local communities.

I think that all of that highlights the need to develop contingency plans for the future that involve local communities and use their local knowledge and communication networks to ensure that the traffic plans that are put in place actually work and minimise disruption for local residents.

**Derek Mackay:** Would the member have found it helpful to find out more about the travel plans that we put in place if she had attended any of the briefing sessions that I organised for all parliamentarians?

**Cara Hilton:** Unfortunately, I was not able to attend the briefing sessions that Derek Mackay mentions. On one of the days that a briefing was offered, I was out meeting some of the businesses that had been affected by the closure. During the other event, I was holding a surgery for constituents, speaking to them about the chaos that the Forth road bridge closure had caused.

Many Fife businesses are still paying the price of the closure. The extra traffic in my constituency has left the roads concerned in a poor state, riddled with cracks and potholes galore. Fife Council—which is already faced with huge cuts, thanks to the decisions of Tory and Scottish National Party ministers—now faces a huge bill simply for playing its part in keeping Scotland moving last December.

I ask the minister to come out and look at the state of the roads—in Kincardine, Culross, Torryburn and Oakley and along the A985—to see the damage first hand, and, indeed, to look at the Kincardine bridge, which the local community in Kincardine tell me is also in dire need of structural improvements. I hope that the Scottish Government will be willing to act to support Fife Council and Fife communities in funding the repairs that are urgently needed.

Moving on to the inquiry, I am disappointed and concerned that much of the evidence that was received is not adequately reflected in the report. The fact remains that the chaos that was faced by commuters, residents and businesses in Fife could likely have been avoided had the SNP Government chosen to invest and not to cut.

**Derek Mackay:** Will the member take an intervention?

**Cara Hilton:** No, I have no time—sorry.

I have no doubt that the decision by FETA to reprioritise projects within its capital plan, including the work to replace the truss end links, was a direct consequence of the decision by the Scottish Government to reduce its funds by a staggering 58 per cent. Indeed, both Transport Scotland and former FETA officials advised the committee that the withdrawal of the tender exercise for the truss end links replacement was “due to affordability issues”. FETA minutes warned that the deferral would

“increase the risk to the long term structural integrity of the bridge”.

We know, too, that the former bridgemaster advised that a restriction on abnormal vehicles

crossing the bridge was needed until all the truss end links were “either strengthened or replaced”.

Although it is fair to say that the bridge closure could not have been anticipated, the fact that the FETA board unanimously decided in 2010 that the whole of the truss end links should be replaced—indeed, it allocated £15 million to that work—suggests to me that, as Alex Rowley said, if those cuts had not gone ahead, there is a good chance that we could have avoided last December’s chaos.

I am disappointed that the report does not look at the wider economic and transport impacts of the closure on Fife and of the continued ban on HGVs until mid-February. I am disappointed, too, that there has been no compensation for the losses that have been incurred by the businesses and the hauliers that are out of pocket through no fault of their own. I know from Adam Ingram’s comments that the Infrastructure and Capital Investment Committee’s legacy report will ask the incoming committee to look at that issue, but that is no consolation to those of my constituents who are struggling to rebuild their businesses right now.

There are many lessons that must be learnt from this sorry saga. In particular, the case is stronger than ever for a complete review of the transport infrastructure in west Fife to ensure that we are not totally reliant on driving across the Forth to get things moving.

At the end of the month, Longannet will close—*[Interruption.]*

**The Deputy Presiding Officer:** Order.

**Cara Hilton:** I am glad that the minister laughs. That is going to be a devastating blow to the local community. It is vital that plans are brought forward to link Kincardine into the passenger rail network as quickly as possible. On the opposite side of my constituency, in Halbeath, plans must be brought forward to upgrade the park and ride to include a train halt. Dunfermline is rapidly expanding, and the closure of the bridge only exacerbated what is already becoming an unsustainable situation for the west Fife commuters whom I represent.

It is time for public transport operators to stop competing and start working together in the interests of people, not profit, and to start creating a transport system that truly works for commuters and for Scotland.

**Derek Mackay:** Will the member take an intervention?

**Cara Hilton:** I am sorry; I am running out of time.

I am disappointed in the report. It will disappoint the businesses and commuters in my

constituency, who suffered not only significant disruption but loss of income and of business and who face spiralling commuting costs. Although there is no sign of any compensation for their losses, there is plenty of evidence that the chaos could have been avoided had the SNP not cut the budget for repairs to the Forth road bridge. I disagree with Mike MacKenzie. The fact is the Scottish Government took its eye off the ball. *[Interruption.]*

**The Deputy Presiding Officer:** Minister.

**Cara Hilton:** The SNP took a gamble and thousands of Fife commuters, residents and businesses have been left to pay the price.

**The Deputy Presiding Officer:** Members may wish to note that this is also Colin Keir’s valedictory speech. We thank him for his service to the Parliament over the past years and wish him well for the future.

15:45

**Colin Keir (Edinburgh Western) (SNP):** Thank you very much indeed, Presiding Officer.

We do not realise the importance of the bridges that are part of our trunk road network until something goes seriously wrong with them. When they are closed, it is normally for repair work, because of an accident or for weather-related reasons. In my constituency of Edinburgh Western, the area around South Queensferry, Dalmeny, Kirkliston and the western approaches to the city of Edinburgh are badly affected when a closure of the Forth road bridge occurs. On 1 December, when a routine inspection unveiled a failure of the truss end link at the north-west corner of the main span, a chain of events began that pushed resilience planning and patience to the limits.

It is never a good time to close a bridge, but when it happens in the middle of winter, just before Christmas, it focuses the mind. “Could this have been avoided?”, “It was never like this under FETA”, “Has the money been cut for maintenance?”, and the simple, “Why did this happen?”—as the constituency MSP for the southern half of the Forth road bridge, I heard every type of question. I thank members of the Infrastructure and Capital Investment committee for conducting the inquiry to have those questions answered, so that the communities affected can understand what happened.

I also thank the bridge engineers who worked in extremely hazardous, life-threatening conditions to get the bridge back to a safe operating condition. When I abseiled off the Forth rail bridge a couple of years ago, conditions were perfect, and it was terrifying.



**Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** Can Colin Keir repeat that? Did he use the word “abseiled”?

**Colin Keir:** It was a very strong rope—and it was not held by Christine Grahame. [*Laughter.*]

The engineers and others did their jobs in high winds and freezing conditions over several weeks. I commend their skill, bravery and commitment.

I also thank the minister, Derek Mackay, who spent hours at the Transport Scotland centre at Queensferry and provided information regularly.

There are some key findings in the report. Essentially, over the past 10 years, FETA enacted a series of checks that were above the recognised standard of assessment. The same checking regime was used after responsibility was handed from FETA to Transport Scotland. The bridge was let down by a seized pin within a link that is nigh-on impossible to check until cracks appear. All the experts who were called before the committee seemed to say that the problem that caused the disruption last December could not have been foreseen.

The issue that has been highlighted appears to be the timescales relating to FETA’s indicative business plan and whether the problem was foreseeable. It appears that there was an acceptance that the work on the truss end links would be needed at some point; indeed it was mentioned as the fifth item on the to-do list. However, it was not seen to be an emergency.

The *Official Report* of the Infrastructure and Capital Investment Committee’s meeting on 27 January is quite enlightening. Former bridgemaster Barry Colford talks of acceptance of risks being subjective. His job as an engineer was to

“prioritise risk based on the philosophies of the safety of the public and the staff; the long-term integrity of the bridge; and disruption.”

Was work on the truss end links deemed as an emergency and would money have been available? Witnesses Councillor Chisholm and former councillor and FETA convener Phil Wheeler appeared settled in their view that the expert advice that had been given to them showed that there was no emergency, but that a long-term process of on-going work was needed. Phil Wheeler stated:

“we were told as a result of the spending review we must make do with what we had unless there was a real emergency.”

Perhaps the only discord came from Councillor Hinds, a former FETA convener, who said:

“We could have asked Transport Scotland for more money and I am sure that the answer would have been

no.”—[*Official Report, Infrastructure and Capital Investment Committee, 27 January 2016; c 29, 28, 29.*]

I am a bit confused about why Councillor Hinds believed that without actually having asked Transport Scotland.

The evidence suggests that the inspection regime was robust, the management of the Forth road bridge has done its job over the years, and it is unfortunate that there was no way of identifying the problem before it was too late.

**Derek Mackay:** In 2012 a request was made, and the request was granted. That is clear evidence that if requested, and if the situation was critically important to the bridge, extra resources would have been found. That directly contradicts that candidate for the Labour Party at the forthcoming election. The record and the facts speak for themselves.

**Colin Keir:** I thank the minister for clarifying the position.

I fully commend the report. Paragraph 147 recommends that the Infrastructure and Capital Investment Committee’s successor committee considers issues surrounding Forth road bridge closures and the effects on businesses and the travelling public. As the member for Edinburgh Western, I can only ask that some of that work be taken forward.

I welcomed very much the introduction of extra trains from Fife. I believe that that was the right thing to do, although I know that people in other parts of Scotland were upset by the removal of some of their services to cover that.

However, there was a problem. Even with all those extra trains, constituents of mine who tried to use the service at Dalmeny, which is the first stop over the bridge heading south, had difficulty either in parking close to the station or, indeed, in boarding trains. I saw that for myself when I went down one morning. A new rail station is being built at the Maybury at Gogar, and the pressures will be increased. I hope that the minister will take those points into consideration. I thank him once again for his efforts and fully support committee’s report.

15:51

**Willie Rennie (Mid Scotland and Fife) (LD):** It is a pleasure to be following Colin Keir’s last contribution to this Parliament. It was a fine speech, and I think that when he looks back in the *Official Report* he will be proud of it. I agree with his remarks about the engineers. I saw all the pictures; I have become a bit obsessive, like another member, Mike Mackenzie, who spoke earlier about that. The weather was pretty bitter; it was windy and cold, so I pay full tribute to the

contribution that those engineers made to getting the bridge reopened.

I also want to compliment the minister. Throughout the episode, despite all the pressure, I admired his approachable manner and the fact that he approached the matter in a very pragmatic way, trying to find solutions. He was very open and allowed me to have two separate briefings with engineers. I thank Derek Mackay for his work in getting the bridge open and handling the crisis—it was a crisis having that major artery closed for such a long period.

The minister had two responsibilities: one was to get the bridge reopened safely, and the other to get the traffic moving around the temporary routes around west Fife and other parts of central Scotland, because other areas were impacted as well. Transport officials worked well to devise a transport plan in just a few days, after the route that has been traditional for the past 50 years had been disrupted, even though it was quite clear that no contingency arrangement had been made despite the possibility that the bridge might close at some point. I urge that, in future, contingency arrangements for travel plans should be put in place.

**Derek Mackay:** I reassure Willie Rennie that there are contingency plans in place for the eventuality of a closure. It is fair to say that the scale and duration of the closure was what was more challenging and required further work, but I reassure the member that there are contingency plans in place.

**Willie Rennie:** That is very reassuring. I also compliment the minister on organising the extra trains, and the buses at discounted rates. The priority route along the A985 was good, although I would rather it had had greater flexibility, that it had opened at off-peak periods and that other vehicles had been able to use it at peak times too. The minister and I have discussed that endlessly over the past few months.

The challenge for the minister was to get the bridge reopened on time. He did that for the cars, but not for the heavy goods vehicles. I think that there was a real issue for many of the businesses through the extended period. We all understand that transport routes get disrupted from time to time, but the extended period beyond what was expected and predicted has had a direct impact on many businesses, which had priced jobs based on the guarantee that the bridge would be reopened in the new year. Any compensation measure that is introduced should take that into account.

As I said earlier, I am grateful to the minister for the two briefings that he allowed me to have. My questions follow those two meetings. I am no engineer—I am a biologist—so I sought

independent advice on those questions. They are questions more about the engineering than about the politics of the matter. The committee has explored the political decision making and the budget decision making but there are engineering questions that remain unanswered.

We understand why the closure happened. We understand about the pin, the truss end link and the consultancy work that was delayed. We also understand that there was a fix, ready to be implemented, that was being tested. Many members have talked about those issues. The real issue—the big question—concerns the pin. It could not be inspected—it was in an area that was not accessible—but it was clear that it was not being lubricated, whereas the pin at the top of the truss end link was being lubricated.

The advice that I have received is that there should have been serious questions as to whether the pin was rotating properly and what technology would be put in place to monitor it. No strain gauge monitoring was put in place for that pin and serious questions need to be asked about why. That is not a political issue. It is not about budgets; it is about engineering. Would it have been possible to lubricate the pin remotely? The committee's report does not appear to have addressed those issues.

**Derek Mackay:** I am not an engineer either, so it is appropriate that officials respond in full in due course to the engineering opinion that Willie offered, which was a consequence of the further meeting that he had with me. However, my understanding is that, even when it was tried, lubrication did not work. I will ensure that a full response is given to the engineering opinion that he sourced on the issue.

**Willie Rennie:** It is clear that—

**John Scott (Ayr) (Con):** Will Willie Rennie take an intervention on that point?

**Willie Rennie:** Yes.

**The Deputy Presiding Officer (Elaine Smith):** John Scott.

**John Scott:** With the benefit of hindsight, should the minister consider ensuring that lubrication is provided in the rotating pins in future? Is that part of the engineer's recommendation and, if not, will the minister consider it to be so, as that is where the obvious failure occurred?

**Willie Rennie:** I am not quite sure how I get the minister to respond to that point.

**Derek Mackay:** Will Willie Rennie give way?

**Willie Rennie:** Go on. See whether you can answer it.

**Derek Mackay:** I thank Willie Rennie for his indulgence and you, Presiding Officer, for yours.

My understanding is simply that lubrication just did not work on trial, but I am happy to look into all the details of the engineering report and give a further response.

**Willie Rennie:** Does anybody else want to intervene? [*Laughter.*]

Proper scrutiny of that matter is needed. The engineers were getting particularly interested in the closure of the bridge, but the committee inquiry did not make a proper, thorough examination of all the technical aspects. I take what the minister says about lubrication, but my adviser clearly states that the pin should have been investigated. The fact that we could not get access to find out how it was operating should have rung alarm bells.

I hope that, in his closing speech, the minister will make a commitment to open up access to the records and to all the information and evidence so that the engineering community can scrutinise the matter properly. There are many similar bridges throughout the world and I am sure that the engineering community needs to examine the matter properly and thoroughly to get the answers.

I thank the minister for his work and I accept the committee's report, but an awful lot more work needs to be done so that the engineering community can learn from the experience and we do not have a repeat of the episode.

15:59

**Siobhan McMahon (Central Scotland) (Lab):** I thank the team of Presiding Officers for their understanding this afternoon. I also thank the convener, Jim Eadie, the other members of the committee and the clerks to the committee for their forbearance over the past few months. Although I am a member of the committee, I missed several of the evidence-taking sessions due to severe morning sickness. I appreciate the patience of the convener and members with my situation. I can honestly say that I would rather have been with them on those mornings.

The inquiry focused on the closure of the Forth road bridge to all traffic on public safety grounds on 4 December due to the discovery of steelwork defects in a support beam. The inquiry did not look at the effect that the closure had on commuters across Scotland. The decision to omit that detail was difficult, because it was a significant issue for many, but, given the limited timescale available to the inquiry, it was not possible to look at the many effects that resulted from the closure of the bridge. However, I believe that it is important that the next committee dealing with transport and infrastructure looks into that issue.

As a member representing Central Scotland, I know that the impact of the bridge closure was acutely felt in Falkirk, because traffic was diverted through it and public transport was diverted away from it. I also know that constituents travelling from their homes in Lanarkshire by car took an average of two hours to get to work in Dunfermline, due to the traffic on all other routes. That journey should take around an hour. Of course, the closure of the bridge was necessary, but we should not forget the impact of that decision on individuals trying to get to their work or their home. Therefore, a wide-ranging inquiry is needed.

Readers of the report already commissioned will see that it was not initially clear why the member failed. We heard from Amey that the truss end link failure was caused by fatigue failure. When that was confirmed, further analysis was carried out to try to gain an understanding of how the member could have been subjected to such fatigue loading. Richard Hornby, Director of Arup, told the committee how a fatigue failure is likely to occur. He said that initially it would have been a very small crack that would have been undetectable in an inspection. It would have grown gradually at first but then quicker, and would probably have taken only a matter of months to grow from a crack that was visually undetectable to something that had totally failed.

In his evidence to the committee, Mr Hornby commented on the difficulty of seeing the pins at the truss end links, due to the design that was used on the Forth road bridge. That caused me a great deal of concern, as we were talking about the north side of the bridge, so I asked for clarification. I asked whether it would be possible to see the pin once the repair was carried out, and whether the other pins would be replaced so that all the pins on the bridge were visible. Mr Hornby replied:

"My recommendation would be that all the linkages be replaced, because one has shown itself to be time-served. All the others are ticking time bombs, to a greater or lesser extent; they should all be repaired. The best solution having been worked out for that one location, it should be implemented on all eight corners."—[*Official Report, Infrastructure and Capital Investment Committee, 20 January 2016; c 30-1.*]

We know that work had to be carried out on the north and south corners, and I therefore hope that all the pins are now visible, as recommended by Mr Hornby. If there is a lesson to learn from the recent safety concerns about the bridge, it is to listen to the advice that we are given and to act on that advice.

The committee also reported its concerns regarding the decision-making process in an emergency. We heard from three bridgemasters for similar bridges in the UK. They have full control over whether their bridges close when an

emergency occurs. Although I agree that the decision to close the Forth road bridge was correct, there was a time delay of five hours between Amey's recommendation that the Forth road bridge be closed, and the decision—taken at a meeting with ministers—to close it.

**Derek Mackay:** Will the member take an intervention?

**Siobhan McMahon:** I am just getting to the point that you made earlier, minister, if you can hold on for two seconds.

The committee has requested that the Scottish Government confirms who is ultimately responsible for making the decision to close the bridge, and provides details of the protocol that is followed in circumstances in which a closure is required. The minister answered some of that question in his opening speech, but we still need to know why the decision was taken by the minister at that time if, as the minister suggested in his opening speech, Amey had full control of the bridge.

**Derek Mackay:** I am happy to clarify that point. The operator has full responsibility to close the bridge in the event of an emergency—there is that clarity. During the incident in December, although Amey had the ability to close the bridge, before it made the recommendation and in full knowledge of the scale of the decision and the issues involved, it had a discussion with ministers. It is absolutely not the case that a decision was recommended hours earlier. The decision was taken at roughly 8.30 or 9.00 in the evening and it was then dispatched to media outlets, so that the public knew of the decision. That element of the report is not entirely accurate and I hope that I have reassured the member.

**Siobhan McMahon:** The minister's comments reassure me, but the report is based on evidence that we heard from more than one source, so I am not reassured as to why some people say one thing and the minister says another. I totally accept what the minister says this afternoon, but that is not what members heard in committee.

One other concern I have about the Forth road bridge is the inspection regime. During evidence, we learned that bridge owners and operators are responsible for carrying out inspections on their bridges to check for any deterioration in the structure. The "Design Manual for Roads and Bridges" is the UK standard that has been adopted by Transport Scotland, and it sets out the normal inspection requirements for motorway and trunk road bridges.

There are three main inspection regimes: safety inspections, general inspections and principal inspections. The committee heard, however, that FETA did not follow the standard approach, as the

bridgemaster and chief engineer did not consider that approach to be sufficiently focused and robust for a major structure such as the Forth road bridge.

As a result, critical components such as the truss end links were inspected every six months. When Transport Scotland took over from FETA, it too adopted the six-month critical component inspections. The most recent of those inspections took place on 19 May 2015. My question is, why was a critical inspection not undertaken in November? Given the six-month regime, it remains unclear why no critical component inspection was taken when planned, and what the reasons were for it not going ahead. We need further clarity on that, and we need to be confident that those inspections will now take place when planned.

There are many areas of the report that I would have spoken about if I had had more time. I believe that the inquiry was important and that its remit was fulfilled. However, I echo my earlier comments that a successor committee needs to carry out a far-ranging inquiry when Parliament resumes later this year.

16:06

**Clare Adamson (Central Scotland) (SNP):** I am particularly grateful to our committee adviser, Alan Simpson. It has been a great pleasure to take part in the inquiry—and especially to sit on the committee with Adam Ingram, whom I have considered a mentor and friend for a long number of years—and to speak, along with Colin Keir, on the subject today.

I found it fascinating to take part in the inquiry, not least because of the expertise, enthusiasm and ingenuity of the engineers and bridge operatives who have worked in the most extreme weather conditions in the depth of winter to repair and resolve the defect that was identified on the Forth road bridge in December last year.

By way of context, I will quote from Barry Colford's evidence to the committee:

"engineering is not science; it is a mixture of science and art, and it involves judgment. We have the most powerful analytical tools. Consulting engineers analysed the stresses in the members, and an independent checker also carried out an analysis. Those were the best firms in the UK, and the world, analysing and checking using the best tools, but it is engineering, and engineering is always about judgment. It is not an exact science."—[*Official Report, Infrastructure and Capital Investment Committee*, 27 January 2016; c 7.]

I use that quote because it is important that we understand that decisions about bridge maintenance and how to go forward are taken in the context of the information that is immediately available to engineers, including the financial

situation. I believe that the inquiry, which has been comprehensive and robust, has brought out those details, and I hope that the public will be reassured by the report's conclusion. I hope that people will agree—as I believe many will—with the unanimous view of the expert witnesses that the defect was unforeseen and unforeseeable.

Let us look back at the history of indicative capital plans for the Forth road bridge. When FETA presented its statement of case for the proposed toll increase in 2004, it included an indicative capital plan that indicated that work on the truss end linkages was due to be completed in 2009-10. I do not believe that that work was done. In the indicative plan of 2008, the timescale for work on the truss end linkages had moved, and again it was not carried out, not through any fault or mismanagement by FETA but simply because other priorities were identified at that time.

Indeed, the minutes from a 2008 meeting of the FETA board state that

"The principal reasons for the amendments to the proposed Capital plan are as follows",

and they go on to specify that, for

"Truss End Linkages ... The extent of works included in this project have increased."

I cite that example to show that there has always been, for engineers working on and examining the bridge, a moveable and changing environment.

In 2015, the minutes of one of FETA's final meetings state:

"The Capital Plan is kept under continual review in order to monitor changes to the budget and the level of reserves ... As reported previously, the key structural risks that have been present on Forth Road Bridge for some years were identified as the condition of the Main Cables and Main Cable Anchorages."

At that time, therefore, the main issue for FETA was not the truss end links. That is borne out by the reprioritisation that was carried out, which had the truss end links as the fifth item in the list of priorities for the indicative capital plan.

In the section entitled "Main Report", the minutes of the same meeting say:

"During the latter stages of 2014, and into 2015, the priority with regard to the Capital Plan has been to try to ensure completion of committed projects prior to abolition of the Authority, expected to be 31 May 2015. In addition, efforts are being directed at preparing a number of specific uncommitted projects to either design or tender stage, to enable these projects to be carried out post abolition. These projects are considered vital, but are projects that FETA cannot commit to completing prior to May 2015."

In the section entitled "Truss End Linkages", the minutes say—as the minister has already mentioned—that

"given the cost and difficulty in replacing these elements, and the potential disruption to bridge users, further

examination of the probability of certain combinations of load occurring, and further structural analysis was carried out to try to determine the most realistic levels of stress in the members. After the Queensferry Crossing opens, Forth Road Bridge will carry only light traffic under normal operating conditions."

That is the elephant in the room, although given that its construction involves the use of 150,000 tonnes of concrete, 35,000 tonnes of steel and 23,000 miles of cabling, I do not think that the Queensferry crossing would fit in the room. We are talking about a £1.3 billion infrastructure investment in the new road bridge, and the information that we have is that that had a bearing on the decisions that FETA took about the priorities in its capital plan.

It is interesting to note that FETA's solution to its concerns would have represented a saving of £14,590,000 to the public purse, if it had been successful. We can all look to hindsight, but what hindsight will tell us in relation to the closure of the Forth road bridge is that all the engineers are to be congratulated on facing a most difficult situation and finding a solution for the Scottish people.

16:12

**Jayne Baxter (Mid Scotland and Fife) (Lab):** I am pleased to speak in the debate as a representative of Mid Scotland and Fife, where residents and businesses suffered inconvenience, stress and financial hardship as a result of the closure of the Forth road bridge in December 2015.

As a resident of Dunfermline, I was able to adjust my travel routine to meet the challenges of travelling to and from Edinburgh by train during that period. The fact that stations nearer the bridge could not meet the extra demand for parking resulted in areas around stations up the line becoming extended car parks, which caused subsequent localised disruption.

Travelling early proved effective for me, but many constituents could not be flexible, while others found it difficult to meet the additional expense of train travel. I know that similar impacts were felt in communities and businesses in the west Fife villages, as the Kincardine and Clackmannanshire bridges became extremely congested and people encountered long delays.

Therefore, I am pleased that the committee acknowledged that the closure of the Forth road bridge brought frustration to travellers and had a significant impact on many businesses, not least transport companies and HGV operators. The committee concluded that those

"related and hugely important issues might ... be investigated at a later stage."

I want to add my support to the committee's commendation of all those staff who were involved in dealing with the defect that led to the closure of the bridge. It was a remarkable engineering achievement that was carried out during a period of adverse weather conditions. Based on my experience of travelling by train to Edinburgh and looking across at the eerie sight of the huge structure that is the Forth road bridge suspended over the water, which was in darkness except for the lights of the repair work, I have to say that that put into context the scale of the challenge.

In his evidence, Mark Arndt of Amey said:

"Lighting was used so that the work could progress day and night. The teams had to stand down regularly because the winds got so high that it was unsafe to work, but they just got off the scaffolding and waited until the control room indicated that the wind speed had dropped sufficiently to allow them to return."—[*Official Report, Infrastructure and Capital Investment Committee*, 20 January 2016; c 24.]

That is amazing.

The Minister for Transport and Islands hosted a technical briefing on Monday 14 December 2015, which I attended. Members of the Infrastructure and Capital Investment Committee were at that briefing and followed it up by seeking views from witnesses as to whether the specific defect could have been identified at an earlier stage. The former bridgmaster, Barry Colford, was clear in his view that it could not have been, explaining to the committee:

"I have obviously thought about that for quite some time, and my answer is no—I do not think that it could have been foreseen. We carried out our inspections, and the problem was not foreseeable."—[*Official Report, Infrastructure and Capital Investment Committee*, 27 January 2016; c 21.]

Although I note the committee's conclusion that the defect that caused the closure could not have been foreseen, I also note that the committee sought to present that view in the context of the previous inspection and maintenance regimes carried out by FETA and the details of FETA's indicative capital plan proposals and, in particular, any works that related to the truss end link and related components.

The impact of the removal of bridge tolls in 2008 was highlighted in evidence to the ICI Committee by Councillor Lesley Hinds, the former convener of FETA, who indicated that it had resulted in a loss of up to £12 million revenue per annum, with the result that FETA had either to apply for capital funding from Transport Scotland or to use its reserves, which introduced an element of uncertainty into the capital planning process.

An acknowledgement of the change in the funding regime and the effect that it had on FETA's financial management was provided by Barry Colford, who said:

"FETA was in a position whereby we had the governance but not the funding, which is quite a difficult position for any organisation to be in. It was our responsibility to manage and maintain the Forth road bridge, but we had to rely on funding from the Scottish Government via Transport Scotland."—[*Official Report, Infrastructure and Capital Investment Committee*, 27 January 2016; c 17-18.]

**Derek Mackay:** Did the Labour Party or any member of this Parliament suggest any other form of management or control of the Forth road bridge following the decision to replace the tolls?

**Jayne Baxter:** In all honesty, minister, I am not in a position to answer that. I am not aware of any alternative proposals, but I do not have an encyclopaedic knowledge of everything that the Labour Party has proposed over the years.

The committee also explored with witnesses whether carrying out work on the truss end links, as originally proposed by FETA in 2010, might have avoided the failure. Barry Colford told the committee:

"As an engineer I do not want to answer hypothetical questions. All that I can say is that at that point we had intended to replace the truss end links."

He also said:

"The capital programme ... included what we considered needed to be done on the Forth road bridge."—[*Official Report, Infrastructure and Capital Investment Committee*, 27 January 2016; c 17, 13.]

However, setting out the Scottish Government's position, Scott Lees of Transport Scotland said:

"FETA's indicative forward capital programme was considered and funding provided to meet its contractual requirements and deliver capital maintenance on a prioritised needs basis. Transport Scotland made grant offers in line with the outcome of discussions with FETA officials and those were accepted by the FETA board."—[*Official Report, Infrastructure and Capital Investment Committee*, 20 January 2016; c 3.]

The committee conclusions state:

"FETA's decision in December 2011 to reprioritise projects within its capital plan ... was a direct consequence of a decision by the Scottish Government/Transport Scotland to reduce its capital grant allocation".

**Mike MacKenzie:** Will the member take an intervention?

**Jayne Baxter:** No. I need to make progress.

Although, as the minister told the committee,

"It is hard to answer the what-if questions,"—[*Official Report, Infrastructure and Capital Investment Committee*, 24 February 2016; c 47.]

it could be argued that the post-toll regime changed FETA's role from having a self-contained income generation that could be spent on maintenance to one of governance, where capital spend was a matter for the Scottish Government.

The fact is that there was a clear statement of intent by FETA to replace the truss end links. The authority's robust maintenance inspection regimes had identified that work was required to the truss end link mechanisms. Had that work been carried out, it may have had a bearing on the closure of the bridge in December 2015. It is impossible to say.

That said, it is a huge relief to have the bridge back in operation and it is a great pleasure to see the new crossing emerging. I am sure that no one wants a repeat of what happened in December, and it is good to know that new equipment is in place to assess the stress on individual components.

I will conclude by once again commending the achievement of the engineers and by again asking that the Government considers the economic impact of the closure and whether some compensation might be provided.

**The Deputy Presiding Officer:** Many thanks. We now turn to closing speeches. Before I call Cameron Buchanan, members will wish to note that this is his valedictory speech. We thank him for his service to Parliament over the past three years and wish him well for the future. [*Applause.*]

16:19

**Cameron Buchanan (Lothian) (Con):** Thank you, Presiding Officer.

I am glad to have the chance to contribute to the debate. I thank the Infrastructure and Capital Investment Committee for its inquiry into the circumstances surrounding the closure of the Forth bridge and for its report.

As we heard, on 1 December, while conducting routine maintenance, Amey staff identified the failure of one of the truss end links on the north-west corner of the main span of the Forth bridge. The decision was subsequently taken to close the bridge to all traffic at midnight. The closure of the bridge caused massive inconvenience for many people and had a huge negative impact on many businesses that rely on the bridge for vital transport links.

I want to focus primarily on two aspects of the committee's report: the inspection regime under FETA and Amey, and funding.

The committee was rightly keen to examine the inspection regimes under both FETA and Amey, which took over the day-to-day management and maintenance of the bridge after FETA was formally wound up on 1 June. The committee's report has a great deal of encouraging things to say about the inspection regime on the bridge under both FETA and Amey. It makes it clear that there was a robust and innovative approach to

inspection, through a risk-based inspection regime. I was glad to hear that the same inspection regime was continued under Transport Scotland when it took over day-to-day responsibility for the Forth bridge, with the chief bridge engineer at Transport Scotland setting the standard for inspection that is carried out by Amey.

I was also heartened to hear that under both Amey and FETA, bridgemasters communicated with many different industry forums in the UK and internationally to share best practice.

The committee's report also makes clear the extreme difficulty of checking the truss end links and, in particular, in examining whether the pins are operating correctly. All expert witnesses who appeared before the committee agreed that everything reasonable had been done to inspect the truss end links and pins, and that the failure that caused the bridge's closure was "unforeseen and unforeseeable".

That brings me to the second issue that I want to consider: funding. The abolition of the tolls that had been levied on users since the bridge opened in 1964 was a huge change in the funding arrangements for maintenance and operation of the bridge. At the time, FETA expressed profound concern about the change in funding. In particular, concern was expressed about funding from Transport Scotland being irregular and subject to unpredictable and significant fluctuation. Indeed, Councillor Lesley Hinds, a former convener of FETA, suggested to the committee that the change in funding arrangements had resulted in the loss of up to £12 million per annum, which meant that FETA had either to apply for capital funding from Transport Scotland or to use its reserves, which surely brought an element of uncertainty into the capital planning process. Why, oh why, were the tolls abolished? We can all remember the expensive automatic toll gates that went up one day and came down the next.

**Clare Adamson:** I thank Mr Buchanan for taking an intervention during his final speech in Parliament.

I point out that when tolls were in place, FETA was running a reserve that, at its high point, reached £18.6 million. That is about twice the sum that the tolls brought in, once we take account of the cost of collection. Does Mr Buchanan really think that FETA was dependent on the toll money and could not cope with a change in funding by applying for capital funding from the Government?

**Cameron Buchanan:** I think that the issue is more the perception than the reality. The fact that tolls were in place meant that the bridge was funding itself—perhaps not completely, but there was a perception in that regard. That is significant,

because the change in funding arrangements for the bridge had an impact on FETA's indicative capital plan.

The committee's report makes it clear that the volume of traffic using the bridge has increased beyond the expectations of the bridge's designers. It has therefore been necessary to have a continuous programme of works being carried out. FETA drew up a long-term programme of works that it considered would be needed in the 15 years from 2010-11 to 2024-25. It is important to note that £3.1 million of the total £120.3 million was provided for the truss end links.

However, the committee heard that because of a reduction in capital funding FETA was forced to reprioritise its long-term programme of works. The work on the truss end links was judged to be non-critical to the safety of commuters and the long-term integrity of the bridge. As a result, replacement of the truss end links was ranked fifth on the list of priority projects and was subsequently delayed. It is clear that FETA's decision was an entirely reasonable and pragmatic response to budgetary constraints. However, it is equally clear that FETA's decision was a direct consequence of the decision by the Scottish Government and Transport Scotland to reduce its capital funding. FETA should not have been in the position, due to the Scottish Government's decision to reduce its funding, that it had to prioritise important maintenance.

As this is my valedictory speech, I would like to thank everyone within and outwith the chamber, particularly the security staff, the clerks, David Cullum, Presiding Officer Tricia Marwick, and Deputy Presiding Officers Elaine Smith and John Scott. I thank the Conservatives' parliamentary research unit for all its tolerance and forbearance during my short but momentous tenure in Parliament, which I have richly enjoyed.

Coming in on the back of my friend David McLetchie's demise, and having suffered from the same affliction as him but, fortunately, recovered, it has been particularly poignant that I have been able to stand here and sound off about the issues that matter to my constituents and the public at large. I have also had to watch my language many times. I have been tempted—but managed to avoid—to say two words concerning sex and travel.

I realise that, sometimes, I have tried members' patience with my perambulations and maverick ways, but it has been a great experience. It is onwards and upwards from here: I shall not be retiring because I do not smoke a pipe and do not possess any slippers, so Parliament will be hearing from me again, which, with my voice, will not be difficult.

My final thanks are to my staff, whom I was lucky enough to inherit from David McLetchie. They are my two researchers, Martin Donald and, latterly, Frederick Pryde, and the power behind all Conservative thrones—not "Game of Thrones"—Ann Menzies. Finally, I thank our prize-winning barista, Kirsty Rafferty, for my daily caffeine fix.

Thank you one and all, and arrivederci.

16:26

**David Stewart (Highlands and Islands) (Lab):**

This has been an excellent debate with thoughtful, well informed and incisive speeches from all sides of the chamber, which reflects its importance. The closure of the most strategically crucial road bridge in Scotland hit the headlines, not just in the UK but in Europe. It might not have knocked Trump off *The Washington Post*, but the *Polish Express* had it as the lead headline.

As member after member has testified today, the bridge closure badly affected Scotland's haulage industry and caused headaches and frustration for commuters travelling between Fife and Edinburgh and beyond. The decision to have an inquiry was the right one. I want to thank all members of the Infrastructure and Capital Investment Committee for supporting my call for a full and comprehensive investigation into the bridge closure.

I am a strong supporter of the Parliament's committee system. The founding fathers of our Parliament—the Scottish Constitutional Convention—were quite clear that committees were to keep the Government in check, irrespective of which party was in power.

I praise Jim Eadie, the ICI Committee convener, for his excellent chairing of the inquiry—I hope that my saying that does not ruin his political career. I echo the convener's thanks to all our committee clerks, and to our advisor, who did a first-class job.

Although, alas, I do not have time to mention all those who have made speeches, I will quickly run through a summary of the debate. I particularly thank Adam Ingram, the deputy convener of the committee, who has made his last speech. Adam Ingram is well known as an ex-minister, and I thank him for all that he has done. He has been a first-class parliamentarian over the past 17 years. I thank, too, the other members who have made their last speeches as parliamentarians today—Cameron Buchanan and Colin Keir. I wish them both well in the future.

Alex Rowley spoke well about the scale of disruption throughout Scotland, particularly in Fife, as a result of the bridge closure. As many members have done, he thanked the workforce.



He also thanked the police and local authorities. I echo those thanks.

Alex Johnstone, who can always be relied on to make an amusing and intelligent speech, described the inquiry as an “educational” process. I suggest to Alex Johnstone that he should get out more often and see a bit more of the world. He was right to talk about the scale of the problem and the massive disruption to haulage companies and commuters. He also took us on a useful tour of bridges of the world with which he is familiar. He talked about the allocation of capital funding. A point that few members raised is the relationship between FETA and the Scottish Government. We know what the evidence said, but was there something deeper there? That is an interesting and useful question.

That brings me to Mike MacKenzie, without whom no debate or inquiry would be the same. His comments were very amusing. He described himself as a “bridge nerd”. I am not sure whether that is unparliamentary language but, as I am using his own words, I think that I can probably get away with it. He said that the bridge

“is a form of art”,

which was an insightful comment.

Cara Hilton made some useful points about the effects on businesses and commuters and gave a good example of a situation in which children were unable to cross the road because of the volume of traffic. She made a plea to the minister about the need to consider repair work in Fife, particularly on trunk roads, and to review transport infrastructure. I am sure that the minister will take that on board.

Willie Rennie made a good and insightful speech, thanking engineers and all those who worked on the bridge. As I would also like to do, he thanked the minister for the technical brief that we were given and for the tour of the bridge. He made a point about the effect of the extended closure of the bridge to HGVs and the fact that we should perhaps have had some more technical aspects to the inquiry.

Many members have mentioned Barry Colford, who worked as the bridgemaister for 19 years and was a key witness in our inquiry. During evidence taking, I asked him whether the closure of the bridge in December 2015 would have been avoided if the truss end works had been carried out. He said:

“All that I can say is that at that point we had intended to replace the truss end links”.—[*Official Report, Infrastructure and Capital Investment Committee, 27 January 2016; c 27.*]

Although I accept that we do not know what the consultants would have recommended or the scale of the works that would have been proposed, that was the one area of the inquiry that

was inconclusive and led to a division in the committee. However, the general commentary in the report was accepted by all members. I particularly stress our thanks to all the staff who worked long hours in poor weather conditions to get the bridge reopened as quickly as possible.

An inquiry into the closure of the bridge was the right thing to do, and the recommendations should provide the Scottish Government with food for thought in the next session of Parliament. That is no more and no less than was demanded by the haulage industry, frustrated commuters and everyone in Scotland who is interested in our transport infrastructure. It is now for the Scottish Government to respond to the committee’s recommendations, and I hope that the successor to the Infrastructure and Capital Investment Committee will carefully consider the Scottish Government’s responses and, without fear or favour, do what is best for Scottish transport users.

16:32

**Derek Mackay:** The debate has been useful and largely well informed. However, I remind some colleagues of what they have said over the past few months. The tone has not always been quite as consensual and fair to the SNP Government as it seems to have been today. It is this Government that ensured that the job was completed, that the Forth road bridge was reopened and that support was provided during the period of disruption.

I am content that the committee, on which a number of parties are represented, found that the Forth road bridge defect could not have been foreseen. That is what I said from the start. Initially, not all members took that position. In the early days, when I came to the chamber to outline the full position, my integrity was challenged.

Bearing in mind the debate during the inquiry and all the expert opinion and media commentary that we have had, I remind the Labour Party of what its leader said about my contribution. She said that I either lied to Parliament or lied to the BBC. The inquiry and the debate are a vindication for me and the Scottish Government. We were truthful throughout the process, and I look forward to the apology from the Labour Party for questioning my integrity as transport minister of this country.

I ensured that the teams had our support to get traffic on to the bridge as quickly as possible. There was a graduated return of traffic to the bridge, with a move from 90 per cent of traffic to all traffic. There is an answer to the naysayers who said that we would never open the bridge to HGVs: HGVs have returned to the Forth road bridge.

To those who have asked what our contingency plans were, I say that, as well as having plans that we could upscale in the event of a closure and delivering an effective travel action plan with more trains and buses to support the community at a difficult time, we have a substantial contingency measure right beside the Forth road bridge—the Queensferry crossing. To those who say that we are not investing in the area, I say that we are investing £1.35 billion in a new bridge that is on time and substantially under budget.

Of course, the Labour Party has not always supported the new Queensferry crossing—oh no. As a spokesperson, Elaine Murray said that it was sucking a great deal of money out of transport, and Kezia Dugdale said that it was just a bridge. It is a very necessary bridge for our country's transport infrastructure.

The best quote from the Labour Party comes from Lord George Foulkes, who said:

“When I was an MSP I argued strongly the second Forth Crossing was an unnecessary waste of money... another vanity project”.

I say to Lord Foulkes that we are building a replacement crossing and we are doing it deliberately. He was not the only one—

**Alex Rowley** *rose*—

**Derek Mackay:** I want to continue, Mr Rowley.

James Kelly said that the new bridge was a vanity project as well.

We have invested in the maintenance of the Forth road bridge. We have transferred all the good practice from FETA to Amey. We have installed new monitoring equipment and we have enhanced support.

What happened to all the Labour accusations about the haemorrhaging of staff and privatisation and all the other criticisms? They have disappeared, as through the inquiry we have shone a light on the facts about the Forth road bridge and exposed Labour Party members—not the Government, which acted competently and effectively—for the political opportunists that they are.

**Alex Rowley** *rose*—

**The Deputy Presiding Officer:** I do not think that the member is giving way, Mr Rowley.

**Derek Mackay:** In the depths of the issues on the Forth road bridge, the Labour Party wanted to drag the engineers from fixing the bridge to the Parliament.

I always said that I welcomed an inquiry, that I welcomed the views of independent experts and that I welcomed Transport Scotland being held to account, because I knew that the Government's

interventions were the right ones. Throughout the closure, my focus was 100 per cent on fixing the bridge, and that is exactly what the Government and our operators have done.

In fairness to the Conservatives, Alex Johnstone said that he was looking for a smoking gun and did not find one. That is a fair assessment from one part of the Opposition. Willie Rennie has been equally challenging and constructive. The only thing that is smouldering is the electoral opportunity of the Labour Party, which has been found wanting on this issue and so many others.

**Alex Rowley:** Those of us who were campaigning for the bridge in Fife when Derek Mackay was probably still at school saw with the closure how important the crossing is for Fife. If the minister can get over himself, will he address the fundamental question that is still being asked, which is whether he will look at compensation for all the companies that have massively lost money and those that are at risk of not being able to continue?

**Derek Mackay:** I am not surprised that Alex Rowley wants to change the subject. I can tell him what businesses and communities demanded of me throughout the situation. It was immediate support, which we provided through the travel action plan, with more trains and more buses. It was support for the haulage industry, which was delivered through prioritisation. It was support through the relaxation of drivers' hours rules. Principally, it was the reopening of the bridge as quickly as possible, and that is what we achieved. That was the number 1 priority of everyone concerned. We will continue to have dialogue with the industry and the sector.

Cara Hilton said that she was disappointed with the report, but many other Labour Party members said that they welcomed the very fair report. The only reason why she was disappointed with the report is that it is a vindication of the Government and our actions throughout.

We have managed our infrastructure well, continued to invest in it in challenging financial circumstances, made the right interventions and never put public safety at risk, and we have delivered for the country, in contrast to the ineffective whining of the Labour Party, whose electoral chances, as Mike MacKenzie said, are floating up the Forth because of its incompetence in the face of the Government's competence.

**The Deputy Presiding Officer:** I call Jim Eadie to wind up the debate on behalf of the Infrastructure and Capital Investment Committee.

16:39

**Jim Eadie (Edinburgh Southern) (SNP):** I am pleased to wind up this debate on the Infrastructure and Capital Investment Committee's inquiry into the circumstances surrounding the closure of the Forth road bridge.

I thank all members who have contributed to an interesting, at times combative and even entertaining debate. In particular, I commend Colin Keir, Cameron Buchanan and Adam Ingram for their excellent valedictory speeches. I echo the thanks that the committee's deputy convener gave in his opening remarks to all our witnesses and those who made written submissions, and I acknowledge the invaluable contribution of the committee's adviser, Alan Simpson, whose expertise and professionalism were greatly valued by all members of the committee.

As I said in the committee's first evidence session on the inquiry, this is

"one of the most significant"—

and important—

"pieces of work that the committee has undertaken this session".—[*Official Report, Infrastructure and Capital Investment Committee*, 20 January 2016; c 2.]

The committee was only too aware that people in Fife and the Lothians—and, indeed, across Scotland—were subject to disruption due to the closure and that they would want to be assured that the appropriate action was taken in the lead-up to and discovery of the structural defect and that all necessary precautions have been and will be taken to prevent the situation from recurring.

As the convener of the committee, I was very keen to ensure that the committee was thorough and robust in its investigations and in all its deliberations in order to get beneath the surface of the reasons behind the closure. My view is that the committee fulfilled its role appropriately by utilising the considerable expertise of our witnesses to ensure that we understood the technical issues involved, and by asking challenging questions about the complexities surrounding previous maintenance proposals and capital funding issues.

A range of views have been expressed in the debate, but I will begin with a point of agreement. A number of members—the minister, Alex Rowley, Jayne Baxter and Mike MacKenzie—have quite rightly referred to the professionalism of the staff who worked on the design and installation of the repairs to the Forth road bridge. Our report makes it clear that those repairs were carried out with speed and in an exemplary fashion during a period of very poor weather conditions in which there were regular bouts of exceptionally high winds. It is worth restating that point again and again. In implementing those repairs, the staff were able to

ensure that the safety of members of the public was fully protected and that the bridge's structural integrity was not compromised in any way.

A number of issues have been touched on. Alex Johnstone told us about the smoking gun that never was. Siobhan McMahon talked about the ticking time bomb that is perhaps inherent in all the structures that we have looked at, of which the Forth road bridge is one. Adam Ingram quite rightly reminded us of the focused nature of the inquiry, which inevitably meant that we were not able to look at the disruption for passengers and the economic disruption for businesses, as those issues were outwith our remit. Alex Rowley mentioned the costs to people and businesses as a result of the closure of the Forth road bridge, and Cara Hilton talked about the impact on one village in her constituency and the need to ensure that contingency and traffic plans are always fit for purpose.

Adam Ingram also talked about structural health monitoring. Willie Rennie alluded to that when he talked about the nature of the pin that seized and asked whether the bridge was properly monitored in order to detect that failure when it happened.

There is some good news for the future. As the former bridgemaster Barry Colford said in evidence to the committee:

"Structural health monitoring is developing on large bridges. It is being installed on the new Queensferry crossing, which has a significant number of sensors, and on Tsing Ma bridge in Hong Kong, among other bridges."—[*Official Report, Infrastructure and Capital Investment Committee*, 27 January 2016; c 8.]

Perhaps that will provide a better solution in the future.

**Willie Rennie:** That technology has been available for some time. Does the member agree that we need a wider engineering examination of all those issues? We have dealt with the issues around political and budget decision making, but we need a further inquiry, and the Government should open up its records to allow that to happen. Does the member agree?

**Jim Eadie:** I do not think that there is any lack of willingness on the part of any of our witnesses, including those from the Government, to make information available. We certainly benefited from that approach in the inquiry. However, the wider engineering issues and issues to do with the inspection regime certainly need to be looked at so that we learn all the lessons for the future.

It was interesting that Barry Colford, the former bridgemaster, said that the pin's movement, while not imperceptible, was not something that could easily be examined from a distance. Structural health monitoring changes are something that has come out of the process.

Members have referred to the decision-making process in relation to the closure of the Forth road bridge. Much has been said about the supposed five-hour delay on the afternoon and evening of 3 December in deciding to close the bridge. Essentially, the question that we posed was, “Who has the authority to close the bridge: engineers or ministers?” I am grateful to the minister for confirming that the engineers at Amey have full authority and power to close the bridge. I look forward to reading the minister’s response to the report, given that it asked whether a clearer and more immediate decision-making process is required to deal with such emergency events.

Much of the debate has focused on FETA’s indicative capital plan and funding issues. Alex Rowley quoted the former bridgemaster, Barry Colford, who said in evidence to the committee that the indicative capital plan outlined what “needed to be done”. Clare Adamson intervened to point out that the inclusion of proposed works in the indicative plan did not mean that there was a worked-up proposal that could be immediately implemented. I observe that Barry Colford made the point that, from 2006, there was proposal to replace the truss end links, but that it was 2010-11 before that work was included in the indicative capital plan. I leave that point on the record.

The committee was clear in its view, which was unanimous—it was also the unanimous view of witnesses, such as former FETA engineers—that the failure could not have been foreseen. That point has been made repeatedly this afternoon. The committee also agreed—this time by a majority, with one member dissenting—that the reprioritisation of works by FETA was an appropriate course of action, given the prevailing financial circumstances of the time and in view of the engineering advice available to FETA. It is important to remember that the evidence that the committee received made it clear that at no time was the safety of the travelling public or the structural integrity of the bridge undermined in any way by any of the decisions that were taken by FETA to reprioritise the capital projects in its indicative capital plan.

In its report, the committee reached reasonable and fair conclusions. The key issue to emerge is that although it is extremely unfortunate that the structural defect that caused the closure of the Forth road bridge occurred, it could not have been foreseen. The majority of the committee found that, in light of that and in light of the prevailing financial circumstances, the decision by FETA to defer the proposed work on the truss end links was an appropriate course of action.

I acknowledge that there may be a case for further work to be done on the management of the travel disruption that was caused by the closure,

and possibly to consider any economic impact that may have been caused. It will be for the successor committee to consider early in the new session of Parliament whether such work should be undertaken. I believe that I speak for all the current committee members when I say that I would urge the new committee to do that work.

The inquiry into the circumstances surrounding the closure of the Forth road bridge has been thorough, robust and balanced and clearly reflects the evidence that the committee received. Its findings will be examined not just by the Parliament and all those who gave evidence to us, but by members of the bridge community across the world. It will make an important contribution to our understanding of the issues around the repair and maintenance of bridge structures.

Mike MacKenzie rose to the heights of eloquence in his speech, climaxing with the comment that bridges are marvellous structures, “elegantly swaying under the loads that they bear”.

On that note, I should bring my remarks to a close, but first I must thank my excellent clerking team, Steve Farrell, Andrew Proudfoot, Jason Nairn and Monika Okrojek, for their fantastic work over the last five years.

## Standing Orders Rule Changes (Legislation)

### **The Deputy Presiding Officer (Elaine Smith):**

The next item of business is consideration of motion S4M-15868, in the name of Stewart Stevenson, on standing orders rule changes: legislation.

I call Stewart Stevenson to move the motion on behalf of the Standards, Procedures and Public Appointments Committee.

16:50

**Stewart Stevenson (Banffshire and Buchan Coast) (SNP):** The Standards, Procedures and Public Appointments Committee is proposing two sets of rule changes relating to legislation procedures.

The first set of changes is to implement some of the committee's recommendations from its inquiry into legislation procedures. Many of our recommendations do not require changes to the Parliament's rules, but better information about legislation procedures should be made available to encourage the public to engage with us. The committee will monitor how the recommendations have been implemented to ensure progress is made.

Certain other recommendations require changes to standing orders. First, we recommend a rule change to bring forward the deadline for lodging amendments at stage 2 by one day, making it four sitting days. We also recommend a similar change at stage 3, to bring forward the deadline from four to five sitting days. The purpose of the changes is to allow more time for MSPs and others to understand the amendments before a decision is taken on them.

We propose a rule change to require a wider range of delegated powers to be explained in the delegated powers memorandum. We recommend changing the rules to require all public bills containing delegated powers, and not simply Scottish Government bills, to be accompanied by a delegated powers memorandum.

We also propose to change the deadlines for producing revised or supplementary delegated powers memorandums and revised or supplementary financial memorandums. The proposed new rules mean more time will be protected for committees to scrutinise revised documents but, crucially, neither the member in charge of the bill nor the committees will be any worse off under the new rules. The rule changes will also help to improve the accessibility of the legislation process and protect more time for scrutiny.

We recommend that our successor committee monitors how the rules work in practice to ensure that they are operating as intended.

We also recommend rule changes to hybrid and private bills that affect third parties. The current rules state that any amendment to a hybrid bill that affects a private interest is not admissible if the holder of that interest has not had the opportunity to comment on it. That is based on identifying the need to consult new affected parties when an individual amendment is lodged and its admissibility is being determined. That simply is not always practical within the time available for lodging amendments.

We propose that there be a single deadline for all amendments at stage 2 of hybrid or private bills. The committee will reach a view on whether any amendments lodged adversely affect private interests. If the hybrid or private bill committee decides that one or more amendments adversely affect private interests, the committee will decide whether the amendments have merit. If it decides that they have such merit, the process of debating and deciding on amendments would be put on hold until those affected have had an opportunity to lodge objections to, and give evidence on, those amendments. If the committee decides that an amendment does not have merit, the amendment will fall at that point.

The advantage of that approach would be that, if there are several amendments that adversely affect private interests, they will all be identified at one point and consulted on at the same time, thus minimising the delay in the progress of the bill.

I am pleased to move motion S4M-15868, which stands in my name,

That the Parliament notes the Standards, Procedures and Public Appointments Committee's 4th Report 2016 (Session 4), *Standing Order Rule Changes - Legislation* (SP Paper 927), and agrees that the changes to Standing Orders set out in Annexes A and C of the report be made with effect from 22 April 2016.

**The Presiding Officer (Tricia Marwick):** I call Joe FitzPatrick, who has a brief minute.

16:54

**The Minister for Parliamentary Business (Joe FitzPatrick):** The Scottish Government supports the principles of periodically reviewing the Scottish Parliament working practices and procedures to ensure that they remain fit for purpose.

I acknowledge the Standards, Procedures and Public Appointments Committee's thorough and measured assessment of the current legislative procedures used by the Parliament and the helpful improvements that it has identified.

To be clear, I support the changes that have been proposed by the committee as proportionate and practical ways of ensuring that we maintain an appropriate balance between efficiency and effectiveness in the scrutiny of bills. Government will play its part in ensuring that they are implemented in full in the next parliamentary session.

It will be important to monitor the practical impact of those changes to ensure that they do not give rise to any unintended consequences. I would encourage the committee's successor to keep that matter under review.

**The Presiding Officer:** The question on the motion will be put at decision time.

## Standing Orders Rule Changes (Admissibility of Petitions and Minor Changes)

**The Presiding Officer (Tricia Marwick):** The next item of business is consideration of motion S4M-15867, in the name of Stewart Stevenson, on standing order rule changes: admissibility of petitions and minor rule changes.

I call Stewart Stevenson to move the motion on behalf of the Standards, Procedures and Public Appointments Committee.

16:55

**Stewart Stevenson (Banffshire and Buchan Coast) (SNP):** The Public Petitions Committee recently wrote to the Standards, Procedures and Public Appointments Committee about the rules on admissibility of petitions. The Public Petitions Committee wished to formalise in standing orders certain long-standing practices that it has adopted, which are currently set out in guidance.

First, the Public Petitions Committee proposed new rules that a petition should not breach any law or refer to any matter in relation to which legal proceedings are active. It also proposed that a petition that is making a request that is clearly frivolous should be inadmissible.

We noted that those proposed changes would be relatively technical. They are designed to rule as inadmissible petitions that breach the law or are clearly frivolous. The changes seemed to the SPPA Committee to be sensible and appropriate.

The Public Petitions Committee also proposed that a petition calling for the same, or substantially similar, action within a year of closure of a previous petition on the issue should be inadmissible. It also proposed that a petition that fails to raise an issue of national policy or practice should be inadmissible.

We noted that those rules would restrict certain types of petitions from being considered by the Public Petitions Committee. However, in practice, the Public Petitions Committee already does not consider those types of petitions. The rule simply translates into standing orders the long-standing working habits of that committee.

We proposed in our report some rule changes to give effect to those changes. We think that changing standing orders should make the rules clearer and more transparent for people who wish to lodge petitions.

The report also covered some other minor rule changes. First, we propose that a cross-reference in the rules on consolidation bills should be tidied up.

Secondly, we propose some minor rule changes that arise from the Interests of Members of the Scottish Parliament (Amendment) Act 2016. The act introduces some new sanctions for breaching the act, including exclusion of a member from the Parliament, withdrawal of a member's right to use the facilities and services of the Parliament, and withdrawal of salaries and allowances. The procedure for imposing such sanctions is the lodging of a motion by the Standards, Procedures and Public Appointments Committee, followed by a debate and a vote in the chamber. The procedure is provided for in the proposed new rules.

We also propose a rule to allow for the new sanction of "motion of censure".

I am pleased to move motion S4M-15867, which stands in my name,

That the Parliament notes the Standards, Procedures and Public Appointments Committee's 3rd Report 2016 (Session 4), *Standing Order Rule Changes - Admissibility of Petitions and Minor Rule Changes* (SP Paper 904), and agrees that the changes to Standing Orders set out in Annexe A of the report be made with effect from 22 April 2016.

**The Presiding Officer:** I call Michael McMahon to speak on behalf of the Public Petitions Committee.

16:58

**Michael McMahon (Uddingston and Bellshill) (Lab):** One of the roles of the Public Petitions Committee is to keep under review the operations of the Parliament's petitions process. I would like to say a little bit about the effect of the proposed rule changes on that process.

The change to rule as inadmissible a petition that breaches the rule of law reflects a similar requirement in relation to motions.

As has been indicated, the proposed rule change in relation to a petition being on a matter of national policy or practice is the formalisation of a long-standing practice. Petitions can, and frequently do, derive from personal or local issues, and that will continue to be the case.

Far and away the majority of petition proposals that are received are serious in the subject matter that they raise. However, on occasion proposals are received that are technically admissible but clearly frivolous. Changing the admissibility rules in the way that is proposed will make responding to such proposals a clearer and easier task.

At present, the rules say that a petition cannot be brought in the same or similar terms as a petition that was brought by the same person and was closed fewer than 12 months previously during the same session. The changes to standing

orders that are proposed would remove the "same person" element from the rules. Doing so would strike the balance between the opportunity to petition being open to all and the effective use of parliamentary time.

Overall, the changes are intended to provide additional clarity in the operation of the petitions process. The revised standing orders will complement the determination on the proper form of petitions and new guidance for petitioners that will be developed. Together, those things will support the on-going delivery of a robust and transparent system that allows the public to put issues directly on the Parliament's agenda.

**The Presiding Officer:** The question on the motion will be put at decision time.

## Reimbursement of Members' Expenses Scheme

17:00

**The Presiding Officer (Tricia Marwick):** The next item of business is consideration of motion S4M-15911, in the name of Liam McArthur, on the reimbursement of members' expenses scheme.

I invite Liam McArthur to move the motion on behalf of the Scottish Parliamentary Corporate Body.

*Motion moved,*

That the Parliament, in exercise of the powers conferred by sections 81(2) and (5)(b) and 83(5) of the Scotland Act 1998, determines that, with effect from 6 May 2016, the Reimbursement of Members' Expenses Scheme, which was agreed to by resolution of the Parliament on 12 June 2008 and last amended by resolution of the Parliament on 10 November 2015, be amended as follows:

(a) adding the words "and 2.1.8" after "2.1.6" in paragraph 2.1.1;

(b) substituting the words ", 2.1.6 and 2.1.8" for the words "and 2.1.6" in paragraph 2.1.7;

(c) adding new paragraph 2.1.8 as follows:

"2.1.8 A Presiding Officer whose main residence is in a constituency listed in Group Two of Annex A will be treated as if that residence were in Group Three of Annex A and is entitled to reimbursement of Edinburgh accommodation costs in accordance with paragraphs 2.1.2 to 2.1.7.";

(d) adding the words "or a Presiding Officer to whom paragraph 2.1.8 applies" after "Annex A" in paragraph 2.3.1; and

(e) adding after the definition of "pool" in paragraph 9.1.1 the words ""Presiding Officer" means the member who is elected as the Presiding Officer of the Scottish Parliament;".—[Liam McArthur.]

**The Presiding Officer:** The question on the motion will be put at decision time.

## Decision Time

17:00

**The Presiding Officer (Tricia Marwick):** There are four questions to be put as a result of today's business. The first question is, that motion S4M-15904, in the name of Jim Eadie, on "Inquiry into the circumstances surrounding the closure of the Forth Road Bridge", be agreed to.

*Motion agreed to,*

That the Parliament notes the Infrastructure and Capital Investment Committee's 4th Report 2016 (Session 4), *Inquiry into the circumstances surrounding the closure of the Forth Road Bridge* (SP Paper 950).

**The Presiding Officer:** The next question is, that motion S4M-15868, in the name of Stewart Stevenson, on "Standing Order Rule Changes—Legislation", be agreed to.

*Motion agreed to,*

That the Parliament notes the Standards, Procedures and Public Appointments Committee's 4th Report 2016 (Session 4), *Standing Order Rule Changes - Legislation* (SP Paper 927), and agrees that the changes to Standing Orders set out in Annexes A and C of the report be made with effect from 22 April 2016.

**The Presiding Officer:** The next question is, that motion S4M-15867, in the name of Stewart Stevenson, on "Standing Order Rule Changes—Admissibility of Petitions and Minor Rule Changes", be agreed to.

*Motion agreed to,*

That the Parliament notes the Standards, Procedures and Public Appointments Committee's 3rd Report 2016 (Session 4), *Standing Order Rule Changes - Admissibility of Petitions and Minor Rule Changes* (SP Paper 904), and agrees that the changes to Standing Orders set out in Annex A of the report be made with effect from 22 April 2016.

**The Presiding Officer:** The next question is, that motion S4M-15911, in the name of Liam McArthur, on the reimbursement of members' expenses scheme, be agreed to.

*Motion agreed to,*

That the Parliament, in exercise of the powers conferred by sections 81(2) and (5)(b) and 83(5) of the Scotland Act 1998, determines that, with effect from 6 May 2016, the Reimbursement of Members' Expenses Scheme, which was agreed to by resolution of the Parliament on 12 June 2008 and last amended by resolution of the Parliament on 10 November 2015, be amended as follows:

(a) adding the words "and 2.1.8" after "2.1.6" in paragraph 2.1.1;

(b) substituting the words ", 2.1.6 and 2.1.8" for the words "and 2.1.6" in paragraph 2.1.7;

(c) adding new paragraph 2.1.8 as follows:

"2.1.8 A Presiding Officer whose main residence is in a



constituency listed in Group Two of Annex A will be treated as if that residence were in Group Three of Annex A and is entitled to reimbursement of Edinburgh accommodation costs in accordance with paragraphs 2.1.2 to 2.1.7.”;

(d) adding the words “or a Presiding Officer to whom paragraph 2.1.8 applies” after “Annex A” in paragraph 2.3.1; and

(e) adding after the definition of “pool” in paragraph 9.1.1 the words ““Presiding Officer” means the member who is elected as the Presiding Officer of the Scottish Parliament.”.

## Hamilton Academical Football Club (Community Ethos)

### **The Deputy Presiding Officer (John Scott):**

The final item of business is a members’ business debate on motion S4M-15790, in the name of Margaret Mitchell, on Hamilton Accies exemplary community work. The debate will be concluded without any question being put.

### *Motion debated,*

That the Parliament congratulates Hamilton Academical (Accies) on what it sees as its success as a football club since being founded in 1874 and its innovative and thriving community ethos; recognises that, in conjunction with Skills Development Scotland, the club’s youth academy runs a modern educational apprenticeship programme; understands that the apprentices all play regularly in the under-20 team and gain valuable social skills and experience through coaching children; notes that, as part of its community outreach programme, the club houses the Hamilton and District Men’s Shed, which aims to encourage older men to remain physically and mentally active and promotes active citizenship; supports the Accies’ additional support needs (ASN) community, which offers weekly parent/carer autism support groups, helps children and families through ASN-exclusive events and activities and recently launched an inclusive football team for four to 17-year-olds; understands that, for the last eight years, the club has delivered the programme, Training for Freedom, which supports prisoners who are in the process of being released by helping them to become responsible and accountable citizens, with the aims of increasing self-esteem and identifying and making use of previously unrecognised skills; notes that Soldiers Off the Street Scotland, which helps ex-service personnel who are homeless, is also supported by the club; welcomes what it sees as the club’s support for kinship carers, people who it believes are often forgotten; notes that the club has set up the charity, Blameless, which aims both to provide hope for children and families affected by alcoholism and addiction and facilitates 12-step recovery support groups; considers that this model of exemplary community work to help vulnerable people and families is an excellent example of preventative spend that could be replicated by other clubs, and wishes the club, its players and apprentices every success.

17:02

**Margaret Mitchell (Central Scotland) (Con):** It is a particular pleasure to open the debate on Hamilton Accies exemplary community work and to have the opportunity to highlight the community initiatives that the club is championing.

By way of background, I will say that Hamilton Academicals—or Accies, as they are known locally—was founded in 1874 by the rector and pupils of Hamilton grammar school. In 2001, the club moved to its current grounds at New Douglas Park, and it returned to the Scottish premiership in 2014.

Although I have been very much aware of Accies as the local football club, until I visited the club recently to present certificates to the club’s

apprentices as part of Skills Development Scotland's apprentice week I had no idea of the extent of the youth engagement, community work and services that the club provides for the local area.

For example, as part of the club's modern apprenticeship programme, which is run in conjunction with SDS, the apprentices take part in the community coaching programme, which runs three days a week for children and young people aged four to 14. The coaching programme connects with young people locally who may, for various reasons, be struggling to cope. It provides the opportunity for those young people to access and receive support from the enterprises and organisations that the club supports. Other benefits and tangible achievements that the programme provides are increased fitness, discipline and, crucially, mechanisms for coping with difficulties that the young people may be facing at school or at home. A staggering 80 to 120 children take part in the programme each week, and they also have the opportunity to attend coaching camps in the school holidays.

The activity does not stop there, and the in-house community outreach team oversees and helps to co-ordinate a diverse range of projects that are run from the grounds of the club. Members of the outreach team include Colin McGowan, George Cairns, Garry King, Lisa Kerr, Catriona McRoberts and Lynn Shaw. I am delighted that so many of the outreach team have managed to come along to the Scottish Parliament to listen to tonight's debate. It is abundantly clear to me that, as in any successful organisation, a key factor in that success is the people involved. The Hamilton Accies outreach team is living proof of that.

Beyond the football pitch, the club houses a rich variety of community activities including men's sheds, first launched in Aberdeen and now located in many areas of Scotland. That initiative provides a social area and place for men—many of whom have recently retired or become unemployed—to gather and enjoy male company in their local community. It also provides the opportunity to learn new skills in a workshop environment.

The Hamilton men's shed, which is located and operated from within the stadium grounds, is the first in South Lanarkshire. Here men can try their hand at woodwork, gardening and electronics, and there is also space to play board games, share hobbies or simply socialise and enjoy the free refreshments. It is to be hoped that, following the positive experience of the Hamilton men's shed, more will be established in South Lanarkshire.

The club also works with families affected by autism. The weekly parents and carers support groups bring together a network established by the

club of practitioners, third sector businesses, local charities and the national health service, in order to provide resources and support for families affected by autism. Here, once a week, parents and carers get some real respite and feel less isolated by sharing advice and through the offer of support.

Furthermore, for more than eight years the club has been running the training for freedom programme, which supports prisoners prior to their being released. The prisoners undertake working days at the club, which helps them to develop social skills and increase their self-esteem. Participation in the programme also provides useful evidence of a commitment and a desire to work when the prisoner's review is being considered by the parole board. Taking part in the programme before they are eligible for parole helps those individuals to reintegrate into society.

Since 2011, Soldiers off the Street Scotland has been helping ex-service personnel who become homeless. An estimated 10 to 12 per cent of rough sleepers in the United Kingdom are British armed forces veterans. Here again, the club has stepped up to the plate and supports those homeless veterans in Hamilton.

Finally, the football club grounds also host addiction programmes that are well known and operate throughout Scotland. They include Alcoholics Anonymous, Cocaine Anonymous, Gamblers Anonymous, Alanon, which is a support group for the friends and families of alcoholics, Narcotics Anonymous, and the most recent addition is Families Anonymous, which supports the families and friends of those with drug addiction.

With the family in mind, the Blameless charity was formed at the club to provide a space for fun and hope for the future for children and families affected by alcoholism and addiction. That charity operates from the grounds of the stadium and has

"facilities to accommodate our community with recovery days and open days"

including festivals, play days and away days.

I think that members in the chamber will agree that the community work being carried out at Hamilton Accies is truly exceptional. Also, I consider that it is important to stress that, where other charities may have struggled to engage those vulnerable individuals in need of support, football has acted as a hook to encourage those hard-to-reach individuals to take that first crucial step of walking through the club's doors to access help.

There is no doubt that Hamilton Accies has put in place a model of community involvement that, with the goodwill and commitment of key

personnel, could, and I hope will, be replicated in football clubs across Scotland. In the meantime, the Accies are most certainly to be congratulated.

17:10

**Michael McMahon (Uddingston and Bellshill) (Lab):** I welcome the debate and congratulate Margaret Mitchell on securing it. Hamilton Academical FC is more than deserving of having the invaluable contribution that it makes to the community in Hamilton and throughout South Lanarkshire recognised by our having the debate.

Margaret Mitchell's motion identifies the wide array of organisations that benefit from the club's support. They range from self-help groups, through partnership organisations with local and national Government agencies, to charities that the club has established to support a need that has been identified. There are also private companies with facilities based in the club's stadium that deliver employment services and other commercial enterprises that serve the wider community.

The club's support for the campaign against the Scottish Government's decision to permit an incinerator to be built only a short distance from the community of Whitehill, beside which the club resides, was a welcome boost to the people who have been badly let down by that decision.

All in all, Hamilton Academical is a credit to the town, regardless of whether it is proving successful on the field of play. As the local constituency MSP, I state with confidence that, although the club might not be the biggest, it is certainly among the best community-based football clubs.

Unlike at Hampden, there may be no roar to greet the team on match days. Unlike at Wembley, there may be no huge arc to replace the old twin towers of the former stadium. There may be no sliding roof such as that at the Millennium stadium in Cardiff. However, any visitor to New Douglas Park or any viewer who follows a game that is being broadcast on television cannot fail to recognise the stadium's own iconic feature. I speak of course about the iconic red bus, which is a permanent fixture behind the goals. The bus is used by several community groups and is now a recognisable feature in the stadium. More important, it is a major aspect of the club's community trust.

The Hamilton Academical FC Community Trust allows the club to engage with many charities and local organisations and the facility provides a suitable venue to host events. That means that the local and wider community can use the stadium, and it allows ever-increasing partnership working to develop between the club and the community.

The trust was created to recognise the important role that the club has in the local and wider community. A vital component of its work is to use football as the platform on which to build a close association and working relationship with many organisations across the local and wider community.

Being the only Scottish Professional Football League-registered club in South Lanarkshire makes Hamilton Academical uniquely placed to make the link between senior football and people who are in need. Children and young people are among those who can be most impacted by the effects of addiction, abuse or poverty. Unfortunately, such things exist in the community in which the club is based. It is good to know that the Accies recognise that they can use their position in the community to work with South Lanarkshire Council, the police and others to support the disadvantaged and the vulnerable through initiatives that support the community as a whole. Hamilton Accies have earned recognition for that, and I commend Margaret Mitchell for allowing us to praise the club's merits.

17:13

**Clare Adamson (Central Scotland) (SNP):** I am pleased to speak in this important members' business debate that Margaret Mitchell has brought to the chamber, especially as I am a Motherwell girl who is not often in Hamilton football park. I am not a football fan at all, so I do not go very often; I am much more of a rugby fan. Nonetheless, I am aware of the wonderful work that football clubs throughout Scotland do in our communities and the help that they provide.

I have met two Hamilton Academical players—Michael Devlin and Gramoz Kurtaj—at Parksprings care home in Motherwell. The care home has fêtes twice a year and it is a great pleasure to go along and help with the tombola. I have been delighted to meet the young men from Hamilton supporting that activity in the community and being there for people.

I have heard from my colleague Christina McKelvie about the wonderful work of the Hamilton women's football team. I am sure that she would have wanted to speak in the debate, but she had a previous engagement this evening and had to be elsewhere. She speaks highly of the work that the club does.

Football provides a unique way of engaging with people. I know from the dementia cafe that runs at Motherwell Football Club that links to football clubs—the loyalty and feeling that are involved—are important. That makes it much easier for people to engage in some of the most difficult challenges that they face.

In looking through Hamilton's website, I noticed its commitment to supporting addiction programmes—particularly the Blameless charity, which helps children and families who are affected by addiction. That charity does as much as it can to alleviate such problems in the community.

Another venture that is happening across Scotland, which has gladly been taken on by Hamilton, involves the charity Soldiers off the Street Scotland, which helps those who have served their country and subsequently returned to have a place in society. The charity helps them through some of the many problems that they have.

**George Adam (Paisley) (SNP):** Soldiers off the Street Scotland is particularly interesting. It is based in Hamilton, but people in Paisley—my constituency—have interacted with individuals who are involved in it. They came to Paisley, where I saw some of the charity's great work. They have a van that goes throughout Scotland; they gain the trust of veterans and get them back to the van for food, warmth and clothing. That action is led by volunteers, and it is an example of something that we should do more of, by using football clubs as the base.

**Clare Adamson:** I thank George Adam for his intervention. As he is a dedicated St Mirren fan, I know that he is very close to his football club.

That gets to a matter that is at the heart of the debate, which I thank Margaret Mitchell for bringing to the Parliament. At the heart of the debate is community connection. There is also an undeniable connection between rival fans.

Football is a sport for which people have a passion and a love. It can reach out to people in the most difficult of circumstances. As a Steelwoman—so to speak—I am delighted to have been allowed to speak in the debate. I wish Hamilton Academical every success in its future endeavours working in the community.

17:17

**The Minister for Sport, Health Improvement and Mental Health (Jamie Hepburn):** Thank you very much, Presiding Officer.

I am very happy to have this opportunity to close the debate. I begin by joining others in congratulating Margaret Mitchell on lodging the motion for debate this evening, to help to raise the profile generally of Hamilton Academical Football Club, but especially to raise the profile of the community work that it undertakes. I begin by welcoming the representatives of the club who have joined us in the gallery this evening. I wish Hamilton Academical all the best for rest of the season—although I caveat that by saying that I

hope that that begins after Saturday, when they will play my club, Partick Thistle. That is a personal view, rather than an official Scottish Government position.

Football is our national game, and clubs are the heart and soul of communities throughout Scotland, from professional clubs at the top level to the local junior and amateur clubs. I recognise that there are issues and challenges in football—everyone in the chamber is aware of that. However, I also firmly believe that football is a powerful force for good, so I welcome the opportunity to focus on the positive impact of football in general, and of Hamilton Accies in particular.

Sport has been shown to improve both physical and mental health, as well as to bring communities together, regardless of age, gender or religion. As the Minister for Sport, Health Improvement and Mental Health, I have been fortunate enough to visit across the country a number of clubs that are cornerstones of their local communities.

George Adam, when he intervened on Clare Adamson a few moments ago, spoke about football clubs as anchors for community activity. I was a little surprised that he did not manage to mention his own club—St Mirren. That was most unlike him. I can say to Mr Adam and other members that I know from visiting clubs in many parts of the country that such activity is already happening.

I commend Hamilton Accies for the services that they provide in addition to allowing other bodies access to their ground to do good work. As we have heard, the club's commitment is wide ranging and includes running of addiction programmes that help families that are affected by alcoholism and addiction, development of social skills and self-esteem in young people, work in autism, and supporting carers and men who are retired or thinking of retiring. It is clear that the club's commitment is genuine and long standing, and is woven into the fabric of its ethos.

With regard to the club's sporting prowess, it would not go amiss to mention its track record in developing young players and, crucially, in giving them an opportunity. The club is exceptional in that regard.

Hamilton Accies' contribution to rehabilitating people with convictions and re-integrating them into the community is very positive. It gives prisoners who are approaching the end of long sentences a chance to prepare for their release, and it can help them to return to the community ready to be productive members of society. I would be the first to recognise the perilous dangers of mentioning the Steelmen in a debate on Hamilton Accies, but Motherwell Football Club

should be included for its work in that regard. Hamilton Accies and Motherwell are working in partnership with the Scottish Prison Service to provide useful opportunities for prisoners to enable them to begin getting used to everyday life by undertaking a normal daily work routine of general maintenance duties at the clubs. The SPS continues during that time to assess those who are involved in order to ensure that they are conducting themselves properly and demonstrating their readiness for transition to the open estate in our prison system and eventually to release.

The “football fans in training” initiative, which is run by the SPFL Trust and funded by the Scottish Government, is a hugely successful lifestyle programme. It was originally aimed at men aged 35 and over who have a waist size of 38 inches or more. The programme is designed to increase knowledge of diet and nutrition, improve lifestyle choices, increase physical activity among the participants, reduce weight and waist measurements, and increase engagement in other physical activity.

Hamilton Accies has also used funding from the SPFL Trust to deliver a programme with the charity Blameless, which has also been mentioned tonight. Together they are working to raise awareness of the dangers of alcohol and drugs, and to educate, or advance the education of, young people and families with regard to alcoholism and addiction. That is a welcome development that tallies closely with the Scottish Government’s wider work in that area. Indeed, I understand that my colleague Paul Wheelhouse, the Minister for Community Safety and Legal Affairs, visited the project in January and was very impressed with the work that was taking place.

As the minister who has responsibility for policy on autism, I welcome the work of Hamilton Accies in supporting people with autism and their families and carers. The Scottish Government is committed to improving the lives of people with autism and learning disabilities and their carers and families. The Scottish strategy for autism was launched in November 2011; it is a 10-year programme that is designed to meet the needs of people with autism in Scotland. Its core ambition is that people with autism should be able to participate in all aspects of the community and society in which they live, work and socialise.

**Michael McMahon:** I, along with Siobhan McMahon, recently met members of the autism parent and carer support group that meets at the Hamilton Accies stadium. They spoke openly about the problems that they are having, in particular around the transition from school to adult services. Is there anything in the programme that the minister has mentioned that would directly

support improvements in that area? It is an issue that was identified by that group in particular.

**Jamie Hepburn:** I welcome Mr McMahon’s intervention, and I recognise that—as with many aspects across the spectrum—the transition phase is always difficult. I would be the first to concede that we can and should be doing more. The core purpose of the autism strategy is to empower people, but we will not realise that ambition if we do not get the transition phase right. We are aware of the issues, and we are seeking to do further work on that. However, if Mr McMahon wants to contact me regarding his engagement with the group that meets at Hamilton Accies, I would be happy to hear what he and the members of that group have to say.

The point that I was going to make is that the Scottish Government will not be able alone to realise its ambitions on the strategy—we need others to work with us in this area. In that regard, it is very welcome that Hamilton Accies is involved in such work in its community.

I again thank Margaret Mitchell for bringing the topic to the chamber for debate, and I thank all those who have made such useful and thoughtful contributions. Finally, I commend Hamilton Accies for its community involvement programmes. I assure Margaret Mitchell and the people at Hamilton Accies that their efforts are sincerely appreciated.

**The Deputy Presiding Officer:** Many thanks, and thanks to all members in the debate.

*Meeting closed at 17:25.*



This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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