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Official Report

MEETING OF THE PARLIAMENT

Tuesday 9 December 2014

Session 4

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Scottish Parliament

Tuesday 9 December 2014

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

Time for Reflection

The Presiding Officer (Tricia Marwick): Good afternoon. The first item of business is time for reflection. Our time for reflection leader today is the Rev Alan Cobain, the minister of Tyne Valley parish, Midlothian.

The Rev Alan Cobain (Tyne Valley Parish, Midlothian): Presiding Officer and members of the Scottish Parliament, I want to tell you a Christmas parable. I want you to picture the scene up in Princes Street, as it might be. It is of course December. It is thronging with crowds of Christmas shoppers from all over the world making their way through the rain.

Among the crowds is a little girl with her mother. She is holding her mother with one hand and with the other she is clutching tightly to a newly purchased jigsaw in a box. She is all smiles because it is an early present. Suddenly, to her horror, the little girl trips and spills the content of the box all over the wet pavement. Her mother, who is in a hurry, urges the little girl to "Come on", but the child refuses to leave the sorry scene. Instead, she lingers and begins to sob, because she sees that the pieces strewn all over the wet pavement are beginning to be trampled by the busy shoppers.

Who can help? What can be done? There were a number of people passing by. Let me pick out one or two who were passing by the scene. First there was an unemployed youth with plenty of time on his hands. He sees the scene, but he does not think it is his business to stop or get involved. He merely steps around the pieces and walks on.

Next is a charity worker. She has compassion for millions all over the world, but she is so deep in thought about her next Christmas purchase that she does not even see the need in front of her.

Here is the unusual moment. A rich businessman, on his mobile phone, in a rush to make more money and pressed for time, surveys the scene from across Princes Street. He now crosses over Princes Street, dodging all the shiny new trams and, of course, all the buses and taxis, and he bends down in the rain. He starts to pick up the pieces. In amazement, the little girl looks into the kindness of his face and says, "Excuse me, sir, is your name Jesus?" "No", he replies, "My name isn't Jesus, but I'm a friend of his."

Business Motions

14:03

The Presiding Officer (Tricia Marwick): The next item of business is consideration of business motion S4M-11828, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a timetable for stage 3 consideration of the Food (Scotland) Bill.

Motion moved,

That the Parliament agrees that, during stage 3 of the Food (Scotland) Bill, debate on groups of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limit indicated, that time limit being calculated from when the stage begins and excluding any periods when other business is under consideration or when a meeting of the Parliament is suspended (other than a suspension following the first division in the stage being called) or otherwise not in progress:

Groups 1 to 5: 35 minutes.—[Joe FitzPatrick.]

Motion agreed to.

The Presiding Officer: The next item of business is consideration of business motion S4M-11831, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a revision to the business programme for today.

Motion moved,

That the Parliament agrees to the following revision to the programme of business for Tuesday 9 December 2014—

delete

5.45 pm Decision Time

and insert

5.30 pm Decision Time—[Joe FitzPatrick.]

Motion agreed to.

Topical Question Time

14:04

Hospital Emergency Departments (Waiting Times)

1. Jim Hume (South Scotland) (LD): To ask the Scottish Government what it is doing to support hospital emergency departments in light of reports of increased waiting times and concerns that general practice closures over the festive period will exacerbate the situation. (S4T-00866)

The Cabinet Secretary for Health, Wellbeing and Sport (Shona Robison): Every year, national health service boards and their partners develop robust plans for winter. The winter planning guidance for NHS boards that was issued in September specifically focuses on the two four-day festive holidays.

This year, we have invested more than £18 million to support health boards, to improve how emergency care operates in hospitals and to address delayed discharges, particularly over the winter months. The investment will provide increased nursing, increased emergency ambulatory care capacity to reduce unnecessary hospital admissions and increased consultant presence at weekends. Furthermore, NHS 24 has received additional resources to answer calls over the festive period. It plays a key role in facilitating access to NHS boards' out-of-hours general practitioner services, which are available, each year, throughout the festive period. The NHS 24 111 freephone number will often be the best first port of call for anyone with health concerns this festive period.

Jim Hume: The issue is not about the outstanding work of those in our NHS; indeed, they have our full support.

I am not comforted by the minister's response. This year, more than 100,000 patients waited more than four hours in accident and emergency departments. In the 12 weeks to the end of September, almost 2,000 patients had to wait more than eight hours. That is more than twice as many as last year. Winter is knocking at the door, which will only exacerbate the situation.

What will the Scottish Government do in the next week with that new information to work with NHS boards to ensure that struggling emergency departments are able to cope throughout the winter?

Shona Robison: It is right that we pay tribute to the outstanding work of our health service staff; winter always brings challenges, and they do a fantastic job to overcome them.

We have been working with local boards to make sure that their winter plans are robust. That conversation is on-going. I have been asking the boards to test their plans to make sure that they have the capacity to cope with winter pressures. They are used to dealing with such pressures. Every year, they staff up and make sure that they have winter-resilient plans. This year is no different, other than the fact that we have the two four-day festive holidays. Because of that, there has been particular focus on making sure that health boards are absolutely prepared.

There is an important message to the public in all this, so NHS 24 has been running the health-wise this winter campaign, which is advising people not just to stock up on the usual remedies and to ensure that they have their repeat prescriptions, but to know—this is important—where to turn if they become ill. NHS 24 opens the door to out-of-hours GP services and all the other the services that people may require. It is important that we all, collectively, send a message to the public that NHS 24 should be the first port of call.

Jim Hume: The British Medical Association has said that there is a “weekly crisis” in A and E departments and GP out-of-hours services. The Government said six years ago that it would reduce pressure on emergency departments by improving primary services for minor ailments, but the numbers attending A and E are, at 198 an hour, higher than ever.

The system is in crisis after seven years of this Government. With that in mind, and with the trend increasing, how does the Scottish Government propose to reverse that trend, given that the work to date has not been adequate?

Shona Robison: I could remind Jim Hume about the number of delayed discharges and pressures on A and E before 2007, but I will move on to talk about what we have done, the considerable work that has gone in and the £50 million investment in unscheduled care.

We have done that to make sure that systems are in place that avoid people turning up at A and E in the first place. A lot of work is going on in the community to avoid admissions, particularly by vulnerable elderly people, and to make sure that, where possible, elderly people can be treated at home or in other settings. We are also making sure that we have step-up, step-down facilities to get people out of acute beds as quickly as possible. Importantly, however, we are making sure that we avoid people needing to go into hospital in the first place by giving them a different place to go where rehabilitation and support can be given. All those measures are important, which is why they are being taken forward.

In addition, I have given top priority to delayed discharge, because, as Jim Hume said, a challenge in getting people through accident and emergency speedily is the availability of beds in the system, and delayed discharge has a huge impact on that.

That is why the issue is a top priority. Investment is going in, not just to deal with delayed discharge this winter, which we will have to do if we are to alleviate pressure on the system, but to tackle the issue and get delayed discharge out of the system once and for all. That is my commitment as we go forward over the next few months.

Neil Findlay (Lothian) (Lab): NHS Lothian is struggling to recover from the waiting times scandal, and we read in the *Evening News* that there is a £70 million funding gap, which a senior board member described as a “very dire picture”. Given concerns about increased waiting times and GP practice closures over the festive period, what assistance and advice can the cabinet secretary offer patients who are worried about the impact of the budget crisis on NHS Lothian and on patients?

Shona Robison: First, the assurance to patients will be that NHS Lothian will manage its financial processes, as other boards do, and will get into financial balance by the end of the year. Of course, boards are getting a real-terms increase in their uplift and will get that in the next financial year.

Just last week, the member was calling for money to go into social care. One week he calls for money to go into social care, and the next week he calls for the same money to be magically produced and spent in the health service.

Neil Findlay: No crisis, then?

Shona Robison: As the member would know if he had heard John Swinney announce this, we have committed to the consequential from the autumn statement all going to health—again, that is something that the member, who is his party’s health spokesperson, has refused to confirm that he would do.

Neil Findlay: No crisis, then. It’s all fine.

The Presiding Officer (Tricia Marwick): Mr Findlay—

Shona Robison: I do not underestimate the challenges that face the health service, and I am determined to tackle them. However, I will take no lectures from the member on those matters.

The Presiding Officer: Mr Findlay, you must stop heckling across the chamber.

I call Dave Thompson to ask question 2.

Dave Thompson (Skye, Lochaber and Badenoch) (SNP): Sorry, Presiding Officer, my microphone is not working. It has come on now—I do not think that that was my fault, anyway. *[Interruption.]*

The Presiding Officer: One moment, Mr Thompson. Will you sit down, please?

Mr Findlay, I have warned you about heckling

Neil Findlay: I—

The Presiding Officer: Mr Findlay, will you stop arguing with me? I have warned you about heckling; will you please desist and behave yourself?

I call Dave Thompson.

Cold Weather Disruption

2. Dave Thompson (Skye, Lochaber and Badenoch) (SNP): To ask the Scottish Government how it will ensure that disruption as a result of cold weather this week is kept to a minimum. (S4T-00870)

The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney): The current weather situation is that we have a windy and unsettled week ahead of us, with many areas of the country experiencing their first snowfall of the season.

Although such weather is not unusual in Scotland at this time of year, it is necessary to prepare accordingly. Plans are in place and all responders are working together to that objective. Gritters have been active in supporting the essential work that is required on the trunk road network.

In addition, the resilience division has convened a meeting of our resilience partners from across Scotland this afternoon, and later today there will be a ministerial resilience call to discuss the preparations. The Scottish Government’s resilience response has been activated, along with the Transport Scotland multi-agency response team, to oversee the co-ordinated efforts of responders and local partnerships.

On Sunday the transport minister observed gritting preparations in the west of Scotland, and earlier today I visited the new Transport Scotland control centre in South Queensferry, where I saw the extensive arrangements that are in place to keep the country moving and provide the best possible advice to members of the public.

Dave Thompson: One of the challenges in previous winters has been the availability of salt. Can the Deputy First Minister reassure people that stocks this year are appropriate? Is there any way

that motorists can get information on where gritters will be and when?

John Swinney: The salt stocks in Scotland as at 1 December 2014 are 639,120 tonnes, which includes 90,000 tonnes in the strategic salt reserve. That is almost double the stock that was used last winter, and as much as was used during the severe weather in 2010-11, which was a particular challenge for our resilience operations.

The information on gritting operations that are undertaken on the trunk road network is visible in real time on the Traffic Scotland website. It indicates the routes that are supported and is updated daily so that members of the public can access it. There are also back-up arrangements by which additional gritting services can be deployed if urgent circumstances materialise.

Dave Thompson: Highland Council is planning to leave secondary roads with little traffic unsalted in the early morning as the salt does not work unless it is driven on. Does the cabinet secretary agree that that is worth considering?

John Swinney: Obviously, judgments must be arrived at a local level by individual authorities, which will have to take into account particular circumstances in their own localities, given that conditions can vary quite dramatically from area to area.

Although we take a proactive approach to the trunk road network, and the gritting operations are well advertised on the Traffic Scotland website, individual local authorities come to appropriate conclusions depending on the circumstances in their locality.

Alex Johnstone (North East Scotland) (Con): During the particularly cold period that we experienced exactly four years ago this week, there was considerable disruption on the railways as a result of frozen points. We were told at the time that there was a programme in place to heat points electrically in the future. At this stage, do we know whether the programme has been completed, and can we avoid the same problem if we should suffer similarly cold weather?

John Swinney: A series of incremental steps has been taken to ensure that that has taken place. The rail network has been upgraded to ensure that we have greater resilience on these questions. Mr Johnstone will appreciate the extremity of temperatures that was experienced four years ago; the circumstances that we believe we will face in the next seven days will not mirror temperatures of anything of that order whatsoever. There is greater resilience, but the process is incremental and will take some time to complete.

Food (Scotland) Bill: Stage 3

14:17

The Presiding Officer (Tricia Marwick): The next item of business is stage 3 of the Food (Scotland) Bill. Members should have the bill as amended at stage 2, which is document SP bill 48A; the marshalled list of amendments, which is SP bill 48A-ML; and the groupings, which is SP bill 48A-G.

The division bell will sound and proceedings will be suspended for five minutes for the first division of the afternoon. The period of voting for the first division will be 30 seconds. Thereafter, I will allow a voting period of one minute for the first division after a debate. Members who wish to speak in the debate on any group of amendments should press their request-to-speak buttons as soon as possible after I call the group.

Members should now refer to the marshalled list of amendments.

Section 2—Objectives

The Deputy Presiding Officer (Elaine Smith): Group 1 is on improving the extent to which the public have diets that are conducive to good health. Amendment 4, in the name of Dr Richard Simpson, is grouped with amendment 10.

Dr Richard Simpson (Mid Scotland and Fife) (Lab): Amendment 4 aims to clarify the objectives for improvement in diet for public health purposes, in respect of specification of content, including calories. Obesity, diabetes, heart disease and stroke remain among the greatest challenges that we face, and if we are serious about improving the health of the public, our independent food agency will need to play a vigorous leading role.

The elements that must be addressed by our new independent agency include salt, saturated fats, trans fats, sugar and calories. The Food Standards Agency has done excellent work on content in some respects—for example, in setting maximum values for trans fats, saturated fats, sodium and sugar as well as minimum protein specifications. Those were all put into regulations as part of the school meals programme in 2004. On 19 June 2013, the Food Standards Agency in Scotland launched a new front-of-pack nutrition labelling scheme, which was very welcome, and I am delighted that we now have a traffic-light system. Over the years, the Food Standards Agency has done an excellent job in many areas, including in reducing the amount of salt in our diet. Nevertheless, salt consumption remains high at 8.1g to 8.8g per day; it is important that we achieve a level of 6g per day across the adult population.

There has been good progress on trans fats, but the restriction on all trans fats that are not naturally occurring would have been achieved had my member's bill received support in the previous session of Parliament. Too many fast foods still have those dangerous fats present in them. There has also been progress on saturated fats and sugars.

However, one thing that has yet to be tackled so vigorously is calories. Amendment 10 specifies that the agency will have the power to introduce a national scheme on calorie values. At present, the bill refers to a "hygiene information scheme", which is welcome. Progress has also recently been made on voluntary action, with Sainsbury's, for instance, including calorie values on its wine labelling. More than 20 years ago, I visited the Mayo clinic in the United States, and calorie and saturated fat levels were being shown on menus then, so we need to make a step change in this area. It is welcome that Parliament has been putting calorie values on its menus—I hope that some members have paid attention to that.

Section 2(2) makes clear the risks that are referred to in section 2(1)(a), which relate to

"the way in which food is produced or supplied."

However, amendment 10 would make it clearer, in respect of the new objective in section 2(1)(b), that beyond the safety and integrity of food, its calorie content, its advertising and its promotion would be defined objectives. We currently have warning signs on tobacco and we have traffic lights for labelling on food, but we need to ensure that in advertising and promotion of food throughout the industry, there are strict conditions to ensure that obesity and public health issues are made clear and that the public are fully informed.

I move amendment 4.

The Minister for Public Health (Maureen Watt): We all agree that the content of food and its calorific value are important in a healthy diet. I am therefore grateful to Dr Simpson for raising those issues. I know how passionately he promotes them.

Nevertheless, although the amendments are well intentioned, I do not believe that they are necessary or that they would improve the bill. Amendment 4 could cause confusion by inserting into the objectives of food standards Scotland what is, in essence, a function such as those that are contained in section 3. That could be confusing in that it would give the particular function undue emphasis, to the detriment of all the other important functions that FSS must perform. The functions in section 3 already include giving advice and information and informing the public about matters that affect their capacity to make informed decisions about food. If content

and calories are matters of concern to consumers, giving information about those will already be part of what the FSS will do, so there is no need for amendment 4. More important is that calorific values and food content are not the only factors that bear on a healthy diet, so referring to them expressly in the bill would create a risk of focusing unduly on those factors at the expense of considering issues of food health in the round.

Further, amendment 4 suggests that FSS would have a role in setting standards in respect of calories, content, advertising and promotion. That will not be the case. Food information and, to some extent, nutrition are matters that are regulated at European Union level. Setting the standards for industry on the basis of evidence and advice from bodies such as FSS is a role for the EU and the Scottish Government, not for FSS.

Amendment 10 is similarly well intentioned, but I consider that it would not be right to have it amend the bill at this time. It would add a relatively significant new enabling power without the Health and Sport Committee or the Delegated Powers and Law Reform Committee having had an opportunity to offer input on it. Subject to advice from FSS and others, the Scottish ministers may well, in due course, support a public consultation on a mandatory scheme that would require food businesses to display nutritional values. That is what we did for the prospective mandatory scheme on displaying hygiene information, for which the bill provides. However, before we could go ahead with the idea, more work would be required on whether displaying calorie values or wider nutritional information is effective in helping consumers to have healthy diets. For instance, I would first like to hear from consumers about whether they would prefer such a scheme to focus on sugar or salt.

The most significant reason for not accepting amendment 10 is the impact that it would have on small businesses and local authorities. Every time mandatory schemes on calorie values, sugar and salt content and so on are considered, the impact on small producers is highlighted. We cannot ignore that; we must be proportionate in our approach and we must balance the benefits and the impacts. It is arguable that larger food producers and retailers will have more resource to dedicate to researching and preparing the display of calorie values. Indeed, as Dr Simpson highlighted, many larger organisations already have policies on that. However, smaller businesses such as caterers or restaurants would find the proposed provision extremely expensive to comply with. Furthermore, the additional burden on local authority officers, who would have to check all the additional displays, would be significant.

We need to take a proportionate and partnership-based approach to any scheme that might put undue pressure on our businesses and on our local authority colleagues. For the reasons that I have outlined, I believe that amendment 10 is premature and that more work and consultation need to be done in order to work up proposals for a scheme before legislation could be considered.

Amendments 4 and 10 are well intended, but existing legislation can be used to deliver the same outcomes. The effect of amendments 4 and 10, as they stand, would be disproportionate, and the measures that they seek to implement have not been consulted on. I therefore invite Parliament not to accept amendments 4 and 10.

The Deputy Presiding Officer: I ask Dr Simpson to wind up and to say whether he intends to press or to seek to withdraw amendment 4.

Dr Simpson: I thank the minister for her words. I understand the reasons that the Government has given for saying that what I propose is not, at present, necessary.

However, it is possible for a Government to introduce provisions and not to activate them until it is ready to do so. I give the example of the social responsibility levy on alcohol, which has still not been regulated on even though it was introduced in an act that was passed five years ago. It would be for the Government to decide on the appropriate timing.

I welcome the fact that the minister agrees that information on calories, as well as on all the other things that I listed, is important. Amendments 4 and 10 would have sent a message to the industry that we intended to tackle such matters vigorously and that it ought to prepare for that, but, in the light of what the minister has said, I am prepared to seek to withdraw amendment 4 and not to move amendment 10.

Amendment 4, by agreement, withdrawn.

Section 3—General functions

The Deputy Presiding Officer: Group 2 is on matters in relation to which food standards Scotland must keep the public informed. Amendment 5, in the name of Richard Simpson, is the only amendment in the group.

Dr Simpson: I lodged amendment 5 because I feel strongly that the inclusion in section 3(1)(c) of the word “significantly” will unnecessarily restrict the new agency in protecting the public. Section 2, which is on the objectives of food standards Scotland, talks about the agency acting proportionately and in a manner that enables it to fulfil its objectives—in other words, it will be up to the agency how it deals with such matters—but

section 3 says that it must define “significantly”, which will be difficult.

I do not fully understand the legal definition of what constitutes “significant”. For example, if something affects a very small minority, is that effect significant? It is for that minority, but in global terms—for the population of Scotland as a whole—it is not and might in that context be regarded as quite insubstantial. When added to other small effects, those small effects can collectively become substantial. To be quite frank, the word “significantly” therefore sticks in my craw. We tried to have it removed from the bill at stage 2, but at the time there was some debate about whether I was allowed to intervene.

In moving amendment 5, I am seeking to make a point and to find out how the minister defines the word “significantly”. Depending on how she does so, I will decide whether to press or to seek to withdraw amendment 5.

I move amendment 5.

14:30

Maureen Watt: As Dr Simpson said, an amendment that was the same as amendment 5 was lodged at stage 2. It was debated, and it was withdrawn following a division. As my predecessor said at stage 2,

“We understand the intention of the proposal ... to remove the word ‘significantly’. It is important that food standards Scotland acts on a wide range of interests that are important to consumers, and that is what its intended objective is. However, the practical effect of the seemingly small change”

would be disproportionate, meaning that the new body

“could have to turn its attention to a wide range of concerns, significant or not. That could risk FSS losing focus on the most important matters”.

The word “significantly” is vital to make it clear that

“although FSS will be concerned with all matters of interest to consumers, it cannot lose focus on matters that have the most impact on consumers.”—[*Official Report, Health and Sport Committee*, 11 November 2014; c 10-11.]

For that reason, I invite Parliament not to accept amendment 5.

Dr Simpson: I accept the definition of ‘significantly’ that the minister has now put on the record, which is that, if something affects people in the way that I have described, then it affects a small minority of people, but they are affected substantially. Action would be taken, because that would be a priority for them.

Generally, of course, food standards Scotland should be considering matters of greater

importance. It will be up to the agency to prioritise them.

On the basis of the minister's words, I seek to amend amendment 5.

Amendment 5, by agreement, withdrawn.

Section 6—Number and appointment of members

The Deputy Presiding Officer: We move on to group 3, on membership of food standards Scotland. Amendment 6, in the name of Dr Richard Simpson, is grouped with amendment 7.

Dr Simpson: I appreciate that we had a good debate on this matter at stage 2 in the Health and Sport Committee, when an amendment was moved by Aileen McLeod to change the minimum number of members to five. The minister at the time did not accept the amendment, although the increase was supported in evidence by such disparate groups as Quality Meat Scotland and Which?

Let us consider the minimum number of members proposed under the bill, which is three plus the chair. If two members are absent, that could reduce the board to two. I am not speaking entirely theoretically. I have looked at a number of non-governmental organisations, where the absence of two members is not unusual. I do not believe that a board could or should function without at least three members present. I have therefore proposed a modest increase to four plus the chair, in the hope that at least three will be present on every occasion.

Looking at other evidence suggesting that there should be an employee director, gender balance and a strong consumer interest, I think that my proposed modest increase is appropriate.

In his response at stage 2, the then Minister for Public Health said that it would be attempted to keep the board at a higher level than three. If that is the case, food standards Scotland should have a higher minimum, too, not least because that would ensure that matters are dealt with in an appropriate way.

The minister also said that the board would be smaller because the functions of the new agency were smaller. The board's powers and the things that it must do are expanding significantly. Matters of public safety in relation to food have come to the fore in the past year, since preparation of the bill began. I suggest that we need a board that is strong enough to be effective. It is on that basis that I will move amendment 6.

Amendment 7 has a similar intent to that of amendment 6. It is intended to be helpful to the Government. If amendment 6 were to be rejected by the Government, amendment 7 would become

more important. It would ensure that, when members are disqualified in connection with any office listed in section 7(1), ministers have the power to grant an extension in order to ensure that the board is functional.

I move amendment 6.

Nanette Milne (North East Scotland) (Con): A number of significant witnesses sought a larger minimum number of people on the board. Richard Simpson has given a number of very good reasons why his amendment 6 should be approved, and I am happy to support it.

Maureen Watt: As Dr Richard Simpson said, an amendment that was similar to amendment 6 was moved and withdrawn without objection at stage 2. The Health and Sport Committee also considered the number of members at stage 1 and accepted that the number that is set out in the bill is only a minimum. Ministers have given the committee an assurance on that.

I will shortly announce the appointment of seven further members to add to the appointment of Ross Finnie as chair designate, which was announced last month. I hope that that is clear evidence of the Government's commitment to run food standards Scotland with its full complement of eight—seven members and the chair—as the norm.

The minimum number in the bill—three members plus the chair—has to be low enough to allow flexibility during reappointment rounds or in case of emergencies. That number and lower numbers already work for other bodies of a similar size. The Office of the Scottish Charity Regulator has a minimum of four members including the chair and the Scottish Housing Regulator has a minimum of three members including the chair, and that has not caused difficulty for them. The Government sees no reason to reconsider the minimum number.

Amendment 7 is unnecessary and impractical. It is unnecessary in that it is extremely unlikely that a member would take up any of the public offices or employment listed in section 7(1) of the bill without being in a position to give ministers some notice. That would usually allow ministers sufficient time to make arrangements to protect FSS's ability to carry out its functions. For someone to remain a member of FSS while taking up many of the listed posts would lead to immediate conflicts of interest. In any case, taking up many of the posts—particularly the parliamentary and council posts—would mean having to declare an interest and then taking no part in FSS decisions. There is nothing that ministers can do to set that aside. That makes the arrangement suggested in amendment 7 wholly redundant.

I therefore invite the Parliament not to support amendments 6 and 7.

Dr Simpson: In summing up, I will deal with the amendments in reverse order.

I do not agree with what the minister said on amendment 7. If someone is elected as a member of the Scottish Parliament or the House of Commons, they go straight into business and will not be able to give a lot of notice. That is problematic. If there is an immediate disqualification, the member of food standards Scotland would have to leave the board immediately, so no notice would be given.

However, amendment 7 was intended to be helpful to the minister and future Governments, including—one hopes—a Labour Government. If the minister chooses to reject that—I see her smiling—I am happy not to move amendment 7.

That is not the case with amendment 6, however. The arguments that the minister has put forward are not sufficient. The other NGOs or agencies that the minister mentioned have quite different functions. The new body will deal with the FSA in England, the Board of Trade in England and the European Food Safety Authority. It will deal with all our public safety matters on nutrition and meat inspection—the list of functions is huge—and massive experience will be required across those areas.

I very much welcome the appointment of Ross Finnie as the prospective chair of food standards Scotland, provided the bill is passed. He is a man of great experience. However, it is not unreasonable to ask the Government for a minimum of four members and I am disappointed that it proposes to reject that. I press amendment 6.

The Deputy Presiding Officer: The question is, that amendment 6 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. As it is the first division this afternoon, the Parliament will be suspended for five minutes.

14:38

Meeting suspended.

14:43

On resuming—

The Deputy Presiding Officer: We will proceed with the division on amendment 6.

For

Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Baker, Richard (North East Scotland) (Lab)

Beamish, Claudia (South Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Brown, Gavin (Lothian) (Con)
Buchanan, Cameron (Lothian) (Con)
Carlaw, Jackson (West Scotland) (Con)
Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
Fee, Mary (West Scotland) (Lab)
Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
Fergusson, Alex (Galloway and West Dumfries) (Con)
Findlay, Neil (Lothian) (Lab)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Iain (East Lothian) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Harvie, Patrick (Glasgow) (Green)
Henry, Hugh (Renfrewshire South) (Lab)
Hume, Jim (South Scotland) (LD)
Johnstone, Alex (North East Scotland) (Con)
Johnstone, Alison (Lothian) (Green)
Kelly, James (Rutherglen) (Lab)
Lamont, Johann (Glasgow Pollok) (Lab)
Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
Macdonald, Lewis (North East Scotland) (Lab)
Macintosh, Ken (Eastwood) (Lab)
Malik, Hanzala (Glasgow) (Lab)
Marra, Jenny (North East Scotland) (Lab)
Martin, Paul (Glasgow Provan) (Lab)
McCulloch, Margaret (Central Scotland) (Lab)
McDougall, Margaret (West Scotland) (Lab)
McInnes, Alison (North East Scotland) (LD)
McMahon, Michael (Uddingston and Bellshill) (Lab)
McNeil, Duncan (Greenock and Inverclyde) (Lab)
McTaggart, Anne (Glasgow) (Lab)
Milne, Nanette (North East Scotland) (Con)
Murray, Elaine (Dumfriesshire) (Lab)
Pearson, Graeme (South Scotland) (Lab)
Pentland, John (Motherwell and Wishaw) (Lab)
Scanlon, Mary (Highlands and Islands) (Con)
Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
Smith, Drew (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
Adamson, Clare (Central Scotland) (SNP)
Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
Allard, Christian (North East Scotland) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Biagi, Marco (Edinburgh Central) (SNP)
Brodie, Chic (South Scotland) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burgess, Margaret (Cunninghame South) (SNP)
Campbell, Aileen (Clydesdale) (SNP)
Campbell, Roderick (North East Fife) (SNP)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Crawford, Bruce (Stirling) (SNP)
Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
Dey, Graeme (Angus South) (SNP)
Don, Nigel (Angus North and Mearns) (SNP)
Doris, Bob (Glasgow) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Eadie, Jim (Edinburgh Southern) (SNP)
Ewing, Annabelle (Mid Scotland and Fife) (SNP)
Ewing, Fergus (Inverness and Nairn) (SNP)
Fabiani, Linda (East Kilbride) (SNP)
Finnie, John (Highlands and Islands) (Ind)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gibson, Rob (Caithness, Sutherland and Ross) (SNP)

Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 45, Against 62, Abstentions 0.

Amendment 6 disagreed to.

Section 7—Early ending of membership

Amendment 7 not moved.

Section 14—Annual and other reports

The Deputy Presiding Officer: We move to group 4, on annual and other reports. Amendment 8, in the name of Dr Richard Simpson, is grouped with amendment 9.

14:45

Dr Simpson: We had a debate on this area of concern at stage 2, about online publishing of reports. The view of the minister was that the time was not right to exclusively publish all reports online because that would exclude some people who did not have access to digital applications. Although I dispute that, in so far as those members of the public who do not have personal access to the internet do have access through their public libraries, I accept that my original amendment was probably ahead of its time.

I hope that the minister may be more willing to accept this revised set of amendments. Amendment 8 requires the costs of printing reports to be published as an incentive to FSS to reduce its costs over time. Amendment 9 requires that reports laid before Parliament should only be online reports, as MSPs should all be reasonably digital-savvy by now. Of course, those online reports can also be in formats that are suitable for those with a visual disability or other disabilities.

I hope that the minister will accept these revised amendments as representing a more timely approach to the matter of trying to reduce the amount of paper that floats around the system, costs a fortune and destroys trees.

I move amendment 8.

Maureen Watt: If the intention of amendment 8 is to help keep a handle on the costs that are associated with printing reports and the environmental impact of printing them, I am happy to offer my assurance that that is something that ministers are always keen to encourage. However, the specific amendment is unclear and unnecessary. It is not clear whether the option for FSS to lay a statement of costs would concern the costs that were associated with printing copies of reports to be laid in Parliament or the costs of all copies that were printed. That is confusing.

I believe that amendment 8 is also unnecessary. It is not something that any other public body is being asked to do. The statutory duties of best value require public bodies to demonstrate and be audited on how they operate efficiently and economically. In any case, for the avoidance of any doubt over our commitments, I will be happy to emphasise the need to consider printing costs and impacts in the FSS statement of performance of functions.

Amendment 9 is also unnecessary. Ministers have already pointed out at stage 2, when a very similar amendment was lodged, that how documents are laid in Parliament is already well regulated. The amendment is also vague, in that it is not clear whether “normally” would mean that FSS would have to have good reason in a given case to lodge a physical document or that it could choose in any case to lodge a physical document, provided that it followed a general practice of lodging documents electronically. I therefore ask Parliament not to accept amendments 8 or 9.

Dr Simpson: I thank the minister for her response. I accept, from what she is saying, that the Government will seek to reduce the number of paper reports that come in as far as possible, and I hope that the Parliament may look at the regulations regarding the submission of reports.

The one thing that I do not accept in what the minister is saying is in relation to whether all

reports or some reports need to be submitted electronically. The amendment left it to FSS to make a decision on that. There may be occasions on which a paper report is appropriate, and the wording of the amendment was designed to give FSS some wriggle room.

With the permission of the Parliament, I will not press the amendments.

Amendment 8, by agreement, withdrawn.

Amendment 9 not moved.

Section 32—Food information

The Deputy Presiding Officer: We move to group 5, on minor and technical amendments. Amendment 1, in the name of the minister, is grouped with amendments 2 and 3.

Maureen Watt: The amendments in the group are minor ones that either update the draft bill or provide more clarity. They will improve the clarity and consistency of the bill's provisions.

Amendment 1 corrects a minor oversight in the bill, as introduced. The word "subsection" is required for consistency with neighbouring subsections and to give full effect to section 32.

Amendment 2 provides clarity on the circumstances in which regulations that are made in connection with administrative sanctions can allow for discharging criminal liability where someone has been served with both a fixed-penalty notice and a compliance notice. The section, which was added at stage 2, was intended to cover that situation. However, last Wednesday, the Delegated Powers and Law Reform Committee published its report on the bill, as amended at stage 2, and its report recommended that we make the further change that the amendment makes.

Amendment 3 updates the list of acts that would be modified by the enactment of the bill. It is now clear that the Agricultural Statistics Act 1979 does not extend to Scotland and so requires no modification. The amendment removes it from the schedule accordingly.

I move amendment 1.

Nigel Don (Angus North and Mearns) (SNP): I rise as the convener of the aforementioned Delegated Powers and Law Reform Committee.

I thank the Government for taking seriously what we said. There was an entirely unintended consequence of some drafting, and I am grateful that the Government has tidied it up.

Amendment 1 agreed to.

After section 33

Amendment 10 not moved.

Section 48—Power to make supplementary etc. provision

Amendment 2 moved—[Maureen Watt]—and agreed to.

Schedule

Amendment 3 moved—[Maureen Watt]—and agreed to.

The Deputy Presiding Officer: That ends consideration of amendments.

Food (Scotland) Bill

The Deputy Presiding Officer (Elaine Smith):

The next item of business is a debate on motion S4M-11826, in the name of Maureen Watt, on the Food (Scotland) Bill.

14:52

The Minister for Public Health (Maureen Watt): I am pleased to open the stage 3 debate on the Food (Scotland) Bill. [*Interruption.*]

The Deputy Presiding Officer: Order, please. There is far too much noise. We cannot hear the minister.

Maureen Watt: I thank the Health and Sport Committee for its consideration of the bill and for its careful handling of the bill at stage 2, as well as the Delegated Powers and Law Reform Committee for its very detailed scrutiny. I also thank the bill team and my colleague Michael Matheson for doing the bulk of the work surrounding the bill.

The Scottish Government is committed to ensuring that people in Scotland live longer, healthier lives. Ensuring that we eat a good, nutritious diet of safe food is vital to achieving that ambition. Food-borne diseases, for example, cost Scotland £140 million a year. More significantly, of the 130,000 consumers who contract food-borne diseases each year, around 2,000 will be hospitalised and around 50 will, sadly, die. Similarly, poor eating habits are one of the most significant causes of ill health in Scotland and are a major factor in obesity.

The Food (Scotland) Bill gives Scotland some of the levers that we can use to tackle those issues. First, the bill will create food standards Scotland to be Scotland's independent food safety and standards body. We have already announced the appointment of Ross Finnie as the chair designate. I met Mr Finnie last week and will shortly announce the names of the other members.

FSS will comprise eight members, including the chair, as allowed for in the bill. I have noted concerns, which were expressed earlier, about the minimum number of members allowed for in the bill. I hope that appointing a full complement of members now demonstrates the Government's intention to maintain a broad membership for food standards Scotland. As FSS will be a non-ministerial body, operating free from the influence of ministers, the board and chief executive will need sufficient space to prepare and develop their strategic thinking and build key relationships with partners.

We have also announced the appointment of the acting Food Standards Agency director Geoff Ogle as chief executive designate. I met him on Friday and he is keen to make progress. He is assembling his executive team and working with staff in Aberdeen to be ready for FSS to take on its full range of functions on 1 April 2015.

Food standards Scotland's clear objectives as set out in the bill will be to

"protect the public from risks to health which may arise in connection with the consumption of food ... improve the extent to which members of the public have diets which are conducive to good health"

and

"protect the other interests of consumers in relation to food."

To achieve those objectives, the bill sets out clear functions: to develop, and help others develop, policies on food and animal feeding stuffs; to advise the Scottish Government, other authorities and the public on food and animal feeding stuffs; to keep the public and users of animal feeding stuffs advised to help them to make informed decisions about food and feedstuffs; and to monitor the performance of enforcement authorities in enforcing food legislation.

The bill sets out specific duties and associated powers for the new body on acquiring and reviewing information through carrying out observations and inspections, monitoring developments and carrying out, commissioning or co-ordinating research.

New food law provisions are the second lever that we are introducing through the bill to tackle food issues in Scotland. They are designed to protect and improve public health and other interests of consumers by driving up hygiene standards and reducing the incidence of food-borne disease; providing safeguards against food standards incidents such as the horsemeat food fraud; and strengthening and simplifying the penalties regime for breaches of food law.

The bill provides powers to seize and detain food that does not comply with food information law. Those powers will more closely align food information powers with existing food safety powers. Currently, if food is unsafe, it can be seized or detained and the courts must order its destruction. However, there are no such powers for food that is safe but which does not comply with food information requirements.

In light of the horsemeat food fraud incidents, we have introduced the power to seize or detain food that does not meet food information requirements—in respect of labelling, for example—which will help to eliminate food fraud.

Without such a power being available, a food business might still be able to pass on food that does not comply with food information law.

The bill also provides for the creation of a statutory offence of failure to report breaches of food information law. That will more closely align food standards requirements with the existing duty to report breaches of food safety legislation. Under the suggested arrangements, it would become an offence to fail to notify food standards Scotland if any person suspected that food did not comply with food information law.

The bill provides the Scottish ministers with powers to introduce a statutory scheme that, among other things, will require food businesses to display inspection outcomes. That is intended to drive up food hygiene standards and reduce the incidence of food-borne disease.

The bill will streamline Scotland's food law enforcement regime by offering a range of new administrative sanctions so that offences will be dealt with more quickly and at less cost. That sanctions regime, which will comprise compliance notices and fixed penalties, will give enforcement officers more flexibility to deal appropriately with food offences. The use of administrative penalty options will reduce the burden on the courts and the costs to local authorities of prosecuting through the court system.

I will offer reassurances on some commitments that my predecessor gave at stage 2 to consider issues that were raised in amendments that the committee did not accept. I can confirm that, as with all public bodies, ministers will expect that as much as possible of the business of food standards Scotland in terms of board meetings and committee meetings will be conducted in public.

As a non-ministerial office, food standards Scotland will be operationally autonomous. However, to achieve transparency, section 5 of the bill requires food standards Scotland to set out, in a statement, how it will perform its functions. I will be responsible for signing off that statement and will have power to modify the statement if I consider that to be appropriate.

The statutory statement will have to include specific operational matters ranging from how consumer interests will be safeguarded to how reports are published and what business matters the board would not consider in public, and why. That statement of performance of functions will be an important mechanism, helping food standards Scotland to build public trust.

At stage 2, my predecessor also committed to exploring the practicability of introducing a scheme to encourage food business operators to report the outcomes of their testing and sampling. The

Government has explored that further, and I can confirm that we will take the idea forward. Ministers already have legislative power to make regulations in that regard, so no amendment is required to the bill.

We must, first, concentrate on bedding in food standards Scotland with its current objectives and functions. However, during 2015, ministers will be expecting a public consultation on regulations to introduce a testing disclosure scheme. The details will be developed for consultation next year.

The bill will ensure that food safety is given the prominence that it deserves in Scotland by creating food standards Scotland and equipping it with the necessary functions and powers to make expedient decisions that are focused on issues that specifically affect Scotland, and to take action to improve the diet of the people of Scotland.

I move,

That the Parliament agrees that the Food (Scotland) Bill be passed.

15:02

Dr Richard Simpson (Mid Scotland and Fife)
(Lab): We have had a Food Standards Agency since 1999, but as part of a United Kingdom agency. The agency has been a success and has acted on its own initiative, for example, as I said at stage 3, on standards for school meals. More recently, it has produced independent research on food fraud, on which it led the rest of the UK.

However, with the UK Tory-Liberal Democrat coalition breaking up the UK agency, consideration of the future of FSA Scotland was necessary. Professor Scudamore's report in March 2012 strongly recommended Scotland having an independent agency. That is a classic example of powers with a purpose, and Labour has backed the general principles of the bill from the outset.

In what has become a standard Scottish approach that seeks to ensure that experts and the public are fully engaged in any new bill, we have had two consultations, and there have been two further reports following the horsemeat scandal, with Scudamore reporting again, on food and feed safety, and Ray Jones reporting on traceability, labelling, assurance schemes and provenance issues associated with primary red meat production and processing.

We have come a long way since the Swann report on antibiotics in veterinary use, which was published in the late 1960s. However, the issue of chemicals in meat production is a matter of concern. If the transatlantic trade and investment partnership is approved, we must ensure that US

meat that is produced using growth hormones is controlled.

Most of the evidence that the committee received supported a new independent agency, but some people argued that the preservation of the status quo would ensure consistency of approach, communication and advice across the UK, maintain good links to the European Union and avoid duplication of effort. The committee rightly rejected that view. I believe that it is vital to Scotland's food production that we have an agency that is seen to be independent and which can ensure that Scotland's reputation for quality is fully protected. For example, our farmed salmon is the only salmon with the Label Rouge, making it a premium product.

As the minister said, the new agency's powers are to be enhanced. My amendments sought to reinforce the agency's powers on diet and nutrition, working in partnership with the Government and Health Protection Scotland, which will be important in tackling what I believe will emerge as the biggest challenge in public health.

Currently, tobacco is the main legacy issue that we are tackling. Of course, alcohol is important and progress is being made through price control and availability restriction. I hope that, with support for many of the 10 elements in my proposed member's bill, we will continue to make progress on alcohol. However, obesity, which currently affects 27.8 per cent of adults, threatens to reverse the gains in life expectancy over the past 20 years. When I started in medicine, the level of type 2 diabetes was at 1 per cent of the population, but it is now at 6 per cent across the UK, with more than 250,000 people in Scotland affected.

The new agency will have to meet head-on the issues of food content, such as saturated fat, trans fat, salt, sugar and food density or calories. That will mean challenging the current buy-one-get-one-free approach of retailers as well as the approach of the food industry. To that end, I supported many of the amendments that Which?, one of the premier consumer bodies, suggested at stage 2. It is imperative that, in the appointments to the board, there should be a powerful consumer interest as well as an employee director, as Unison has suggested. There should also be gender balance.

Labour will seek to act if the agency fails to demonstrate sufficient power in the area of nutrition. The Health and Sport Committee noted the suggestions that it received that one role of the agency should be to help grow food and drink industries in Scotland. However, if it is to do so, it will need to ensure that its role as a regulator remains paramount. We must never forget that the

feeding of brain and spinal cord to cattle as a money-saving device resulted in BSE, which, by the way, we have not seen the end of. As I mentioned, I have concerns about the use of antibiotics and growth hormone.

We are only now beginning to emerge from an era of excessive additives. Agents for anti-caking, anti-foaming, bulking, food colouring and colour retention as well as emulsifiers, humectants to prevent drying out, preservatives, stabilizers, sweeteners and thickeners—all named in Europe as E numbers—are widespread and pervasive. One example of the challenge of additives is whether certain colourants and sodium benzoate contribute to increases in attention deficit hyperactivity disorder in children.

There has been significant controversy associated with the risks and benefits of food additives. Some artificial additives have been linked with cancer, digestive problems, neurological conditions, ADHD—as I mentioned—heart disease and obesity. However, the evidence is often still equivocal. Natural additives may be similarly harmful or may be the cause of allergic reactions in certain individuals. One example is the azo dye sunset yellow, which is already banned in many Nordic countries. The UK has the highest consumption by children of soft drinks containing such dyes in the European Union, and Scotland has the highest in the UK. Therefore, clarity on safety is needed if at all possible.

Of course, that is mainly a matter for the European Food Safety Authority, which rightly sets many of the regulations for us. Its expert scientific panel that deals with food additives, the panel on food additives and nutrient sources added to food—the ANS panel—has started the process of reassessing all permitted food colours, of which there are 45 in total, including six additives that, in 2009, the UK FSA called for food manufacturers to voluntarily stop using. The banning of those colourings could result in significant challenges to our producers, including AG Barr, which produces Irn-Bru. However, AG Barr already exports a Ponceau-free Irn-Bru to Canada, which has banned the UK recipe. Therefore, it is not impossible for food producers to change production without having to wait for the final results of tests.

The new agency will need to commission research, but in doing so it will need a memorandum of understanding with the remnant FSA and it will need to work closely with the European FSA, if not have a memorandum of understanding with it. My view is that the agency must lead us in a transition to a simpler approach to food and a world in which a slightly misshapen carrot or apple is regarded as equally acceptable as the pre-packaged tracer gas-filled products in

supermarkets today, the packaging of which is neither biodegradable nor recyclable. We also need a world in which additives are minimised. The agency must rigorously apply the precautionary principle.

There are many other issues that I do not have time to go into. The hygiene aspect of the bill is critical, as we still have one of the highest rates of E coli 107. That is a challenge, as will be emerging bacteria or strains. My colleague Rhoda Grant will deal with the matter of local authority trading standards and Claire Baker will mention meat inspection, which we dealt with in the stage 1 debate and which is a critical part of the bill.

I could go on for some time, but my time is up. I commend the bill to the Parliament.

15:10

Nanette Milne (North East Scotland) (Con): The Food (Scotland) Bill was welcomed by most of the people who responded to the Health and Sport Committee's call for evidence, and the relatively few amendments to it at stages 2 and 3 indicate the general approval of its measures. I said at stage 1:

"In this day and age, when so many of us rely increasingly on processed food and ready-prepared meals, it is crucial that we can trust the safety and nutrition value of the food that we eat."—[*Official Report*, 2 October 2014; c 47.]

It is also vital that we begin to tackle the very serious problem of obesity in Scotland.

Given the changed remit of the Food Standards Agency south of the border and following the horsemeat scandal, it is generally accepted that the time is right for Scotland to set up a new stand-alone body, with wider powers than the FSA that it replaces. FSS will bring together the FSA's existing public health protection role and a new objective on diet and nutrition, and it will also have powers in relation to labelled food and non-compliance with food law.

To be effective in tackling the complexities of diet and nutrition in Scotland, FSS will have to develop a strong leadership and co-ordinating role, which can be developed only through negotiation after the new body is in place. It must be adequately resourced and work closely with the Scottish Government's scientific advisers.

At stage 1, the importance of the existing links between the advisory committees and the UK Food Standards Agency was highlighted. Those committees will be able to pull together the significant on-going work in the UK and across Europe, and give advice through the FSA to FSS as an independent body. That makes the memorandum of understanding between the FSA and FSS crucial to the success of the new body. It

must set out how the two will work together, where appropriate, and enable them to exchange data and research findings in all areas of mutual interest. I confess that I do not know whether the MOU has yet been published, although I know that it was being drafted. I would appreciate an update from the minister on its development.

Maureen Watt: The memorandum of understanding with the UK FSA and the European FSA is being prepared. It will be one of the first things that the new board will sign off.

Nanette Milne: I look forward to hearing about that in due course.

I would also welcome a progress report on the Scottish Government's monitoring of the food hygiene information schemes in Northern Ireland and Wales, and an indication of when such a scheme might be set up in Scotland.

Some concerns were expressed at stage 1, following which the consumer organisation Which? has welcomed the plans agreed at stage 2 to enhance enforcement powers through FSS working proactively with local authorities to drive up standards. Which? also welcomes the decision to allow the new agency to have improved access to food testing from retailers and manufacturers, which will allow action to be taken swiftly when and where food adulteration is detected, to protect consumers and other businesses that rely on the same supply chain. It is concerning that, just a few months ago, Which?, in its mystery shopping activity, found evidence of food adulteration and misrepresentation in a number of takeaways and fish and chip shops across the UK. It goes without saying that constant vigilance is required in relation to the contamination of chickens with the campylobacter organism, which Professor Hugh Pennington described in evidence as the commonest cause of food poisoning today.

A number of witnesses commented on the board size, which, at three plus the chairman, they believed to be too small. I am disappointed that Richard Simpson's amendment to increase the minimum number to four was defeated. I hope that the Government's faith that the board will always operate with enough expertise and will be consumer focused in all its work is justified, and I hope that the Government will monitor that, to be assured that the fears are unwarranted. I am pleased that the first board will have seven members plus the chairman, if I heard the minister correctly.

One important, as yet unresolved concern for the retail sector is the absence of robust appeals mechanisms for both fixed-penalty notices and compliance notices. The sector very much regrets that the Government would not agree to set out details of the appeals process or to provide

safeguards for retailers in the bill, and it would like assurances from the Government that it will work with retailers on any secondary legislation to ensure robust appeal systems for FPNs and compliance notices. Both the Scottish Retail Consortium and the Scotch Whisky Association have offered to comment on, or assist with, the drafting of regulations and guidance that will accompany the bill, and I hope that that offer will be taken up.

I will not go into detail on why retailers believe that the burden of proof for FPNs must be set beyond reasonable doubt and that a robust appeal system is important to ensure that decisions are based on the same level of evidence that is required for a criminal, rather than civil penalty, because I know that officials have been in talks with the retail sector about that as the bill has progressed through Parliament. Likewise for compliance notices, the lack of a strong appeal process could have very serious implications for the livelihoods of smaller producers.

I ask the minister to assure us that those concerns will be considered when any secondary legislation is under discussion and that the Government will explicitly consult organisations such as the SRC and the SWA, which have consistently stressed the importance of a clear and robust appeals process being available.

If those residual concerns are addressed, taking into account the pledges that the minister has made today, I think that the Food (Scotland) Bill can be a very effective piece of legislation in meeting the interests of food health protection and nutritional support in Scotland. I look forward to its implementation, assuming that it is approved at decision time today, and to hearing about the activities as food standards Scotland develops in the months and years ahead.

The Deputy Presiding Officer: We come to the open debate. Speeches should be of four minutes please. I call Christian Allard, to be followed by Claire Baker.

15:15

Christian Allard (North East Scotland) (SNP): I am delighted to speak today at the last stage of the very welcome Food (Scotland) Bill.

I first put on record my sincere congratulations to our new Minister for Public Health, the member for Aberdeen South and North Kincardine, Maureen Watt. In the stage 1 debate, I spoke a lot about the north-east and, of course, I recognise that the minister has promoted the north-east of Scotland as the country's natural larder many times before me. The minister's experience of the food industry and how to support food producers

in the north-east and across Scotland will be a great help in her new role.

I believe that the bill will help Scotland become a healthy nation and a good food nation.

I would like to take this opportunity to congratulate the minister's predecessor, Mr Matheson, on his announcement of the two senior appointments to lead food standards Scotland: Ross Finnie and Geoff Ogle will bring their own experiences in the food industry. I recently met Geoff Ogle in his office in Aberdeen and I am delighted with the two appointments. My meeting with Mr Ogle, then acting director Scotland at the Food Standards Agency, was to get reassurance that food producers will get a fair deal from any changes that this bill will bring.

The Health and Sport Committee visited one of those producers, a seafood producer based in Aberdeen, in the same street as Maureen Watt's office in Torry. I know that the minister will be familiar with Joseph Robertson, the family seafood company, founded in 1892, which produces the very best quality sea-to-plate produce. Michael Robertson, the managing director, shared with the committee his concerns about the possible increasing costs for food producers that are associated with this bill. I trust the new agency headed by Geoff Ogle to reassure the industry on that point.

Scotland does not operate in a vacuum at home or abroad. Our Scottish producers have to be able to compete. That is why I believe that new labelling and regulations in Scotland must be accepted in the rest of the UK and in the EU if they are to be enforced.

Richard Simpson talked about a simpler approach to food. There is a need for clarity and transparency. I want to clarify a point that I made in October when debating this bill. The committee reported a discussion with Michael Robertson, managing director of Joseph Robertson, about inspection, in which the important point was made that local authority inspections were not as high quality as retailers' own inspections. That is why I ask food standards Scotland to show leadership on the issue.

John Sleith, the chairman of the Society of Chief Officers of Environmental Health in Scotland, wrote to me and shared his members' concern that I agreed with Michael Robertson. Let me reassure Mr Sleith that I do not consider major retailers to be above environmental health inspectors, but Mr Robertson has a point—the new agency must provide the benchmark for everyone dealing with food safety.

Food producers, particularly small and medium-sized food producers, cannot afford to spend the amount of money that they spend today on

responding to the constant demands of major retailers. To protect the consumer, it is imperative that inspections are of the same quality across Scotland and, to protect the food producers, it is imperative that they are accepted by all major retailers.

I agree with the minister rejecting amendments that would have increased the pressure on health inspectors and the local authorities that fund them.

I believe that the new agency will have a prime role to play. My plea to all members is to support our food industry and to remind Scottish consumers to buy locally and to eat the very best of healthy Scottish food.

15:19

Claire Baker (Mid Scotland and Fife) (Lab): I am pleased to make a contribution to the debate.

The Parliament recently held a food and drink debate. There is a growing recognition that the public health agenda and the food and drink sector need to be more closely aligned. The “Becoming a Good Food Nation” consultation indicates a different Scottish Government focus. It attempts to tie together the debates on growing food as a strong sector of our economy and how we address our domestic food challenges with regard to income and knowledge. That is to be welcomed.

It can be challenging to work successfully across Government, and the new food standards Scotland organisation, which will have responsibilities in public health as well as regulation of the food sector, is an example of the need for closer working and to produce food policies across Government portfolios that relate meaningfully to each other.

What are the challenges facing the new body? This afternoon will confirm the creation of the new organisation. Along with the chair, a board will soon be appointed, notwithstanding the debate about the board’s make-up. The organisation’s policy direction and focus will then be created. Therefore, the debate now moves on to what the new body will achieve.

The Parliament has led public debate on tobacco and alcohol and we need to turn our attention to food. By 2030, we will be spending £3 billion on tackling obesity if we continue the way that we are going. At a time when our overseas food export market has the potential to expand, with the development of new emerging markets, we will be fighting battles about food at home.

Alongside obesity, there are health issues associated with poor diet and food poverty. There needs to be realignment of our diets, and the new body has a role to play here. How do we have that debate? In the “Becoming a Good Food Nation”

consultation, the Government proposes a food commission.

Debate around food in Scotland can be difficult, and Richard Simpson has the tabloid scars to prove it whenever he talks about a soda tax. A commission could provide the space for a reasonable, evidence-based assessment and proposals. I ask the minister to say how it would relate to the new food standards body. Also, if the new body is to have a greater public health role, how will it co-ordinate the work with the national health service to prevent duplication?

At the cross-party group on food and drink a few weeks ago, someone said that we should have not a good food nation but a good diet nation. In our parliamentary debate a few weeks ago, members took us on culinary tours of their constituencies. The focus was very much on pastries, pies and tablet. Does it matter if we consume such products as long as they are part of a balanced diet?

Christian Allard: Will the member give way?

Claire Baker: I am very tight for time.

Are people clear about what a balanced diet means? A focus on fad diets, even by the First Minister, does not change long-term habits and build good health.

The new body has a role to play in providing trusted information and the Government needs to support it in getting out that message. No coffee or kitchen-table book will be produced by the new body that competes with those that promise the latest starlet figure if people drink maple syrup—or whatever the latest fad is—but the Government and all partner agencies have a responsibility to promote clear messages and to do all that they can to support that by working with producers and suppliers.

We need to look at child obesity in particular. The reasons for such obesity are complex, but there is a lack of information for parents on portion size, calories and activity levels. Advice needs to be tailored and different from that provided to adults.

In the stage 1 debate, I focused on the organisation’s regulatory role and its responsibility for meat inspection. I say again that that must be robust and resourced. We have seen cuts in staff and inspection numbers; we have also seen such cuts at local authority level among environmental health officers. The new organisation will be challenged in reconciling capacity and demand to ensure food safety.

The reputation of Scotland’s food and drink sector is strong and the new organisation has an important role to play in keeping it that way.

15:24

Colin Keir (Edinburgh Western) (SNP): I thank my fellow Health and Sport Committee members for making this such an enjoyable and interesting piece of legislation to work on.

After what I might describe as the demise of the FSA in England and its reduction to a shell of its former self, this Parliament has the opportunity to put in place an organisation and regime in which the public and people at all levels of the food industry can have trust, which is incredibly important given the problems that we have had in past years. The recommendations in the Scudamore report have been accepted, and a single body, with clear responsibility for all aspects of food safety and standards, can be developed.

One of the most fascinating aspects of the committee's work has been learning about the body's ability to take on many of the problems that we face in this country. We know that people have had poor diets for a number of years. Dr Simpson made a number of good and valid points about matters that food standards Scotland will have to consider.

I welcome the minister's announcement on the size of the FSS board, which is good news. The board will be the right size and will be led by the right person. I look forward to seeing the FSS develop to become the force in the industry that we really need. Trust is everything. Our food and drinks industry is vital to our country's economy and we cannot see it go downhill because of a lack of legislation, food fraud and, frankly, dangerous behaviour in relation to infectious disease and the like.

Aside from all that, probably the most informative visit that the committee made was our visit to Aberdeen. As members said, we met the management at Joseph Robertson, who gave us an insight into the business aspects of the industry. The management team had serious concerns about labelling, our ability to maintain research funding and the like—at that point, prior to the referendum, some political points were being made about that—and how the bill would impact on transport, food identification and so on, which is where problems have arisen.

We considered the horsemeat scandal and food fraud, which must be fought. The FSS cannot deal with such issues just in this country; we must be international in outlook. As we were told, bugs do not operate within borders—or something along those lines. An international approach is critical if our food industry is to maintain its position at the top of the tree for people who regard it from outside.

We are a bit short of time, so I will just say that I am delighted that the bill will help local authority

enforcement officers, who have had a tough job. Some of the fines that were handed out in the past did not come close to the profits that were being made. Anything that helps local authority enforcement officers is to be welcomed.

15:28

Jackson Carlaw (West Scotland) (Con): I was at my local bakery a couple of weeks ago; Mrs Carlaw and I are quite partial to its potato scones. Other, inferior, potato scones are no doubt available elsewhere. I was there during the local school's lunch hour, which was quite an eye-opener. One pupil ordered a mutton pie and haggis in a roll. That was a combination that I had not hitherto heard of. The pupil ordered sauce—tomato and brown—and demolished the whole thing in short order. That made me think about the underlying obesity issue. One does not want to be po-faced about the occasional treat; I have had a mutton pie from time to time, and I like haggis, although I have never had the two combined in a roll, with two types of sauce.

It is easy for us to be intellectual and high-falutin' about the responsibilities of food standards Scotland in relation to better diet. As we as a Parliament have found in grappling with many other cultural issues, such habits are deep-seated. It is quite a tall order—but nonetheless necessary, over time—that we address significantly within the broader health portfolio what we now understand to be an emerging crisis for the health service. When the Parliament was founded, we would not have included that issue on the agenda for future legislation.

Maureen Watt: Would Jackson Carlaw like to give way?

Jackson Carlaw: I will—as long as it is not about an alternative brand of potato scone.

Maureen Watt: Absolutely not. I am sure that Jackson Carlaw would like to take the opportunity to disassociate himself from the comments of his Westminster colleague who said that the poor cannot cook nowadays.

Jackson Carlaw: Naturally, I would: the Mary Berry skills of the average Scot are exemplary.

I must say that the announcement of Ross Finnie's appointment had passed me by—I missed it. Some of us on the Conservative seats in the chamber had thought that the Deputy Prime Minister might have seen fit to ennoble Mr Finnie, but instead he saw in colleagues from past sessions of this Parliament talents that some of us had not fully appreciated.

Thankfully, Mr Finnie has now found favour with the Scottish Government, which has given him a useful occupation. I thought that he might have

joined us in the gallery today, but obviously the meter is not running yet. Nonetheless, I wish him every success in exercising his responsibilities. He is a serious player and he will, given his experience, be a first-class appointment. Those basal tones that have been lost to us here, which used to revive debates at that late hour in the afternoon as they boomed forth, will no doubt be well founded in his new role.

I hope that I do not sound too irreverent, because the bill is an important piece of legislation. As Nanette Milne said, the very fact that there were so few amendments underpins the broad cross-party consensus that exists.

In my years in the motor trade, we used to carry out customer satisfaction surveys. It was interesting, because people in the west of Scotland were never 100 per cent satisfied with anything, but we had to phone them up and tell them that they were, because sums of money depended on whether people were completely satisfied. I have always been very suspicious of those surveys ever since.

I bring that experience to bear on the issue of the subjectivity that will underpin fixed-penalty notices. It is very important that, in the forthcoming secondary legislation, there will be a common standard and understanding with regard to how fixed-penalty notices will be applied and the criteria that will underpin them. I hope, on a serious note, that the minister will ensure that that is the case, because many small businesses could find themselves being adversely affected if variable and subjective criteria are applied.

Nonetheless, I very much welcome the bill. I know that the minister will be grateful that it has not been the most difficult bill that she has inherited and has had to take through Parliament, and we look forward to supporting it in a few minutes' time.

The Deputy Presiding Officer: I note that Nanette Milne is missing from the chamber. I respectfully remind members that if they participate in a debate, they should be here for the closing speeches.

15:33

Rhoda Grant (Highlands and Islands) (Lab): I thank committee members, and the committee clerks and support staff, for their help in working through the bill in the Health and Sport Committee. I also thank Joseph Robertson, the Food Standards Agency in Aberdeen and the other organisations that hosted the committee's visit. It certainly made our job easier to see how the bill will impact in practice. The bill could have been very dry and difficult to deal with, but when we saw how companies had to put food standards and

labelling into practice, that made it a lot easier for us to scrutinise the legislation.

I congratulate Ross Finnie on his appointment as chair of food standards Scotland; it is very welcome, and every member in the chamber has been happy to congratulate him on it, and wish him all the best in his new role.

We are supportive of the bill and recognise the need for it following the breaking up of the Food Standards Agency at UK level. We hope that it will provide a really robust regulatory regime that protects consumers, because consumers needs and protection must be at the heart of everything that food standards Scotland does. Those high standards not only protect consumers but help to promote our produce and protect our producers, as they give them the reputation—which other members have mentioned in the debate—that allows them to sell their products not only in Scotland but throughout the UK, in Europe and beyond.

I ask the minister to bring forward a procedure for appeal against the fixed-penalty notice, which a number of members including Nanette Milne and Jackson Carlaw mentioned. It is important that justice is seen to be done and is seen to be fair. Many people are keen on the fixed-penalty notice because it cuts through bureaucracy, time and cost, but it also needs to be fairly administered to ensure that any errors can be picked up and that people have a right to appeal against any judgment that is made.

I turn—as Richard Simpson said I would—to trading standards officers. An awful lot of the regulation will come from food standards Scotland, but we must ensure that it works and that the inspection and examination are done by local government, through trading standards officers, meat inspectors, food hygiene inspectors and environmental health officers. All those professionals have vital roles to play in protecting consumers and making sure that the work of food standards Scotland is carried out properly and is regulated at ground level. However, local government is facing cuts, and the worry is that the regime that food standards Scotland implements will not be properly policed at council level. We are looking for some reassurance that that will happen in order to protect consumers and producers alike.

Maureen Watt: I reassure Rhoda Grant that one of the functions of food standards Scotland will be to provide training to gear up people in local authorities so that they can do their job better.

Rhoda Grant: I am grateful for that reassurance.

I will turn quickly to the public health role of FSS, which was touched on by Claire Baker. It is

important that it will have that role, although we will have to see how it is developed. We are keen to see how it will interact with other public health roles in the national health service and so on. It is important that we look at public health. Richard Simpson talked about the increase in type 2 diabetes, which is enormous and needs to be tackled, and Claire Baker asked whether we should be a good diet nation rather than a good food nation.

I admit that I was one of those who took the culinary tour of the Highlands and Islands during the food debate a couple of weeks ago, and Jackson Carlaw continued that today with his promotion of tattie scones from his local baker. However, while we promote what is good—there is the old adage that a little of what you fancy does you good—we need to look at how we tackle obesity, especially childhood obesity, as well as people's knowledge of nutrition. We get a lot of nutrition information on packaging, but it is not always understood that a child's nutritional needs are quite different from an adult's nutritional needs. We need to do more to promote that distinction on food labelling. Indeed, some of the food that is designed for children is loaded with sugar, which is not very good for them.

We need to think about how food is promoted and packaged; labelling plays an important role in that. Part of food standards Scotland's remit will be to ensure that food is labelled properly and gives the right advice. It must be consistent with labelling in the rest of the United Kingdom and in line with EU legislation as well as legislation for other markets, because we want our produce to be sold further afield, but it is important that food labelling advises people what they should eat—in addressing imported foods from other parts of the world, Richard Simpson talked about antibiotics, additives and the like. We need to ensure that food labelling does all that, as well as promoting our food.

Food standards Scotland will help us to continue to build on the excellence that we have in the Scottish food industry. I hope that, at its heart, it will protect consumers but will also promote excellence within our industry.

15:39

Maureen Watt: I thank members for their contributions. I welcome the breadth of support that the bill has received through all its parliamentary stages and the constructive nature of what members have said in the debate.

I share Richard Simpson's concerns about TTIP, which I discussed with officials before I came to the chamber. The European Commission has repeatedly stated that consumer health and

safety and environmental standards will not be lowered and that there is, for example, no prospect that genetically modified crops or hormone-treated beef will be allowed into the EU. We will keep watching that space to make sure that that does not happen.

On having an employee director on its board, ministers will ensure that employee representation arrangements will be included in the statement of performance of functions that food standards Scotland will be required to produce.

I completely agree with Richard Simpson about the provenance of food and use of additives, which is why we need to encourage use, as far as possible, of good wholesome food from local sources.

I say to Nanette Milne that ministers will ask FSS for detailed advice on the introduction of the food hygiene information scheme through regulations, which will probably take place in late 2015.

On appeals against administrative sanctions, I remind members that it is a legal requirement that all food law is fully consulted on. I give an assurance that the appeal mechanism for compliance notices will be consulted on, but I know from having spoken to the industry that no appeal mechanism is possible in relation to fixed penalties.

The bill offers us a chance to make a real difference on food safety and healthy diet, which are areas of significant concern to the public. Setting out in the bill a nutrition and diet objective for FSS will give the body a more transparent and strategic role in this area. Having a clearer remit will give FSS the impetus to lead partnerships with other public bodies to tackle specific food and diet issues. That clear remit will help to clear up confusion about roles and responsibilities among partners.

I remind members that, with the bill, we are not simply rebranding the Food Standards Agency in Scotland. As well as giving FSS a clearer and wider remit on diet and nutrition, we are safeguarding the link between food safety, nutrition and labelling here in Scotland. Food standards Scotland will take on all the functions that are currently exercised in Scotland by the Scottish division of the UK-wide Food Standards Agency. The remit of the Scottish division has been wider than that of the FSA south of the border for some years. In 2010, the UK Government removed responsibility for labelling and for nutrition policy from the English arm of the FSA. In Scotland, we maintained the link between those aspects and food safety. The UK Government's decision was subsequently seen to have been a factor that hindered its response to

the horsemeat scandal in 2013. The horsemeat scandal demonstrated the importance of having a single body that has clear responsibility for all aspects of food safety and standards.

It is important to note that the bill also requires FSS to operate in a way that is proportionate, transparent and accountable, and to carry out good decision making, which includes consulting people and making its decisions publicly available. That will help to build a new relationship with consumers, and is one example of how FSS will operate differently from how the FSA currently operates.

Another key new feature of the arrangements that we are making in Scotland involves making Scottish research more joined up. The FSS will play a more involved role in co-ordinating all grant-funded research into food and diet that is carried out by Scottish research bodies such as the Rowett institute of nutrition and health, and the James Hutton Institute.

Claire Baker is not in the chamber at the moment, but she asked about co-ordination of effort. It is proposed that there will be better co-ordination between the NHS and food standards Scotland. Through its creation, we can have better co-ordination between the FSS, the NHS and the Scottish Government.

I also agree with Claire Baker that we have, as a nation, lost our way on food portions. In our house, we were recently replacing chipped dinner plates, and I made sure that they were replaced with smaller ones. We will wait to see whether it makes a difference.

Linking grant-funded research to its research will provide FSS with a much wider knowledge base and a greater ability to co-ordinate efforts and focus. We will not lose the links with the rest of the UK and Europe. The UK Government and the FSA have given written assurance regarding access to scientific advice and representation in Europe for FSS.

Knowledge sharing goes two ways, of course. There are areas of expertise in Scotland—for example, on shellfish and E coli—which our colleagues in the rest of the UK will still wish to tap into.

I will now reflect on some of the issues that we have considered in the debate today. First, I will recap on the importance of section 5 and the statement on performance of functions. As I said in my opening speech, food standards Scotland will be operationally autonomous, so the statement will achieve transparency and will, we hope, build public confidence and trust. The statement is where we will find assurance on operational matters such as the method of publication of reports.

I give members a firm assurance that I will make certain that the issues that have been raised in the debate and that were proposed through stage 3 amendments will be considered carefully for inclusion in the statement on performance. That will hopefully offer clarity on a number of the issues that have been raised today.

Members have made very helpful contributions today. I thank them for all their input throughout all the bill's stages. As Jackson Carlaw mentioned, I have picked up the Food (Scotland) Bill only now, at stage 3, and I am glad that it has been fairly uncontentious. I hope that it will be passed unanimously at decision time today.

Fisheries Negotiations

The Deputy Presiding Officer (Elaine Smith):

The next item of business is a debate on motion S4M-11825, in the name of Richard Lochhead, on the end-of-year fish negotiations.

15:48

The Cabinet Secretary for Rural Affairs, Food and Environment (Richard Lochhead): It does not really feel like a year since we last discussed the annual fisheries negotiations in the chamber. Time flies by when we are really busy, and 2014 has certainly been a busy year for Scotland. We have seen momentous and historic events the likes of which we might not see again for some time—but hopefully not too long.

The fundamental significance of fishing to this country remains—year in, year out. Our communities continue to depend on our fishermen, who often operate in treacherous conditions that make fishing one of the most dangerous industries in the country. That was brought home again this year with the loss of life from the Ocean Way accident, which was a horrible reminder that too many pay the ultimate price to bring food to our tables.

Our fisheries are varied and are spread the length and breadth of our country, from small inshore vessels to the largest and most sophisticated offshore vessels. That same fleet of vessels is supporting our vital onshore processing sector, which handles and sells our fabulous seafood, with its unrivalled reputation, the world over.

I pay tribute, as I am sure we all do, to the resilience and spirit of this great industry and I acknowledge its contribution to the social and economic wellbeing of many of our communities.

We are in the midst of the end-year negotiations. Negotiations by their nature cause uncertainty, and the annual bun fights, which we are now used to, can act against sensible planning. All that strengthens the Government's resolve to secure the best possible outcomes for the industry in this year's negotiations, which culminate in next week's fisheries council in Brussels.

I am pleased to note that we have started on a bright note with the gains that were achieved at the European Union and Norway negotiations last week. For the first time in recent years, the talks were concluded in advance of the December council negotiations, which removes uncertainty over key North Sea quotas and access to Norwegian waters.

As members can imagine, there were intense negotiations about the total allowable catches for cod and haddock in particular. Those two stocks are closely linked in the rich and diverse mixed fishery of the North Sea, where harsh limits on one stock could lead to increased discarding of the other. To force more discards on the fleet in that way would send the wrong message as the sector moves towards mixed fishery plans and the landing obligation as part of the discard bans, when our watchwords will have to be common sense, flexibility and innovation.

I am glad to say that common sense prevailed and, after much discussion, the talks delivered a much-needed and scientifically justifiable 5 per cent increase in the North Sea cod quota against a backdrop of a proposed 20 per cent cut. The North Sea saith and whiting quotas were reduced in line with long-term management plans, although, as with haddock, we continued to secure an inward transfer from Norway of additional whiting to help to mitigate the effect of that cut. Other elements were rolled over from last year in a package that was broadly welcomed by the industry in Scotland.

Given that, this year, haddock was assessed for the first time as one whole northern stock straddling the North Sea and the waters to the west of Scotland, I am confident that, in Brussels next week, we will be able to secure a significant increase in quota for the west of Scotland haddock stock.

The negotiating season moved on to the EU and Faroese Islands talks, which concluded just today. As many members will recall, that important bilateral agreement was reinstated in 2014 after a four-year pause and much angst, and it has now re-established critical access for our white-fish fleet to Faroese waters, which alone is worth more than £3 million a year. The deal provides much-needed flexibility through access to additional fishing grounds and the provision of an effort refuge from the cod recovery zone for many of our vessels.

I am pleased to confirm to the Parliament that we have managed to maintain the same level of white-fish quota and that there has been no increase in access for Faroese vessels. In line with the overall total allowable catch changes, the quota that the Faroese can fish has been reduced from nearly 47,000 tonnes to less than 40,000.

In negotiating the agreements, it is my job to balance the multiple needs across all sectors of the industry to secure the wider benefits for all our fleets. Let us be clear that the share of access given to the Faroese reduced from 43 per cent in 2010 to 30 per cent in 2014, and today's agreement maintains that level.

I assure the Parliament—I know that the matter has been of concern to many people—that our compliance teams have targeted their resources and expertise on monitoring the Faroese vessels that fish some of their quota in Scottish waters. In the past year, we have carried out 29 inspections on 51 Faroese fishing trips. That is close to a 60 per cent inspection rate, which is a truly impressive level of scrutiny, especially considering the environment that our compliance vessels have to operate in at this time of year. I hope that those figures reassure our fleet.

I know that our fleet will benefit from the sustainable mackerel quotas for 2015 that have been agreed in the past few weeks, which yield a Scottish quota of just under 187,000 tonnes. That agreement will provide stability as we look ahead to next year, aided by our successful calls to the European Commission for increased banking provisions for mackerel in response to the Russian trade sanctions.

We are packing our bags for the annual endurance test that is the December fisheries council in Brussels, when all the talks come together with the negotiation that will take place next week for the internal EU stocks. I am told that I am now the longest-serving fisheries minister in the whole of Europe. Based on my experience, I will never be convinced that it is sensible to do business in a sleep-deprived environment that is crammed in over two days. That is no doubt what we will experience early next week.

As expected, this year's scientific advice presented what we always term a mixed bag. The overall picture is more positive than last year's, with some welcome advice suggesting increases for key stocks such as northern shelf and Rockall haddock, monkfish, megrim and North Sea nephrops.

However, it is still as disappointing as it is illogical that once again we will have to expend energy on fighting off proposed cuts in the days at sea that our fishermen are able to fish. It is frustrating that we are still having to struggle free of the outdated and flawed straitjacket that was imposed by the now discredited cod recovery plan. That is why, when I met Commissioner Vella last week in Brussels, I made it clear that the cod recovery plan is well past its sell-by date and needs to be replaced urgently. I was encouraged by his willingness to listen and I hope that that willingness is soon translated into action.

More generally, we shall protect our position when the advice on quotas is unclear or when we need to ensure that positive recommendations, such as those that we have for monkfish and west of Scotland haddock, are implemented next week. We will fight hard to ensure that so-called data-limited stocks are not cut arbitrarily but are looked

at case by case and on the basis of the available evidence, using stock trends as indicators.

I will press hard to establish the principle that, when the science identifies a stock as being one and the same in adjoining areas, there should be an element of flexibility in how the quota may be fished across those areas. That would be available only when quota is held in both areas, to protect historical interests, and it would be key in reducing unnecessary discards by and costs to our fleet. Haddock and saith both fall into that category this year.

The wider policy context for the December council is different this year. Proposals from the Commission are translating many of the strategic goals of the new common fisheries policy. The signs are that next year's talks, which will establish quotas for the first year of the demersal landing obligation in 2016 as part of the discard bans, will be much more difficult. Before then, we will reach a significant milestone in tackling the discarding of fish when the pelagic landing obligation comes into force in a few weeks, on 1 January 2015. Of course, the introduction of the pelagic discard ban is only the first step. From 2016, the ban will begin to apply to our white-fish and nephrops fleets, and from 2019 it will extend to all quota species.

We all know that the Scottish Government supported action to tackle discards, as did many parties across the chamber and the industry. It is a no-brainer—nobody wants to have to throw perfectly good fish back, dead, into the sea. It is not good for businesses, fish stocks and conservation, and it is certainly not good for the consumer in an age of increasing food security issues.

I know that Scottish fishermen and the onshore sector are worried about the landing obligation and the significant changes that it will bring to their day-to-day practices. We should not underestimate the challenges that they will have to face and the adaptation that will be required across our fleets. It is therefore right and proper that we work as hard as we can at Scottish and European levels to ensure that the landing obligation is introduced responsibly and pragmatically, in a manner that avoids delivering big shocks and damaging our fragile fishing communities.

It is just as important that comparable vessels fishing alongside each other all face or anticipate the same level of monitoring and control of their activities. I make the point time and again to my United Kingdom counterpart that, as we take forward the discard bans, we must have a level playing field. I will look to make sensible use of the flexibilities that are built into the regulations and to take a pragmatic approach to phasing in the new rules.

I am clear that we cannot continue with business as usual. I have spoken about the need to develop 21st century fisheries management tools to deal with 21st century problems. We should not be bound by the current structure, which was created back in the early 1980s. If fishermen are being asked to adapt, fisheries managers must also be prepared to adapt. There is an onus on managers and fishers to innovate and embrace change by balancing responsible fishing with our fleet's viability. That is the message that I will deliver in Brussels. It is time for us all to roll up our sleeves and step forward together to meet the challenges that we face.

We always seem to face stiff challenges and difficult decisions at the end-of-year fisheries negotiations. That is why, at every negotiation, we should be able to create the best possible conditions to get the best deal for Scotland. Unfortunately, the current constitutional settlement prevents that. It is also unfortunate that the Smith commission's recommendations barely move us forward on securing the future of fisheries in this country.

The one reference to a fisheries-related topic appears right at the end of the Smith commission report in a proposal to review the current arrangements for raising seafood levies, which have long been frustrating for the Scottish Government because they are outdated and inflexible. We have to get that right if we want to promote Scotland's fantastic seafood and help the industry.

Believe it or not, the current arrangements stem from the Fisheries Act 1981, which predates Scottish devolution by almost 20 years. As a relic of a bygone age, those arrangements continue to tie Scotland to a dysfunctional UK levy system that seeks vainly to do the impossible job of supporting very different industries north and south of the border, including importers from other countries, which are all in competition with each other. We have to change that system. The Scottish people should have the ability to decide the extent to which Scotland participates in UK levy arrangements, with the freedom—in legislative and in practical terms—to establish separate arrangements north of the border when we consider that it is appropriate to do so.

One other recommendation is relevant to fisheries. The Smith report recommends that, when there is a predominant Scottish interest and the lead UK minister does not attend the EU Council of Ministers, a Scottish minister should by default speak for the UK there. That clearly applies to fisheries and I have no doubt that it was a subtle reference to fisheries.

That proposal is the least that we should expect and it should put an end to the ridiculous situation

where I—as Scotland's fisheries minister with seven years' experience—have been forced to sit in silence on the sidelines and watch as inexperienced UK ministers and even unelected lords have represented the UK in important discussions that affected Scotland's fishing industry. That was the case last month, when Rupert Ponsonby, Lord de Mauley, had to be briefed on the most basic issues at the vital negotiations. The decision to draft in an unelected lord with no experience of the issues at stake was an arrogant and insensitive insult that took no account of the mood in post-referendum Scotland.

We need genuine commitments to allow the Scottish minister to lead the development of the UK negotiating position as well as to lead for the UK when appropriate—and I do not mean just when the UK ministers cannot make it or when they decide to leave for the Eurostar or their flight home early.

We were, of course, disappointed by the lack of reference in the Smith report to fisheries.

The Deputy Presiding Officer (John Scott): Can you draw to a close, please?

Richard Lochhead: In a quintessentially Scottish sector, in which Scotland is predominant in the UK, we see devo max as a no-brainer that makes clear and absolute sense for fisheries. It is therefore frankly baffling that the Smith recommendations did not pass that litmus test.

Hands tied or not, I will of course ensure that Scotland's priorities are always uppermost in the minds of UK ministers. We will do our utmost to fight for Scotland's interests across the board. What is never out of my mind is what all this means in the real world of our fishermen and women who work in the industry—what they can fish, where they can fish, how much they can fish and even how much time they can spend at sea

The Deputy Presiding Officer: You really must close, please.

Richard Lochhead: That is why we will continue to do our utmost to secure the best possible deal for this great and proud industry next week.

I move,

That the Parliament welcomes the successful conclusion of the recent EU-Norway fishing negotiations, which secured a number of good outcomes for the Scottish fishing industry; notes the forthcoming annual fishing negotiations in Brussels and supports the Scottish Government in its efforts to achieve the best possible outcome for the industry; agrees that the final negotiated settlement must promote sustainable fisheries and have the best interests of Scotland's fishermen, coastal communities and wider seafood sectors at its heart; notes that the outcome of the negotiations will be pivotal to support the fleet's implementation of the landing obligation, and supports the

Scottish Government's continued calls for it to lead for the UK in European fisheries negotiations on issues where it is clearly appropriate to do so.

The Deputy Presiding Officer: We are very tight for time today.

16:02

Claire Baker (Mid Scotland and Fife) (Lab): It is almost a year since the new common fisheries policy was introduced, but the forthcoming year is when the force of the changes comes into effect. We are starting to see changes in the end-of-year negotiations that the debate refers to. There is less horse trading and fewer late-night negotiations. There is an increasing attempt to take out the politics and grandstanding and instead to focus on delivering sustainable fisheries that support employment, communities and our food sector, while not damaging stocks or the marine environment.

Conservation and stability of stocks can deliver long-term economic health for the whole industry, onshore and offshore. We need a continued commitment from the Scottish Government and the sector to deliver that. Scotland's fishing sector employs about 5,000 people in the catching sector and supports key employment in supporting sectors. Scotland has world-renowned produce but, although our produce is sent all around the world, we could do more to support our home market. Although we are an island country, we are not big consumers of seafood, and there could be greater promotion of it, as well as a greater commitment to local sourcing. I hope for a positive outcome from the good food nation consultation that is happening.

The industry has a significant base in Scotland, but it operates throughout the UK, with a common regulatory system and a UK network of harbours and fish processors. That is reflected in some of the concerns that the Scottish Fishermen's Federation raised about the quota consultation, which I will say a bit more about later.

The drama of previous years may be on the way out, but the importance and complexity of the EU negotiations are increasing, as they are not just about allocating effort but about changing the system to meet the CFP's environmental objectives.

We are nearing the end of the negotiations. I support the Scottish Government's key objectives going into the negotiations and wish the cabinet secretary well in the final stages.

We are looking to amend the motion to focus on the key issues for the sector rather than sustain a debate about who represents it, when we all have a common view anyway. I have sympathy with the cabinet secretary over recent decisions on who

would present the UK case but, going forward, our understanding of what is "clearly appropriate" might not always be the same as the Scottish Government's understanding.

Christian Allard (North East Scotland) (SNP): If the member has sympathy with the cabinet secretary, why does she want to remove the part of the motion that says exactly that—that we regret the cabinet secretary not having the opportunity to lead in the talks?

Claire Baker: My understanding of the Scottish Government's motion is that it does not refer to the particular incident about who represented us at EU negotiations, when I supported the Government's concerns. However, as during the referendum debate, I am pretty clear that I believe that the UK's strong negotiating position provides the best deal for Scottish fishermen.

Notwithstanding the UK Government's questionable decision to bring in a member of the House of Lords at the last minute to represent UK interests, I hope that the cabinet secretary will work well with his UK colleagues in the interests of the Scottish sector, as in previous years. The negotiations are significant, and I want Scotland to support decisions that aid the effective introduction of the landing obligation, achieve fishing at sustainable levels and help to deliver good environmental status. That can be achieved while retaining a profitable fishing sector, but it will require effort and commitment from all partners. We need to keep an eye on the prize of a fishing sector that has a future, without compromising our marine environment.

As the cabinet secretary outlined, the already-agreed increase in the North Sea cod and haddock TAC for the next year is welcome. That will help to ease the introduction of the new CFP. The successful negotiation of inward transfers of haddock and whiting quota is also welcome, as scientific evidence suggests that those stocks are in good shape.

In the fisheries debate last year, Labour's amendment called for a clear plan of action to introduce the discard ban. I hope that I can be convinced today that that is in place and that the Government is supporting the sector in the efforts that have to be made.

We should not forget why we are introducing a discard ban. Discarding bycatch fish or fish whose quality was not high enough was a practice for many years, particularly as the financial incentive increased. It took a television campaign and a public outcry to mobilise the movement against that practice, whose time was up. That can be a good thing that will respect our seas and the natural resource that they give us, and it can open up new opportunities for the sector.

Scotland has been a fishing nation at the forefront of good practice, and we should recognise the commitment of much of our fleet to achieve that. That has taken investment and tough decisions. I recognise the frustration that there can be at the behaviour of other countries and the importance of the need for a level playing field, but the new CFP is a further challenge for our sector. The nature of Scottish fishing will make it very difficult to deliver a discard plan. We need to ensure that we have robust plans in place to deliver.

Last year, the cabinet secretary spoke about the need for the European Commission to provide fishermen with additional quota to enable the landing of all fish that are caught. He argued that the Commission must give us the tools to put in place a sensible and practical discards ban. I do not disagree on the need for greater flexibility, which is crucial, but we also need greater regional decision making and planning that increasingly identify and make best use of a shared quota and resource.

We also need a plan from the Scottish Government. We need a clear indication of the measures that it expects to be introduced and of what checks and balances it will bring into the sector to reward those who fish responsibly and work to meet the new standard. If fleets are struggling to change or are resistant to change, they should be supported to adapt, or compliance measures can be introduced.

Next year, there will be huge challenges for our mixed fisheries. There will be huge difficulties. We do not have the right quota at the moment, but there will be ways to make things easier.

Scotland has been at the forefront of selective gears, but we can do more in that area. Too many vessels are not using identified selective gear. We need to consider spatial management measures if we are to focus on avoiding catching unwanted fish. We need investment in research and development to support work in our universities to develop innovative solutions.

An increased or changed quota is of course important, but we must also work hard to develop markets for less popular species. The Scottish Government's economic analysis identifies offsetting economic benefits of that. Introducing measures that will enable the landing and selling of all fish that are currently discarded, or increasing selectivity so that no unwanted fish are caught in the first place, has the potential to add up to £200 million to the landed value by 2020.

We need more flexibility from the Commission, but that will take us only so far. The approach means changes for our fleets but, if we start planning now for the challenges ahead and if we

decide on and are clear about the measures that will need to be introduced and the expectation that they will need to be delivered, there will be rewards.

By 2015, Scotland's fleets must show that they are doing all that is in their powers to fish at sustainable levels and deliver maximum sustainable yield. That must be achieved by 2020 at the latest. We need to develop a clear road map now that will set us on the right path for the next few years. The emphasis is often seen as being on the restrictive measures of selectivity, temporal and spatial management and behaviour change, but we should also work out ways to reward the good guys—the fleets that are taking the responsibility seriously and delivering on the environmental objectives.

The Scottish Government has consulted on quota allocation policy. The cabinet secretary will be aware that the period of restriction has been problematic or detrimental for some UK operators in Scotland. I understand that there has so far been little evidence of quota being held speculatively or as an investment. However, the Scottish Government makes a case that the quota is Scotland's national asset, and I await the outcome of its consultation.

If there are changes, they could present the opportunity to create a pool of quota, which could be used to recognise the efforts that fleets make to comply. That could be used to reward vessels that provide social and economic benefit to communities—vessels that support fishing communities, provide employment opportunities and support a local economy—as well as a vibrant offshore sector.

I move amendment S4M-11825.3, to leave out from second “and supports” to end and insert:

“; believes that the European Commission must deliver greater flexibility and regionalisation to achieve this, and calls on the Scottish Government to set out a clear plan of action to ensure that the discard ban is implemented and sufficiently monitored.”

16:11

Jamie McGrigor (Highlands and Islands) (Con): I am pleased to take part in this important debate on the annual EU fisheries negotiations, which commence on 15 December. The outcome of the negotiations is vital to Scotland's fishermen—the people who risk their lives to put fish on our tables—its processors and the fishing communities along our coastlines.

We agree with the Scottish Government that our Scottish vessels need to retain the number of days that they can go to sea and that cuts are simply not acceptable. We are encouraged that last week's EU-Norway talks resulted in an increase in

quota allocations for a number of key stocks for Scottish fishermen, including cod, haddock and plaice. I am also encouraged by what the cabinet secretary told us about hopes for an increase in west coast haddock.

Those increases are in line with scientific advice. The stocks are in good health in large part due to the sacrifices that our Scottish fleet has made over the long and difficult period of the cod recovery plan and to the innovative and important conservation measures that our vessels adopted, which have been significant and have surpassed by far any other EU fleet's efforts.

The vessel numbers in our demersal fleet have declined by around 60 per cent compared with the numbers during the first session of the Parliament. The EU needs to recognise that fact in next week's talks. If further effort reduction is proposed, the cabinet secretary must ensure that the burden falls on other EU states and not Scotland's fishermen, who have already done much. Our Scottish fleet must now be able to enjoy some of the benefits after the pain of the last decade and a half or more.

Fishermen and their representatives have asked me to highlight a number of the key issues facing their sectors, and I am most happy to do so.

One of the key, most pressing and immediate issues facing our pelagic fishermen is the implementation of the discard ban—or landing obligation—in their sector from the start of 2015. Scottish pelagic fishermen rightly want to ensure that a level playing field for the control, monitoring and enforcement of the ban is truly achieved across all the pelagic boats that fish in EU waters, whether the vessels are from third countries or other member states. I know that the cabinet secretary agrees with that. That level playing field is vital.

There is clearly also a huge amount of work to be done next year to prepare for the introduction of the landing obligation for the demersal sector in 2016, which will bring even greater challenges than the introduction in the pelagic sector. There are real concerns in the white-fish sector about the practical implications of the discard ban. Working out a usable scheme that does not penalise our white-fish boats must be a big priority for next year.

Bertie Armstrong, of the Scottish Fishermen's Federation, has described the process leading to the landing obligation laws as

“a shining beacon of dysfunction”

that has the potential to do

“significant damage to the fishing industry and communities of Scotland.”

I agree with the sensible suggestion in Tavish Scott's amendment that a phased approach must be considered.

The Scottish Pelagic Fishermen's Association, the Scottish Pelagic Processors Association and the Shetland Fishermen's Association are all clear that another priority for their industry is the need to achieve a fairer deal in terms of the EU-Faroes mackerel fishery quota access agreement, which currently is totally skewed in favour of the Faroes.

Between 2007 and 2013, the Faroes never exceeded a mackerel catch of 8,771 tonnes in EU—that is, Scottish—waters off Shetland. However, in 2014, that catch was a massive 46,850 tonnes. The level of the mackerel access quota must be addressed. Why do the Faroes require a third of their quota to be fished off the Scottish coastline when the mackerel stock has become so much more abundant in their own waters? The current situation means that the Faroes are benefiting hugely from catching mackerel in prime condition in our waters while not one kilo of the EU's mackerel quota has been caught in the Faroese zone.

The nephrops fishery remains an important and economically valuable one on the west coast of my region, and its associated jobs help to underpin often fragile local communities. I share the real concern of the Clyde Fishermen's Association about the proposal for a significant cut in catch in the Firth of Clyde functional unit, although I note with some relief that there is a projected rise in the South Minch area. Nephrops fishermen in the Clyde area want to know what measures Marine Scotland will take to reverse the trend, and the Clyde Fishermen's Association is urging it to look again at its proposals that the minimum nephrops tail size be raised from 35mm to 46mm, and the overall length from 70mm to 85mm.

I also want to mention the possible consultation on scallop fishing that has been pushed for by the Clyde Fishermen's Association since 1995.

On my amendment to today's motion, I would just refer to previous comments that have been made by Bertie Armstrong. I do not wish to be called arrogant—

The Deputy Presiding Officer: You must draw to a close.

Jamie McGrigor: I will finish, then.

Bertie Armstrong said that the industry was very much less concerned about who sits in the seats and was more concerned, in every detail, about what is said and what is in the speaking notes of the minister or his representative. The cabinet secretary knows that the UK Government has

consistently and successfully worked with him and his officials—

The Deputy Presiding Officer: You must close.

Jamie McGrigor: I conclude by wishing the cabinet secretary the best of luck.

I move amendment S4M-11825.2, to leave out from second “and supports” to end and insert:

“; considers that Scotland benefits from the UK’s negotiating strength in Europe, and urges Scottish and UK ministers to work together to achieve the best possible deal for Scotland’s fishermen.”

16:18

Liam McArthur (Orkney Islands) (LD): I am delighted, if a little surprised, to be speaking in this debate. The detonation of a weather bomb and the consequential disruption to flights has meant that my colleague Tavish Scott is marooned in Shetland. Given the vital importance of the fishing industry to Shetland and of these negotiations to that industry, Tavish Scott’s absence from this debate is a loss. I know that he would want to extend his apologies to you, Presiding Officer, and to colleagues for his absence.

I was struck by the fact that almost one quarter of all fish that is landed in the UK is landed in Shetland. More fish was landed in Shetland in 2013 than was landed in Wales, England and Northern Ireland put together. Although I do not pretend that the figures for my constituency in Orkney match those for Shetland, it is nevertheless a sector that is vitally important economically and socially to the islands that I represent. These negotiations, and those that coincide with them, matter a great deal.

This year, unlike last, most of the deal appears already to have been done. The EU-Norway negotiations settled last week and the Faroese access agreements were settled earlier today. According to the SFF, there will not be a lot to fight about next week in Brussels. Those are perhaps famous last words, but as someone who bears the scars of the round-the-clock negotiations and middle-of-the-night compromise agreements from back in the day, I certainly welcome the situation and concur with the cabinet secretary’s description of previous processes as “bun fights”.

Of course, that is not to say that there will not be challenges. In a sector that is so varied, that has gone through so much change and that operates in such an environment, one would expect nothing less. Perhaps one of the most obvious challenges, certainly for the demersal fleet, is the implementation of the discard ban, which colleagues have referred to.

Next month, the Scottish Government will implement a discard ban on the pelagic sector. A basic minimalist plan is in place. With a clean fishery, where mackerel and herring swim and are caught in mid-water shoals, the discard ban is relatively straightforward, but that cannot be said for Scotland’s white-fish fleet.

From January 2016, the industry will have to live with a fishing practice that logic suggests is entirely correct and desirable. Landing all fish rather than throwing valuable quota species over the side is absolutely right, but the devil will assuredly be in the detail, as Richard Lochhead acknowledged. Landing everything that is caught at sea in a mixed fishery within the existing quota system is fraught with risks and could lead to disastrous consequences for some of our demersal fleet.

I recognise that Marine Scotland has changed its perspective on implementation and that the hard line appears to have softened, which is to be welcomed, but a discard ban for the white-fish fleet must be realistic. It should start not with four species—cod, saith, haddock and whiting—but instead with just haddock. Once a comprehensive assessment has been made of the effectiveness of the ban on haddock and the financial consequences for the vessels are clear, further steps can and should be taken. I urge the cabinet secretary to accept that approach and to work with the industry to deliver a ban that can work not just in principle but in practice, which I believe is a shared objective of many of the environmental non-governmental organisations.

At present, the consequences of a ban are simple. If quotas are not significantly increased, boats will go out of business, as they will run out of quota as they land all the fish in port—cod is the obvious example of that. An increase in quota and a land-all policy would have implications for vessel design, operation and capacity. Three quarters of the vessels in the Scottish fishing fleet are over 20 years old, and many are much older and need to be replaced. That is a nationwide problem, and the Government should look to assist with vessel replacement by utilising the European maritime fishing fund. The industry should be encouraged to look again at vessel design, new engine types and fuel mixes as well as other innovations that are aimed at reducing carbon burn. I welcome Marine Scotland’s acknowledgement that the issue must be addressed, although perhaps the cabinet secretary can make clear where he stands on that.

The Faroese access agreements have been finalised in London. Sadly, the unfair deal that rewards the Faroese for illegal fishing of mackerel is set to stay until 2019. No one in the Scottish pelagic catching or processing sector thinks that it is a good deal. The agreements are meant to be

reciprocal, but there seems precious little gain for our fleet and processors. The Faroese said that their waters are teeming with mackerel. It is therefore puzzling that, instead of fishing in their coastal waters, the entire Faroese pelagic fleet has fished right up to the Scottish coastal limits. Imagine the outrage if the reverse was happening. There seems to be no upside for our pelagic and demersal sectors in the reciprocal arrangements, which is something that the cabinet secretary might need to take forward.

Richard Lochhead: Will the member give way?

Liam McArthur: Sorry, but I am running out of time. Perhaps the cabinet secretary can address the issue in his winding-up speech.

The final part of the Government motion calls for Mr Lochhead to lead the delegation, which is almost as much part of the annual ritual as the December negotiations themselves. As I have said before, what matters most is to ensure that the UK position reflects the priorities of the Scottish industry and that that is then backed up with UK votes. Ensuring that those positions are arrived at sensibly and reflect the relative importance of different parts of the sector is key.

Despite what Mr Lochhead said, the Smith agreement makes it clear that the Scottish ministers should lead the UK delegation. Of course, there needs to be agreement with the Welsh, English and Northern Irish on the UK negotiating position, but in many areas, notably with pelagic and white-fish stocks, the Scottish interest will be and should be the predominant one.

Should the UK Government have sent an unelected lord to the fisheries council instead of Richard Lochhead, if he could have been there? No. That is why the Smith agreement recommends an intergovernmental arrangement that works: a Scottish lead backed by UK votes. I hope that the Scottish Government will back such an approach. After all, the Scottish National Party representatives on the Smith commission sensibly endorsed that approach in signing the agreement.

The Deputy Presiding Officer: You must draw to a close.

Liam McArthur: In the aftermath of the vote in favour of the UK, the fishing industry made it crystal clear that it expects both Scotland's Governments to work collectively and collaboratively in the interests of the industry. Parliament should expect that to be the case today and, more importantly, next week in Brussels. I wish Richard Lochhead and his officials all the best in their endeavours.

I move amendment S4M-11825.1, to leave out from second "and supports" to end and insert:

“; believes that, before the ban on discards is introduced, the Scottish Government should ensure that a comprehensive plan is prepared setting out how the ban will work in practice without damaging Scotland's whitefish sector; notes the desire of the Scottish industry to see a phased approach implemented to the discard ban for the main whitefish stocks due to come into effect in January 2016; further notes the industry's wish for any such phased approach to proceed initially with haddock, and recognises the strong concerns of the Scottish pelagic industry regarding the EU-Faroese reciprocal arrangements on mackerel.”

16:25

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): When I came to Parliament in June 2001, my very first speech was on fisheries. In that speech I harked back to the work of Allan Macartney, a member of the European Parliament, in relation to localities management. It was he who championed the change of approach that we see a little of in the progress that is being made in European fisheries policy. On that basis, I very much welcome the call in Labour's amendment for "greater flexibility and regionalisation". That focuses on some important things.

The very least that I can say is that all three Opposition parties have been unwise in proposing to delete what the Government motion says about our fisheries minister, the most experienced in Europe, leading the UK delegation

"where it is clearly appropriate to do so".

The motion is not seeking an absolute right; it proposes only that the minister leads when appropriate.

Let us consider the issues for fisherman in other parts of the UK besides Scotland. It helps them to have the most experienced minister at the table. The issue is not simply about, as the Tory motion says, benefiting from

"the UK's negotiating strength in Europe",

but about the UK benefiting from the strength of experience that a Scottish fisheries minister would bring to the table.

I do not know the member of the House of Lords who led the UK delegation. He may be an excellent person. We address only the issue of his inexperience and the fact that he works in a very different brief. As far as I could see in my research, his sole parliamentary contact with fishing had been to answer three written questions on it on the same day in October 2013. I rather guess—as I former minister I might say this—that civil servants wrote the answers and did not draw on the minister's knowledge. No doubt we will return to that matter on another occasion.

The SFF has provided us with a briefing, which I very much welcome and which highlights the

adverse interaction between old, unreformed and as yet not abandoned legislation and the new schemes that seek to eliminate discards. It is in precisely that kind of area that an experienced fisheries minister will always sacrifice an inexperienced one.

We have heard some of the difficulties that the pelagic fleet faces, less from biological factors and much more fundamentally from political decisions vis-à-vis the relationship between the Faroes and the EU and, of course, the developing difficulties for the industry in relation to trade with Russia.

The Scottish Pelagic Processors Association points out that restrictive legislation from Tórshavn seems to be designed to distort the market and is adding burdens to our industry. Fish caught in Scottish waters by Faroese boats are required, in essence, to be landed in the Faroes. That is probably not much in the interest of Faroese fishermen because it restricts their market opportunities. More fundamentally, it is potentially restricting our processing industry's opportunities.

We have seen many years of sacrifice in our fishing industry. The number of boats has come down, although that decline has more or less stabilised, and total allowable catches are going up this year, which is very good news. That is because of our fishermen's sacrifices. However, where previously that quota might have been used usefully to increase economically valuable landings, it is quite likely that a lot of the quota will have to be allocated to fish that might have been discarded. Therefore, it is not clear that we have a system under the EU rules that will be of value to our fishermen to the extent that a better-thought-out fishing quota system would be.

Of course the catching sector is very important, but even bigger is the processing sector. Many people are employed in processing, packaging and promoting our food. In my constituency there are thousands of such people.

I recently attended a Seafish presentation. I was very impressed by the interaction that those who retail our fish, either as wet fish or in our restaurants, have with Scotland. We want to get more Scots eating this good-quality product, for their health but also for the health of our industry.

The SFF welcomes what has happened in the negotiations with the EU and Norway this year, which is good. The SPPA is much less happy about the Faroese tax position. Seeing cod quota and haddock quota rising is absolutely first class.

The price of fishing for the fishermen at sea is high. My very first constituency event in 2001 was to see a bravery award presented to a fisherman, who in January of that year went overboard near Greenland to fish out one of his colleagues. He said that he was more frightened going up and

speaking to the audience in the fishermen's mission at Peterhead than he was diving off the boat. Little he knows—one is easy and the other one is difficult.

I share my apologies with members here. A rather urgent matter will take me away and I will not necessarily be here for the next two speeches, but I will return for the closing speeches.

16:31

Cara Hilton (Dunfermline) (Lab): I welcome the opportunity to speak in today's debate on an issue of great importance to the Scottish economy, our fishermen and our coastal communities. Across Scotland, many people's livelihoods are dependent on the fishing industry and we need to ensure that it is protected not only by taking short-term actions but by showing long-term vision for the sector, too. We need to protect our environment and resources by ensuring that fishing is at a sustainable level and protect our fishing industry by ensuring that it can be profitable both now and in the future and that it is able to reach out to new entrants.

As colleagues have said, 2015 is likely to be a turning point for the Scottish and European fishing sectors, with the first phase of the landing obligation coming into effect on 1 January. That represents a huge change and a challenge for the fishing industry and, in theory, it should mean that, ultimately, all catch will be landed and counted against quotas.

As Claire Baker highlighted, that is quite a groundbreaking change. It came about thanks to huge public pressure, with Hugh Fearnley-Whittingstall's award-winning fish fight campaign gaining more than 850,000 supporters, who were united in the call to end the crazy system whereby millions of healthy and edible fish every year are caught and then thrown back into the sea due to the bizarre way that EU fishing quotas are managed. Very few campaigns succeed in changing EU law, but fish fight certainly captured the public imagination and changed the way that we think about and eat our fish.

The effective implementation of the discard ban is now absolutely crucial and that is why Scottish Labour's amendment today calls on the Scottish Government to set out a clear plan of action to ensure that the ban is implemented effectively and monitored sufficiently.

The Scottish Fishermen's Federation and others have expressed concern that the European legal arrangements may not be in place on time, which creates uncertainties for fleets during the transition period that need to be addressed and managed.

Colleagues have referred to the particular challenges with white fish. The changes in that regard will become effective from 2016. In the briefing for today's debate, RSPB Scotland and WWF Scotland highlight the need to promote more uptake of selective gear on fishing vessels and spatial management systems to avoid the catching of unwanted fish. They warn that half of the demersal fleet is not yet using the identified selective gear. We need a clear action plan from the Scottish Government on how it will work with the industry to meet those challenges.

Although it is clear that change will be very difficult for some fleets, the RSPB and WWF highlight that there are also longer-term financial opportunities. It is estimated that eliminating discards from Scottish vessels, either by landing and selling all fish or by increasing selectivity so that no unwanted fish are caught in the first place, has the potential to add up to £200 million to the landed value of those fish by 2020. Sustainable fishing will hopefully make financial, as well as environmental, sense. That is crucial, given the importance of the fishing industry to our economy and given that the livelihoods of thousands of Scots in our coastal communities are dependent on fishing continuing to thrive. Across Scotland, an estimated 5,000 people are employed directly in fishing and as many as 48,000 jobs are dependent on the sector.

The fish processing sector, which Stewart Stevenson mentioned, is vital to our economy, yet that, too, can be vulnerable and we need action to support it and improve its sustainability. Key to that must be promoting our fantastic produce to the domestic market. We are all aware that eating fish is healthy and that we should be eating more of it but, generally, many of us find it complicated to cook and are reluctant to try new fish. Much more needs to be done to promote fish as a sustainable, affordable, healthy and easy option.

The Scottish Government's good food nation strategy offers that opportunity and I hope that we will see that as the consultation outcome. Campaigns such as Sainsbury's switch the fish initiative are crucial in changing customer behaviour, and similar campaigns by other retailers need to be encouraged to persuade people to eat a wider range of fish and not just the big five, and to highlight that our everyday choices can secure a sustainable future for our fishing industry.

Schools have a big role to play in explaining the importance of fish in the diet and creating opportunities for children to give different types of fish a try. When I was writing my speech this morning, I looked at my children's school dinner menu and found that, although Harry Ramsden's battered haddock is a frequent option, that

seemed to be the full extent of what was on offer. That needs to be looked at.

Given the issues that people have about how to cook fish, practical lessons in school would be of benefit. Our children also need to have a much greater appreciation of where their food is from and, in the case of fish, how they are caught and processed from start to finish. That will ensure that our children can make good choices, live healthier lifestyles and become more educated shoppers and consumers in future.

I share the concerns expressed by the cabinet secretary and by Stewart Stevenson about fishing being a dangerous industry. It is estimated that one in 1,000 fishermen a year die as a result of the job—that is more than 100 times the rate of the average job in Scotland—and many more are injured in the course of their work. I understand that there has been little improvement in the fatal accident rate in the Scottish fishing industry in the past 30 years. Given that the fatal accident rate in almost every other occupation has fallen sharply during the same period, that suggests that commercial fishing has become progressively more hazardous over time. I would welcome any comments from the cabinet secretary on what action the Scottish Government is taking to make fishing a safer career. That would make the industry more appealing to new entrants and would be of benefit to families and our coastal communities.

We are nearing the end of this year's fish negotiations. It is vital that the Scottish Government does whatever it can to ensure that Scotland gets the full benefits of the reformed common fisheries policy; that the discard ban is implemented as quickly as possible; and that those fleets that are adapting to the challenges are rewarded, thereby ensuring a vibrant and sustainable future for our fishing industry and for the jobs, families and communities it sustains.

16:37

Rob Gibson (Caithness, Sutherland and Ross) (SNP): The SNP Government fights hard in Brussels for the whole Scottish fish sector, including fish processors and producers, and it will do so next week.

At this annual review of fishing, it is important for us to think about what could strengthen Scotland's position to back our ministers. As a member of the Devolution (Further Powers) Committee and having had the chance to look at some of the Smith commission proposals, I suggest that we need to make sure that the respect agenda that was talked about earlier this year is applied to the way in which Scottish ministers are engaged in representing our country when their appropriate

stance would help to strengthen that approach in Europe.

So,

“presuming that a devolved administration Minister can speak on behalf of the UK at a meeting of the Council of Ministers according to an agreed UK negotiating line where the devolved administration Minister holds the predominant policy interest across the UK and where the relevant lead UK Government Minister is unable to attend all or part of a meeting”

is a suggestion from the Scottish Government on how that can be achieved. It is remarkable how some people have commented on the need for that to happen all the time.

In that regard, I refer members to the moneys that we get through the European fisheries funds. The Scottish Parliament information centre has shown us that, for the 2007 to 2013 allocation, on euro per tonne of average fisheries production, Scotland is bottom among countries that have fishing fleets; on euro per tonne of average fish catch, Scotland is second bottom; and, on euro per average gross tonnage, Scotland is second bottom. Scotland’s fishing fleet has been badly let down by our not having a Scottish minister lead the negotiations in Europe, to ensure that funds apply to our area, with all its difficulties and its wild seas.

It might be a good idea to ask why the Conservatives have been prepared to say, as Jamie McGrigor did on 12 June, that it would be wrong for fishing communities in Scotland to receive more money from the European fisheries fund, and to suggest that the Scottish fishing industry is too successful to need extra support. Indeed, Ian Duncan, the recently elected Tory member of the European Parliament, was rightly criticised for claiming that Scotland’s fishing industry should not receive vital funding. He said in May:

“The funds should go to those places which are struggling. The Scottish industry is not struggling.”

I was amazed that the chief executive of the Scottish Fishermen’s Federation took a similar stance during a discussion on the radio about Lord Ponsonby de Mauley. Bertie Armstrong said:

“Well, all the priorities that spread across the UK, and of course again this sounds slightly odd coming from the Scottish fishing leaders”—

or rather, Scottish fishing leader; other Scottish fishing leaders were appalled at Bertie Armstrong’s remarks. That gentleman went on to say:

“I’m thinking of Irish Sea prawns for the Northern Ireland fleet and I am thinking of the Celtic Sea haddock for the men of the Southwest”.

Yes, indeed. Our Scottish fishing leaders should be out there fighting for Scottish fishermen. We

need to get off the bottom rung of the ladder of the European fisheries fund and much more.

The consultation on becoming a good food nation, which Stewart Stevenson mentioned, was discussed in more detail by Claire Baker and Cara Hilton. It is part of a long-term strategy to get people to eat better by 2025. A key theme in that unfinished business is people’s disconnectedness from their food. As the discussion document says:

“Many people in Scotland are disconnected from their food. There are considerable efforts being made in schools and elsewhere, to engage with children. Nevertheless, many people of all ages in Scotland remain profoundly unaware of how and where the food they eat—and its ingredients—are produced.”

However, on the up side, the document notes the upsurge in demand for local food and talks about

“encouraging the production and sale of locally grown food in all its shapes and sizes.”

Our inshore fleet, in particular, supplies local markets and produces much food that should be sold around Scotland. In Scrabster, Kinlochbervie, Lochinver and Ullapool there are 174 boats under 10m and 45 boats over 10m. It is up to our Government and agencies to procure fish to a greater extent and to ensure that our schoolchildren, hospital patients and prisoners, as well as the wider public, have a chance to eat the best of Scottish.

I support the motion in the name of the cabinet secretary.

16:43

Christian Allard (North East Scotland) (SNP):

For anyone who is hearing me speak for the first time, let me declare that this French-born MSP has worked in the Scottish fishing industry for the past 30 years. I have been honoured to represent the many fishing communities in the north-east, from Fraserburgh to Peterhead, since May 2013.

We must await the outcome of the negotiations, but I agree with members that the talks are going much better than they did in the past few years. The main reason why the negotiations will be easier this year is that we have settled the mackerel dispute. As I said at the time, people in Scotland need to recognise that our fishing communities have nothing to gain from letting disputes in the pelagic sector run on for years. The white-fish industry, which needs our support, suffered from the dispute.

There is a lesson to be learned in that regard: what we require is fewer disputes and more partnership with our neighbours. Let us ensure that the bilateral talks between the EU and the Faroe Islands on the pelagic industry, which take place in Ireland this week, do not spill over to the

white-fish industry. Jamie McGrigor did not talk about that.

I share the concerns of Ian McFadden, the chair of the Scottish Pelagic Processors Association—whom I first met 30 years ago—and thank him for his briefing.

The tone of our negotiations must show our willingness to negotiate with others. The tone that some use in talking about the challenges that are faced by the Scottish fishing industry is more about driving an anti-European agenda, which should be left to members of the UK Independence Party.

The Scottish fishing industry deserves better, as does what is left of the fishing industry in other parts of the UK. I repeat that the cabinet secretary is the most experienced fishing minister in Europe and should be sitting at the main table and speaking for the people who represent the fishing communities throughout Scotland.

Some disagree, but I will explain why their arguments do not hold water. Last month, the National Federation of Fishermen's Organisations, which is the representative body for fishermen in England, Wales, Northern Ireland and the Channel Islands, said that its members' interests were

"in danger of being sacrificed to placate the clamour for more powers for Scotland."

The NFFO was reacting to the Scottish Government's submission to the Smith commission, but it does not need to worry: the suggestion is still in the background and has been very much diluted.

I understand the hostility towards further devolution to Scotland as a direct result of the democratic deficit that is experienced by the industry in England. Unlike the other parts of the UK, the English industry does not have a Parliament or devolved body that can stand up for its interests. We know that the UK Parliament is not looking out for the fishing industry, particularly in Scotland, given that the Scottish fleet has been described as "expendable".

I was surprised to hear, as Rob Gibson mentioned earlier, that our own Scottish Fishermen's Federation chief executive seems to agree with the NFFO. On 10 November, on Radio Scotland, Bertie Armstrong said:

"Is Richard Lochhead the best man to state those priorities? He is certainly the best man, providing he talks to us carefully and the priorities are agreed. He is certainly the best man to talk about Scottish fishing, but is he the best man to talk about the fishing for Ulstermen or people in the Southwest? I think not."

"I think not"—that was the answer from the chief executive of the Scottish Fishermen's Federation to his own question. Am I the only member in the

chamber to think that such a comment sounds odd coming from someone who represents the Scottish fishing industry's interests?

I remind members of what happened last month. Westminster sent to speak in crucial EU talks for the Scottish fishing industry an unelected Conservative lord, Lord de Mauley, with no previous experience whatsoever in fishing. Is he the best man to talk about fishing on behalf of Ulstermen or people in the south-west? I think not. We can all agree that it is never appropriate for an unelected lord who knows nothing about fishing to speak for our fishermen, Ulstermen or not.

The UK Government proves again that it could not care less about our fishing communities. Fishing is never on Westminster's radar. The Scottish Government is doing a lot for fishing and wants to do more. Fishing leaders need to support the call for the cabinet secretary to sit in the front seat, and they need to be foursquare behind him.

Claire Baker: The member might be interested to note that Westminster is debating fisheries negotiations on Thursday this week.

Christian Allard: I did not know about that—I will be very pleased to hear about the debate. I hope that, at Westminster, the parties will not do as the three political parties here have done in lodging amendments to remove a very important part of the cabinet secretary's motion that says that the fisheries minister in Scotland should play a part in the talks, particularly in relation to the Smith commission.

Common sense and flexibility should be the two principles for fishing negotiations; that is what we hear all the time.

The Deputy Presiding Officer: The member must draw to a close, please.

Christian Allard: I call on the cabinet secretary to address the problem of the closure of skate and ray fisheries in the north-east and west of Scotland. We must make sure that lessons have been learned to avoid a repeat of the unfortunate situation that happened this year.

16:49

Graeme Pearson (South Scotland) (Lab): I am grateful for the opportunity to speak in the debate and for the range of briefings, which I have found very informative, that I received from various organisations before the debate.

Jamie McGrigor acknowledged the pain that has been felt and the sacrifices that have been made over the decades by people in the industry, as revolution has attached to the industry, and they have reorganised to deal with modern demands. Stewart Stevenson indicated the outcomes from

those previous works and the way in which the industry is now fit for purpose, in delivering on behalf of the United Kingdom.

Stewart Stevenson also recorded that our cabinet secretary is the longest-serving fisheries minister in Europe. I am unsure whether to congratulate Mr Lochhead on the honour or to commiserate and wonder where he has gone wrong in his endeavours. It is most unfortunate that the UK Tory-Lib Dem coalition decided to allocate responsibility for the negotiations last month in Brussels to Lord de Mauley to represent UK interests, instead of relying on the evident expertise of our cabinet secretary. I hope that Mr Lochhead will reflect on the fact that the frenetic promotion of nationalism over the past few years has perhaps had some influence on such decisions and that his contribution in the post-referendum era will be more welcome at UK level and more constructively received.

Christian Allard: I would not call Lord Smith a nationalist, but his commission has stated that the concordat on co-ordination of European Union policy issues needs to be improved. That improvement is exactly what the cabinet secretary has asked for today and it is what the Labour Party's amendment would take out of the motion.

Graeme Pearson: As the debate goes on, the nuances in the debate will bring out where our loyalty should lie in regard to the fishing industry, which is the most important part of what we are debating today rather than the language of the various amendments.

The way in which the developing conflict involving the western world and Russia is affecting our fishing industry reflects the importance of our discussions today, and the Commission's agreement to enable the 25 per cent rollover in allocated catches from 2014-15 will help the Scottish fishing industry to cope with the import embargoes that have been instigated by Mr Putin, which are estimated to be costing the wider food industry up to £89 million in the year.

Fisheries in Scotland operate as a Cinderella industry across most of our communities. We enjoy the products that it produces but seldom consider how they are brought to our table and the pressures that are faced by the people in the industry in providing first-class fish that is fresh and safe for consumption. The policy imperatives for ensuring that the industry's needs are met are complex but inescapable. We have a growing world population that is now in excess of 9 billion people, all of whom need food. The industry has geared up to supply what is needed with modern boats, modern technologies and professional crews who are able to deliver catches at industrial level. However, there is also pressure to conserve stocks of valuable fish in order to provide food for

future generations and to provide for an industry that has a vision of sustainability.

The cabinet secretary must continue his support for the brave crews who go out on the sea on our behalf. The increases in quotas for the end-of-year agreements are optimistic, and one hopes that those agreements will be fulfilled. The cabinet secretary must ensure that the new rules regarding discards are made clear to the industry and the public alike, because discards are ill understood by the general population and seem to have been an area of conflict in previous years.

The cabinet secretary should also contribute to the continued development of new technologies, new net designs and crew education to ensure that mutual understanding is maintained about the competing demands that arise from conservation needs and consumer demands.

He must also ensure that there is no repeat of the black-fish scandal that affected the industry only a few years ago. I hope that he will give us an assurance that he will liaise with the Cabinet Secretary for Justice to ensure that the good name of Scottish fishing is maintained in the years ahead.

At the same time, it would do no harm for Mr Lochhead to liaise with his colleague the Cabinet Secretary for Education and Lifelong Learning in order to ensure that young people across Scotland have a better understanding of the fish that are caught in our seas than I did in my time in education.

The Scottish industry delivers approximately 60 per cent of the total UK catch and about 7.5 per cent of the total volume of fish caught in the EU, according to the European Commission in 2014. The fishing industry is too important an industry for us not to take careful care of the future, and I rely on the cabinet secretary to give us an assurance that he will do so.

16:55

Dave Thompson (Skye, Lochaber and Badenoch) (SNP): This is, indeed, an important debate that precedes the implementation in January of what many believe will be the final nail in the coffin of Scottish fishing—the discards ban.

The Cabinet Secretary for Rural Affairs, Food and Environment, Richard Lochhead, has done the best that he has been able to do for our fishermen for many years, despite having his hands tied behind his back by the Westminster Government and a dysfunctional EU common fisheries policy.

Baron de Mauley has been mentioned. Far be it from me to criticise him, but such was the confidence of the Scottish Fishermen's

Organisation in him that it described him as “clueless” and said that it

“doubted that he had spent much time on Eton’s playing fields discussing black scabbards and the discards ban.”

I could not have put it better myself. What that episode illustrates is that, yet again, the UK Government has treated us with contempt and cannot be relied on in crucial EU negotiations that concern Scottish fisheries.

Of course, we all had a chance to untie the cabinet secretary’s hands on 18 September but, unfortunately, we did not take it. We loosened the knots, but full freedom for the cabinet secretary—and the rest of us—is yet to come. The Scottish National Party Government has done all that it has been able to do to protect our fishermen and fishing communities, but we have not been able to do so to the extent that we would have liked—not because of lack of will, but because of lack of power.

I was born and brought up in the great fishing town of Lossiemouth, whose harbour was packed with fishing boats when I was a boy and whose school delivered qualifications in navigation, such as the demand for fishermen in Lossiemouth. Indeed, one of my first jobs at the age of 12 was heading and tailing prawns after school in the fish shed that belonged to the well-known local firm, Seagull. I also led my first strike there at the age of 14, when we prawn boys walked out after a dispute over pay.

Many of my family went to sea, and some of them still go to sea. We have, of course, suffered our share of tragedy, as all families in fishing communities have. I have been to sea a number of times in the Moray Firth, the Minch and off the Butt of Lewis, but only for a day at a time. Some people, including Sandy Patience of the Fishermen’s Association Ltd, have spent their lives there. I can also lay claim to having written the SNP’s fishing policy in the 1970s, when we responded to the Opposition claim that SNP stood for “still no policies”.

Therefore, as someone who has great empathy with our fishing industry, I found it particularly galling to listen to Bertie Armstrong, chief executive of the Scottish Fishermen’s Federation, backing the better together campaign and the UK in the referendum. He backed a UK that sold out our fishermen in 1971, when the Tories signed us up for Europe; a UK that cares so little about fishing that it sent an inexperienced junior Tory to represent us in Brussels; and a UK that is currently renege—or trying as best it can to renege—on its vow to give extensive powers to this Parliament.

I presume that Armstrong spoke on behalf of the Scottish Fishermen’s Federation, but I am sure

that he did not speak for many of our fishing communities, and it is possible that he did not speak for many of his organisation’s members. I suggest that those members need to decide whether they have the right leadership.

Armstrong is not totally uncritical of the UK, however, and has described the discard ban as a “shining beacon of dysfunction”, but he still insists, in his briefing for today’s debate, that there is a bright future for Scottish fishing. Does he really believe that, or is he wearing his rose-tinted UK specs again? I hope that he is right, but it does not look good unless we get the discards ban right.

In contrast with Armstrong, the Fishermen’s Association Ltd’s recent submission to the Smith commission backs my view that Scotland is not being served well by the UK in EU fishing negotiations. It states that, because the Department for Environment, Food and Rural Affairs holds the power in all EU and UK fisheries matters, that puts Scotland in a marginalised position, which results in decisions being taken that are not in the best interests of Scotland.

FAL maintains that Scotland should be able to lead the UK in the EU on fisheries, especially given the importance of fishing to the Scottish economy. FAL rightly points to the unmitigated disaster that the common fisheries policy has been to the Scottish and, indeed, UK fishing industry. The association’s chairman, Sandy Patience of Avoch, whom I know well, told the Scottish discards steering group on 27 November that FAL has no desire to be further involved in the discards ban, which he describes as unworkable and impractical, fearing that it will crush what is left of the industry. I fear that he is right.

Although I support the cabinet secretary in his efforts to implement what is a flawed policy, I ask him to be ready to argue for its abandonment if he does not get a suitable agreement next week in these—as the motion says—“pivotal” negotiations or if the policy does not work for the pelagic fleet next year. If that means defying Brussels on this important issue, so be it.

As a Lossie loon fae a fishin toun masel, Ah’m wi Avoch loon, Sandy Patience, and FAL, as they strive to protect their way of life, heritage and birthright.

17:02

Liam McArthur: Not only have we just heard an example of referendum denial, but that personal attack on Bertie Armstrong was outrageous, and the call for him to be ousted comes in marked contrast to SNP members lining up both to praise him and to quote him in fisheries debates from 2007 onwards.

By and large, however, this has been the usual generally consensual debate, with issues of concern being raised from across the chamber. All members have acknowledged the importance of the sector not just to island communities, such as the one that I represent, and coastal communities, but far beyond. Cara Hilton made that point in her speech, and it was also alluded to by Stewart Stevenson in pointing out the importance of the processing sector. The importance of fisheries is economic, but the resonance of the fishing sector goes far beyond that in the Scottish psyche. It is an importance that cannot be measured simply in pounds and pence, or even in jobs.

The annual negotiations, being the focus of the debate, come against the backdrop of generally encouraging conclusions to the negotiations between the EU and Norway last week. The agreement with the Faroes earlier today was perhaps the best of a bad job, but it definitely still grates with many people who work in the pelagic sector; there is still great anger in the industry.

As we look ahead to next week, there is no doubting the fact that the negotiations look more straightforward than they have in the past, as was acknowledged by the cabinet secretary. He made a valid point, however, about the extreme opening negotiating positions that mean that an awful lot of effort is expended trying to row back from positions that nobody realistically expects to hold. Nevertheless, that seems to be the modus operandi of the Commission.

Jamie McGrigor and one or two other members pointed to the threat of further effort controls. I very much welcome Richard Lochhead's strong emphasis on the need to hold the line there. That is an area where our industry has already conceded a great deal, so it is perhaps time for others to shoulder more of the responsibility.

I turn now to one of the key themes of the debate: the discard ban. As I indicated in my opening speech, it generally poses far fewer problems for a pelagic fishery that is far cleaner. From next year, that should be borne out. However, the discard ban, which is right in principle, needs to be got right in practice. In that respect, as we look to the demersal fishery and the implementation of a ban from 2016, we are not yet remotely close to where we need to be. I think that the potential for that to be significantly more problematic is acknowledged all round.

I was interested in Cara Hilton's reference to the fish fight campaign. There is no doubt that it captured the public imagination, but I question whether it captured the complexity of the issue for those who are then charged with responsibility for developing policy on the back of that. It brought to people's attention an issue that nobody disputes must be addressed, but perhaps it also created an

overly simplistic impression of what needs to be done to resolve it.

In its briefing, RSPB Scotland points to the importance of use of selective gear and other technical measures, and of rolling them out more widely across the fleet. That has featured in fisheries debates dating back as long as I can remember, and more still needs to be done on it.

Claudia Beamish (South Scotland) (Lab): Without the fish fight campaign, the issue would surely have been much less likely to be addressed in as timely a fashion as it was addressed because of the consumer pressure.

Liam McArthur: I do not want to diminish the importance of such campaigns, but there is sometimes a risk that they paint in primary colours and leave the policy makers who are then charged with responsibility for responding with the difficult task of matching expectations to the complexity of the issue.

Finally, I turn to the political issue that ran through today's debate—who leads the delegation. As I said at the start of the debate, the Smith agreement provides a sensible basis for implementing a set of arrangements that better reflect the industry's needs and the political aspirations of the public. On the Scottish ministerial lead, there is no doubt, as Stewart Stevenson said, that the delegation benefits from the experience of not just the minister but the officials who support him but, by the same token, Scottish ministers benefit from having the weight of UK votes and influence behind them.

We have not got that right, and the example that was cited is a perfect illustration of that. The Government's motion talks in reasonable terms, but some of the rhetoric that was used during the debate in order to make that point was considerably less reasonable. I think that Graeme Pearson alluded to that. The respect agenda that Rob Gibson pointed to is a two-way street.

The Deputy Presiding Officer: You should draw to a close, please.

Liam McArthur: In concluding, I again wish the cabinet secretary the best of luck in the negotiations next week. Whatever seat he or his officials are in, I hope that he continues to exert influence, that he brings to bear his experience and expertise and that he will continue to promote Scotland's interests in the negotiations.

17:08

Alex Fergusson (Galloway and West Dumfries) (Con): It makes a pleasant change to be holding this annual debate in an atmosphere of—dare I say it?—some optimism about the future prospects for Scotland's fishing industry.

Usually, the debate is full of doom and gloom, with grim forecasts of further cuts in quotas and days at sea and worrying prophecies of the further demise of our fishing fleet.

What a credit it is to that fleet, and to all those who work in the sector, that the Scottish Fishermen's Federation is able to conclude its briefing note to us with this statement:

"There is one overarching fact and that is that the fish stocks of concern to the Scottish industry are, with few exceptions, either in robust health or heading encouragingly in that direction."

It goes on:

"There are some very significant challenges to be met—principle among them is the discard ban—but if these can be overcome and we look outwards to greater fishing opportunity rather than inwards towards protectionism, then there is surely a bright future for Scottish Sea Fishing".

In recent years, "greater fishing opportunity" is not a phrase that we have heard a lot. Whatever continuing challenges remain, our hope must be that that air of optimism continues and that it is not long before discussions on "greater fishing opportunity", and presumably a consequential expansion of our fleet, become the norm in these debates, rather than the exception.

However, as the debate has shown, there are still significant challenges to be overcome as we embark on what everyone agrees is a turning point in fisheries management in Scotland. What enables us to call it that is the first phase of the discard ban, which comes into force on 1 January for the pelagic fleet and a year later for the demersal fleet.

Although it is clear that the ban will pose more difficulties for the demersal fleet than the pelagic fleet, it must be a matter of considerable concern that, as Bertie Armstrong has put it, the process leading to the landing obligation laws is a "shining beacon of dysfunction". That should probably not come as a massive surprise given that it is the EU that we are talking about. However, it opens up the possibility that different member states will interpret the regulations in different ways and, in doing so, fail to create the level playing field that is so essential to the success of the policy. If anyone is tempted to think that that is not much of an issue, I note that the RSPB and WWF Scotland joint briefing notes their

"sympathy for a fleet which faces potential uncertainties as to the legality of landing fish in the new year should the necessary European legal arrangements not be in place."

That same briefing also notes the potential benefits of successful implementation of the landing obligations. Eliminating discards, either by landing and selling fish that are currently discarded or by maximising the use of selective fishing gear, could be worth up to £200 million to

the sector between now and 2020. Surely that must be worth the effort. The Scottish Government is also required to do everything in its power to encourage the use of innovative and proven selective fishing gear. We also support the industry's plea to phase in the new regime for white-fish stocks and I was pleased to hear that the cabinet secretary appears to be sympathetic to that approach.

Another major concern has to be the outcome of the EU-Faroe Islands agreement and its impact on our pelagic fleet, although I noted what the cabinet secretary said about this morning's agreement. It is extraordinary that one third of the Faroese quota is caught off the Scottish coastline—and it all will have been caught—while, as Ian Gatt of the Pelagic Fishermen's Association has said

"not one kilo of the EU's mackerel quota has been caught in the Faroese zone."

He asks a very reasonable question:

"The Faroe Islands were granted a hugely increased mackerel share this year on the basis that mackerel is more abundant in their waters. Why do they then need to fish a third of their quota off the Scottish coastline?"

If this morning's agreement has done anything to address what seems to be a glaring imbalance that is leaving our fishermen increasingly disadvantaged in the global market, that is all well and good, but I will be interested to see whether fishermen's view of the agreement is as positive as the cabinet secretary's. Liam McArthur's contribution suggested that it is not.

I conclude by referring to the amendments to the motion. It is noticeable that, without any collusion, all three Opposition parties have opted to try to amend the motion from the second use of the phrase "and supports". In other words, they have sought to remove the slightly political aspect of the motion that the Government wants to and will no doubt succeed in including. Stewart Stevenson suggested that we would be unwise to remove that section of the motion and Christian Allard became positively animated about it, but the cabinet secretary's opening speech and some of the contributions of his back benchers have shown that we are right to seek to do so.

Christian Allard: Will the member give way?

The Deputy Presiding Officer: The member is in his final minute.

Alex Fergusson: I do not have time, I am sorry.

We will do everything that we can to ensure that the relationship between the UK fisheries ministers and ours is healthy and that the vital importance of the Scottish fishing fleet to the UK fisheries sector is properly recognised. The road to success is surely through working closely together, as has often been the case in the past, to achieve mutual

benefit across the UK rather than through simply continuing the pre-referendum jargon that failed to persuade the Scottish voters to vote for independence just two months ago. I hope that the cabinet secretary will not be tempted to go down that route in his closing speech. The Smith commission has recognised the need for a different relationship. The UK Government has already responded by inviting Angela Constance to represent the UK at a vital EU meeting. So in the spirit of consensus, I suggest that the cabinet secretary accepts the amendments and proves that we can all work together for the betterment of the Scottish fishing industry. That is what we voted for on 18 September.

17:14

Claudia Beamish (South Scotland) (Lab):

This has been an optimistic debate, not least given Alex Fergusson's sense of optimism about future negotiations.

It is almost a year—it certainly does not seem like that—since we had a similar debate in the chamber about the end-of-year fisheries negotiations. Last year, before the cabinet secretary was due to travel to Brussels for the negotiations, we were awaiting the formal introduction of new policies that were intended to do away with many of the structural problems and bad practices. We must be hopeful that the policies underpinning the new CFP will solve many of those issues.

I want members to consider just how important the industry is to us and how often the people who are involved in the industry—certainly those who go to sea—face challenges and dangers. We should all take time to reflect on the task that is faced by those who go to sea here and around the globe. I hope that the cabinet secretary will comment on Cara Hilton's concerns about health and safety and how fatality rates have not improved over the past 30 years—indeed, they have worsened.

I am sure that members will agree that banning the widely criticised practice of discarding is absolutely essential and will vastly improve the overall health of our shared fisheries. As always, we must be careful to balance economic interests with sustainability to ensure that a fit-for-purpose plan is in place. We will listen very carefully to what the cabinet secretary says on that in his closing remarks. That point is stressed in our amendment.

I was concerned to read that the Scottish Fishermen's Federation has reservations about the effectiveness of the legislation underpinning the discard ban, or landing obligation. According to the SFF, there is confusion—as we have heard in

the debate—surrounding the legislation, making it unlikely that the fleet and compliance agencies will be made aware of the precise legislation in time for implementation of the ban. I wonder whether the cabinet secretary could say a bit more about that.

As we approach the final round of negotiations over fishing effort, it is of course important that all species are fished sustainably. Members on all sides of the chamber have discussed the quota allocation for various species in some detail, so I will not go into further detail, although it was good to hear of the discussions that the cabinet secretary has already had about the discredited cod recovery plan. We wish him well with those negotiations.

It is important to note that the SFF is broadly happy with the outcome of the bilateral negotiations between the EU and Norway on haddock and cod stocks, which suggests that a good deal may well have been struck. Both the industry and environmental NGOs are in agreement about the maximum sustainable yield approach, which again is a note of optimism that we can hold on to.

I also note the agreement, as confirmed by the cabinet secretary, on the EU-Faroe Islands deal. However, from what Liam McArthur has said, it appears that we need to listen carefully to the fishing industry on that—although I noted what the cabinet secretary said about there being more tonnage available to the Scottish fleets in the agreement. Graeme Pearson has highlighted concerns about the Russian ban and the loss to our economy because of that. I wonder whether the cabinet secretary could comment on that as well.

I want to focus somewhat on regionalisation because, given the aim of having sustainable but economically viable fisheries, it is important that European fisheries are managed regionally. The agreement on the new CFP shows that the top-down, one-size-fits-all approach to fisheries management is, frankly, pathetically simplistic. I wonder whether the cabinet secretary will be able to say a little bit more about regionalisation going forward.

Last year, I highlighted organisations such as the Baltic Sea fisheries forum, or BALTFISH, and the Scheveningen group—I hope that I have pronounced that correctly—which covers the North Sea member states. I wonder whether the cabinet secretary is involved with those organisations.

On this year's rural affairs and environment budget, the research budget generally and the marine and fisheries budgets specifically are set to decline in real terms unless there are changes. That is of particular concern in view of the fact that

performance against the national performance framework marine environment indicator is worsening. Is it plausible for the Scottish Government to place the blame for that largely on the mackerel dispute, which was resolved earlier this year, when the whole marine ecosystem is being analysed for that indicator? I seek reassurance from the cabinet secretary that he is confident that the funding cuts are acceptable in the circumstances.

Rob Gibson made a plea for the purchase of local fish, and Cara Hilton pointed out that the Scottish Government is currently consulting on "Becoming a Good Food Nation". Many members have highlighted in this debate and previous debates the importance of being adventurous with our fish diet. Only last week, we heard of research, published in the *British Medical Journal*, which said that women who eat a Mediterranean-style diet may live longer than those who do not. That is according to a new study that looked at one marker of ageing.

Christian Allard: Will the member take an intervention?

Claudia Beamish: No, I am afraid that I cannot. I am just about in my final minute.

That diet includes fresh fish, of course. That is another way in which we can be sure that we encourage people—particularly women—to put fish in their diet.

Graeme Pearson's question to the cabinet secretary about liaison with his education counterpart on fish is fundamental if we are to educate future generations of consumers about the type of fish that they buy.

I wish the cabinet secretary well in the negotiations and am sure that his expertise will be greatly valued in the UK delegation, which will have strength and more clout than an only-Scottish delegation would. That is my view—I know that the cabinet secretary and I disagree on that. I hope that, alongside his UK colleagues, the cabinet secretary will be able to deliver an agreement that benefits the industry, consumers in Scotland and the UK as a whole, our shared marine environment and, of course, future generations.

17:21

Richard Lochhead: As I approach my eighth consecutive annual fishing negotiations, I very much welcome the comments and reflections from members across the chamber on some of the big issues that face our fishing communities and wider seafood sectors.

There is quite a strange atmosphere in our Scottish fishing industry just now. There is a

mixture of optimism and deep anxiety, and those factors have been reflected in many members' contributions.

There is a degree of optimism, and even the *Fishing News*, which I am sure all members subscribe to, has been relatively optimistic in the past couple of weeks. I read about the situation in Shetland and Peterhead. On 5 December, the *Fishing News* said:

"Local whitefish fishermen landing prime whitefish caught within 20 to 30 miles of Shetland from trips of 16 to 72 hours unanimously voiced optimistic comments about the future of their industry."

There have, of course, also been high landings at other key ports in Scotland, particularly Peterhead. Again on 5 December, the *Fishing News* said:

"Last week's achievement was only the second time that an annual total of one million boxes of whitefish has been achieved at Peterhead since 2000,"

when nearly 1,030,000 boxes were landed. There is, therefore, a degree of optimism in the fishing industry at the moment, but that is, of course, against a backdrop of anxiety.

Liam McArthur: I should declare an interest as the son of the cartoonist of the *Fishing News*.

Does the cabinet secretary agree that the optimism in the industry will not be helped by Government back benchers launching the sort of attack on fishermen's leaders that we heard from Dave Thompson earlier in the debate? Will he distance himself from those comments?

Richard Lochhead: The industry's optimism will not be helped by the Labour Party, the Conservative Party and the Liberal Democrats not giving the power to their Scottish ministers to ensure that we address some of the deep anxieties that the fleet has.

Let us not forget that we are talking about seafood. We are talking about the product that is landed by our fishermen, who go to sea in all kinds of conditions, including atrocious weather from time to time—which of course means very dangerous conditions. That seafood is very valuable to Scotland's economy. It makes a huge contribution to Scotland's fantastic exports records, particularly in respect of food: our seafood accounts for around 50 per cent of food exports. We should be very grateful to our fishermen for going out in all kinds of conditions.

That food graces some of the best restaurant tables in the whole of Europe and even in places such as Orkney, where I happened to be last week enjoying fantastic local seafood—albeit that I think that it was imported from faraway Shetland. The seafood that our fishing industry lands provides an enormous contribution to Scotland's economy, and I hope that we can celebrate it more than ever

before in 2015, which is the year of food and drink. Let us ensure that healthy, nutritious seafood is at the heart of the promotion of the food and drink sector and that it is promoted in our schools, as well.

Cara Hilton and others mentioned the importance of building seafood into food education and introducing it to our children. That is why the Scottish Government funds the seafood in schools initiative, which is becoming ever more successful.

Fishing is a dangerous occupation. Some members asked me to respond to questions on what we are doing to promote a culture of safety at sea in the industry. That is crucial, as we know from recent tragic events. We can never devote enough time to safety, and we have to keep doing it.

The Scottish Fishermen's Federation has been working with the Scottish Government to ensure that personal flotation devices are made available to every fisherman in Scotland who requests one. More than £300,000 of funding for that came from the European fisheries fund, and the fishing industry contributed the rest of it.

To protect our seafood and to protect the jobs in Scotland that we all want to safeguard, we need sustainable fish stocks in our waters. That is also about protecting a valuable food resource. Graeme Pearson and others mentioned the fact that the world population is expanding, so we have to protect that valuable food resource. That is one reason why we have to ensure that we have the right policies in place at European and Scottish level.

Stocks are recovering and improving, which is down to the massive sacrifice of Scotland's fishing industry, particularly over the past 10 years or so, when many good men were forced to leave the industry from time to time because of crazy regulations. Therefore, we hope that we will be able to realise the optimistic outlook for 2015 and beyond.

The Commission's proposals for some of the stocks that will be discussed at this year's fishing negotiations next week include a 20 per cent increase for monkfish, a 15 per cent increase for nephrops—that is, prawns—in the North Sea and a rollover for the valuable megrim stock. On the west coast, the Commission proposes a 113 per cent increase for Rockall haddock, a 20 per cent increase for monkfish and a 1 per cent increase for the valuable megrim stock.

Last week, on the North Sea stocks, a 5 per cent increase for cod, a 15 per cent increase for haddock and a 15 per cent increase for plaice were agreed.

There have been some reductions for other stocks, but there are increases in our key, valuable stocks. Of course, where there are reductions in quota for some stocks, they are part of long-term management plans that we all support. We must acknowledge that the stocks and recommendations are in good health because of the sacrifices of our fleet.

The fleet does not have to wait for discard bans. It has undertaken a lot of effort using selective gear and other measures to reduce discards. The white-fish fleet in the North Sea has reduced discards since 2007—the year in which I became minister—by 64 per cent. The prawn fleet has reduced discards of cod, haddock and whiting in the North Sea by a further 93 per cent. On the west coast, there have also been reductions, albeit that there are still some on-going serious problems that must be addressed.

Two key objectives result from the new common fisheries policy that we now have. First, we have to achieve sustainable stocks where possible by 2015 and definitely by 2020. That will be challenging for some of our stocks, although eight of our 12 key stocks are already being fished at sustainable levels.

The second objective, which has dominated the debate, is to ban discards between 2015 and 2019. I fully accept that it gives Scotland enormous challenges because of the mixed fishery in our waters, in which many different species swim together. That means that, if fishermen run out of quota for one stock, they have problems in catching the other stocks for which they have quota because they have to land their fish and are not allowed to discard them.

That is why we need to ensure that Europe modernises the regulations. We will fight for that next week and throughout 2015. It also means that we have to continue to work with our fleet in Scotland.

There are plans in place. We have a Scottish discards steering group and are working with the onshore sector—the fish processors—as well as the fleet on what the ban means for the fleet and what new measures can be adopted in Scottish waters.

My message to the European Commission is that we cannot use 1980s legislation to deliver 21st century solutions for discards. I remember going to the fisheries council for the first time in 2007 and raising the issue of discards in European waters. I spoke about how they were unacceptable and were ecological vandalism. Back in 2007, there was little interest from other member states or the UK Government in tackling discards, so we have travelled a long way. We will now tackle discards once and for all, which is in the interest of

fisheries conservation, Scottish jobs and the wider fishing industry.

The Presiding Officer (Tricia Marwick): Could you bring your remarks to a close, cabinet secretary?

Richard Lochhead: Therefore, 2015 is a big year for the industry in Scotland. However, I have to say that I am now shadowing my fifth UK fishing minister. No doubt, after May's UK elections, I will be shadowing my sixth. Therefore, it is absolutely ridiculous that the UK Government should choose to send an unelected lord to represent Scotland's fishermen at the Council of Ministers as opposed to experienced Scottish ministers. That shows absolute contempt for the people of Scotland and, in this case, absolute contempt for our fishing communities and the thousands of people whose livelihoods depend on that sector.

If we can get the big decisions right in 2015, we will have the opportunity to allow our fleet to sail in calmer waters. Although there is some disagreement over some of the issues, and the Government will be opposing the amendments by the Opposition parties, I hope that that is one objective that we can all rally around.

Let us get the best deal for Scotland's fishing communities next week in Brussels, and let us allow our fleet to sail into calmer waters.

Decision Time

17:30

The Presiding Officer (Tricia Marwick): There are five questions to be put as a result of today's business.

The first question is, that motion S4M-11826, in the name of Maureen Watt, on the Food (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament agrees that the Food (Scotland) Bill be passed.

The Presiding Officer: I remind members that, in relation to the debate on end-of-year fish negotiations, if the amendment in the name of Claire Baker is agreed to, the amendments in the name of Jamie McGrigor and Tavish Scott fall.

The next question is, that amendment S4M-11825.3, in the name of Claire Baker, which seeks to amend motion S4M-11825, in the name of Richard Lochhead, on end-of-year fish negotiations, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)

Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hume, Jim (South Scotland) (LD)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McInnes, Alison (North East Scotland) (LD)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)

Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

The Presiding Officer: The result of the division is: For 47, Against 63, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: If the amendment in the name of Jamie McGrigor is agreed to, the amendment in the name of Tavish Scott falls.

The next question is, that amendment S4M-11825.2, in the name of Jamie McGrigor, which seeks to amend motion S4M-11825, in the name of Richard Lochhead, on end-of-year fish negotiations, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)

Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
Adamson, Clare (Central Scotland) (SNP)
Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
Allard, Christian (North East Scotland) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Biagi, Marco (Edinburgh Central) (SNP)
Brodie, Chic (South Scotland) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burgess, Margaret (Cunninghame South) (SNP)
Campbell, Aileen (Clydesdale) (SNP)
Campbell, Roderick (North East Fife) (SNP)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Crawford, Bruce (Stirling) (SNP)
Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
Dey, Graeme (Angus South) (SNP)
Don, Nigel (Angus North and Mearns) (SNP)
Doris, Bob (Glasgow) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Eadie, Jim (Edinburgh Southern) (SNP)
Ewing, Annabelle (Mid Scotland and Fife) (SNP)
Ewing, Fergus (Inverness and Nairn) (SNP)
Fabiani, Linda (East Kilbride) (SNP)
Finnie, John (Highlands and Islands) (Ind)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Harvie, Patrick (Glasgow) (Green)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hume, Jim (South Scotland) (LD)
Hyslop, Fiona (Linlithgow) (SNP)
Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
Johnstone, Alison (Lothian) (Green)
Keir, Colin (Edinburgh Western) (SNP)
Lochhead, Richard (Moray) (SNP)
Lyle, Richard (Central Scotland) (SNP)
MacAskill, Kenny (Edinburgh Eastern) (SNP)
MacDonald, Angus (Falkirk East) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacKenzie, Mike (Highlands and Islands) (SNP)
Mason, John (Glasgow Shettleston) (SNP)
Matheson, Michael (Falkirk West) (SNP)
McAlpine, Joan (South Scotland) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McDonald, Mark (Aberdeen Donside) (SNP)
McInnes, Alison (North East Scotland) (LD)
McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
McMillan, Stuart (West Scotland) (SNP)
Neil, Alex (Airdrie and Shotts) (SNP)
Paterson, Gil (Clydebank and Milngavie) (SNP)
Robison, Shona (Dundee City East) (SNP)
Russell, Michael (Argyll and Bute) (SNP)
Salmond, Alex (Aberdeenshire East) (SNP)
Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Urquhart, Jean (Highlands and Islands) (Ind)
Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
Wheelhouse, Paul (South Scotland) (SNP)
White, Sandra (Glasgow Kelvin) (SNP)

Wilson, John (Central Scotland) (Ind)
Yousaf, Humza (Glasgow) (SNP)

The Presiding Officer: The result of the division is: For 45, Against 65, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S4M-11825.1, in the name of Tavish Scott, which seeks to amend motion S4M-11825, in the name of Richard Lochhead, on end-of-year fish negotiations, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Brown, Gavin (Lothian) (Con)
Buchanan, Cameron (Lothian) (Con)
Carlaw, Jackson (West Scotland) (Con)
Fergusson, Alex (Galloway and West Dumfries) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Hume, Jim (South Scotland) (LD)
Johnstone, Alex (North East Scotland) (Con)
Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
McArthur, Liam (Orkney Islands) (LD)
McGrigor, Jamie (Highlands and Islands) (Con)
McInnes, Alison (North East Scotland) (LD)
Milne, Nanette (North East Scotland) (Con)
Mitchell, Margaret (Central Scotland) (Con)
Scanlon, Mary (Highlands and Islands) (Con)
Scott, John (Ayr) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)

Against

Adam, George (Paisley) (SNP)
Adamson, Clare (Central Scotland) (SNP)
Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
Allard, Christian (North East Scotland) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Biagi, Marco (Edinburgh Central) (SNP)
Brodie, Chic (South Scotland) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burgess, Margaret (Cunninghame South) (SNP)
Campbell, Aileen (Clydesdale) (SNP)
Campbell, Roderick (North East Fife) (SNP)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Crawford, Bruce (Stirling) (SNP)
Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
Dey, Graeme (Angus South) (SNP)
Don, Nigel (Angus North and Mearns) (SNP)
Doris, Bob (Glasgow) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Eadie, Jim (Edinburgh Southern) (SNP)
Ewing, Annabelle (Mid Scotland and Fife) (SNP)
Ewing, Fergus (Inverness and Nairn) (SNP)
Fabiani, Linda (East Kilbride) (SNP)
Finnie, John (Highlands and Islands) (Ind)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Harvie, Patrick (Glasgow) (Green)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)

Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

Abstentions

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 16, Against 62, Abstentions 32.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S4M-11825, in the name of Richard Lochhead, on end-of-year fish negotiations, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinrossshire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)

Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

UK in European fisheries negotiations on issues where it is clearly appropriate to do so.

Abstentions

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 62, Against 0, Abstentions 48.

Motion agreed to,

That the Parliament welcomes the successful conclusion of the recent EU-Norway fishing negotiations, which secured a number of good outcomes for the Scottish fishing industry; notes the forthcoming annual fishing negotiations in Brussels and supports the Scottish Government in its efforts to achieve the best possible outcome for the industry; agrees that the final negotiated settlement must promote sustainable fisheries and have the best interests of Scotland's fishermen, coastal communities and wider seafood sectors at its heart; notes that the outcome of the negotiations will be pivotal to support the fleet's implementation of the landing obligation, and supports the Scottish Government's continued calls for it to lead for the

Local Coastal Partnerships

The Deputy Presiding Officer (Elaine Smith):

The final item of business is a members' business debate on motion S4M-11441, in the name of Rhoda Grant, on Scottish local coastal partnerships. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes that it is 21 years since the Focus on Firths initiative was established; understands that this led to the establishment of local coastal partnerships (LCPs) in order to take forward the Rio Earth Summit's call for the better management of coastlines and seas; celebrates what it sees as the important work of the LCPs in the Highlands and Islands and around the country in raising awareness of issues with regard to coastlines and inshore waters and in delivering projects and research based on local needs; notes that LCPs promote an interest in marine and coastal habitats and what it considers their amazing diversity of species; understands that they work with communities to encourage them to appreciate the maritime environment and to act as custodians of this by supporting initiatives such as litter management schemes and beach cleans; believes that they bring stakeholders together with the common purpose of sustainable development by brokering agreements between different sectoral interests and promoting an ecosystem approach, and appreciates what it sees as the very considerable experience and expertise that the LCPs have built up, which it considers will make an invaluable contribution to the setting up of the regional marine planning partnerships set out in the Marine (Scotland) Act 2010.

17:37

Rhoda Grant (Highlands and Islands) (Lab):

In Scotland, we are privileged to live in a country with a magnificent and varied coastline. We have mountains sweeping down to the sea, spectacular cliffs, rocky headlands, beaches of silver and golden sands, salt marshes, estuaries and machair that are filled with wildlife and hundreds of harbours, big and small. Our coastal waters provide a living for our inshore fishermen and for our boat operators who offer marine wildlife tours to view whales, dolphins, basking sharks, seals and seabirds.

Sailing our coast are international yachtsmen and women, weekend sailors, canoeists and cruise liners. There are lifeline ferries and cargo ships, oil industry supply vessels, tankers and oil rigs that come in for maintenance. We have offshore wind turbines and we hope soon to have wave and tidal energy devices.

All of them use our ports, harbours and coastal waters. It is easy to see how our coast and inshore waters can come under pressure, how there can be conflicts of interest between users, how marine and coastal wildlife habitats could be threatened and how our beaches might be degraded.

Members will be aware of the legislation, including European directives, that protects our marine environment. That was the result of the 1992 Rio earth summit's call for better management of the world's seas and coasts, which led to the call, in the European Community's fifth environmental action plan, for integrated coastal zone management. The Scottish Wildlife Trust also held seminars in 1992 and 1993 that encouraged the idea of wide stakeholder engagement.

Projects were set up under Scottish Natural Heritage's focus on firths initiative, which gathered and identified data on our firths' resources, uses, issues and needs. That serves as a baseline for future target setting.

Without marine planning, it was paramount to build strong links and stakeholder networks to deliver integrated coastal zone management through discussion and conflict resolution. Integrated coastal zone management is a cyclical process that needs at least 15 years to deliver, so we are now seeing results from early management plans.

Networks have been built up by our coastal partnerships, which I welcome to the Parliament this evening. We have representatives from our great firths: the Solway, the Clyde, the Forth, the Tay and the Moray Firth. We also have representatives from the east Grampian coast and the Hebrides. In the debate, we will celebrate the work that the partnerships do to promote their coastal areas economically and culturally while always seeking to protect biodiversity. Their role in encouraging schools and community groups to be aware of the coastal environment is also vital.

The Highlands and Islands have three partnerships: those for the Clyde, the Hebrides and the Moray Firth. The Moray Firth is the largest of the firths and stretches from Duncansby Head to Fraserburgh. A special area of conservation lies to the west of a line between Helmsdale and Lossiemouth. The firth's seafood can be found in the best restaurants in the Mediterranean. It is also famous for its oil platform construction yards; it still supplies the oil industry and maintains rigs.

The firth has championship golf links; magnificent beaches, such as those at Dornoch and Nairn; and countless fishing harbours, especially along the Moray and Aberdeenshire coast. It has havens for migrating birds and is home to the internationally renowned Moray Firth dolphins. According to recent research instigated by the Moray Firth Partnership, the dolphins bring into the local economy around £5 million in tourist revenue.

What is the role of the Moray Firth Partnership and the other coastal partnerships? The

partnership is a voluntary organisation. It promotes dialogue between competing interests so that the firth's natural economic and social resources are kept in good order.

Some examples of what the Moray Firth Partnership does will help to illustrate its work. It brought dolphin cruise boat operators together with SNH to provide accreditation for boats working in the SAC. If it can access funding, it hopes to enlarge the initiative to create a wildlife SMarT—sustainable marine tourism—programme, together with the east Grampian and Tay estuary partnerships, to promote sustainable marine wildlife watching along the east coast.

Lately, the Moray Firth Partnership has promoted locally caught fish and shellfish through the see here project. Fishermen, fishmongers, chefs, restaurateurs and hoteliers have been brought together to promote local seafood, which often goes abroad. If the project is successful, local fishermen will have a stable local market and local people will have the benefits of fresh local fish and shellfish.

In the heritage field, the partnership recently promoted the gansey project, which gathered together examples of traditional ganseys and patterns from bygone years and promoted interest in new ways of using the patterns, which were taken up by a London fashion house. The exhibition has toured the UK and there has been interest from across the North Sea—particularly from the Netherlands.

Most important for integrated coastal zone management, the Moray Firth Partnership has recently been working on a matrix for the interaction between all users of the firth. That has been at the Scottish Government's behest, to pave the way for marine planning partnerships. The partnership tells me that the exercise has been fascinating, and the results can be seen on its website. That kind of data will be needed for successful marine planning, which will be rolled out over the next few years.

The advent of local marine planning partnerships means that coastal partnerships have an uncertain future and do not know what role, if any, they will have. Coastal partnerships have done much to promote the proper and sustainable use of our coasts. It would be a great pity for the knowledge and expertise that have been built up over many years to be lost. I urge the cabinet secretary to tell us the Scottish Government's thinking about their future role and how we will capitalise on their experience.

17:44

Chic Brodie (South Scotland) (SNP): I thank Rhoda Grant for introducing the debate. In

Scotland, the coasts and seas are the source of many of our foods, our wildlife, our energy, our minerals, our transport, our tourism and, above all, our history.

It is hard to believe that it is 22 years since the Rio earth summit and 21 years since the launch of the focus on firths initiative. At the summit in 1992, 172 Governments participated, with 116 of them sending heads of Government or state, and some 2,400 representatives of non-governmental organisations attended, too. The Kyoto protocol was also agreed that year, following the climate change convention.

The lesser-known convention on biological diversity was also agreed at the earth summit. The convention had three main goals: the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of benefits arising from generic resources. Scotland's response was the focus on firths initiative, which was established soon thereafter, and the creation of the seven local coastal partnerships.

The mainland of Scotland has 6,160 miles of coastline. When one includes the isles, the figure increases to 10,250 miles, which represents 42 per cent of the circumference of the globe. With that range, Scotland is a special place for biodiversity. In fact, as the coastal partnerships website points out, it is special not only for the sheer number of species that it supports but for its complex mosaic of habitats and scenery, which make up our rich and varied landscape.

Approximately 90,000 species of animals, plants and microbes live in Scotland, supported by our many habitats and varied landscape from mountains and moorland, through rivers, lochs and forests, to the gateways of our coasts and seas. That is part of our lifeblood.

The seven local coastal partnerships have many projects in action, from the coastal care projects in the Hebrides to the adopt-a-beach project in Grampian, the Firth of Clyde forum work on waterfront regeneration on the Clyde and the Forth coastal litter project.

The Marine (Scotland) Bill, which was introduced into the Parliament on 30 April 2009, sought to create a new legislative and management framework for the marine environment. That included a new system of marine planning, a revised system of licensing marine activities and powers to establish marine protected areas. Marine Scotland was created ahead of the bill's introduction as a directorate of the Scottish Government to help deliver many of the provisions.

As of 24 July this year, 30 marine protected areas have been designated under the Marine (Scotland) Act 2010. They will be incorporated into

the national marine plan and represented in the national marine plan interactive tool alongside existing protected areas.

Scotland is a rich and diverse country and we have come a long way in the 21 years since the focus on firths initiative was launched. Our coastline will never fail to amaze, never cease to attract tourists and visitors to our shores and never fail to inspire all generations of Scots.

I will close with a quotation from the famous Scottish conservationist John Muir, who said:

“Everybody needs beauty as well as bread, places to play in and pray in, where nature may heal and give strength to body and soul alike.”

Scotland’s coastline is that beauty. Let us continue to protect Muir’s legacy.

17:48

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): I congratulate Rhoda Grant on lodging this important motion. Scotland has seven local coastal partnerships. Much as I love the northern coast that Rhoda Grant talked about I shall, understandably, concentrate on the Forth Estuary Forum, which is the LCP that covers the coastal area of my constituency, as well as much else. It takes in a diverse waterway that combines a European birds directive designated special protection area, and special areas of conservation for grey seals, with a busy commercial shipping area with exports of oil and gas and imports of goods from all over the world. It is a stretch of water that must maintain a delicate balance between the protection of our natural ecosystems and the commercial and industrial needs of the surrounding ports and towns.

Membership of the Forth Estuary Forum is open to all who have an interest in preserving that great natural resource for future generations. The forum does that by including future generations in projects such as friends of the Forth that get young people in schools and clubs out into the natural environment.

The friends of the Forth project follows on from the very successful coastal litter campaign, which ran from 2001 to 2004 to raise awareness of marine litter and to set up beach cleans in order to reduce debris. Set up in 2005, the project raises awareness and gathers information on issues including marine litter, climate change and biodiversity. It supplies teachers who may wish to include lessons on beach littering and its impact with useful education packs. It offers a curriculum-based package that gives practical advice on projects that are rewarding and fun. With the help of friends of the Forth, a regular group is run at Seafield, near Kirkcaldy, to clean up the beach

there. That is an important aspect of the Forth Estuary Forum.

To move on to another topic, one of the themes in the Forth integrated management strategy was to

“promote access to and enjoyment of the Forth.”

In 2002, the Forth Estuary Forum set up a project to look at strategic planning of Forth-wide access for walking, cycling and riding. All seven local authorities, Scottish Natural Heritage and Paths for all Partnership were involved. The forum commissioned a major feasibility study to look at scoping, demand analysis, marketing and funding of a round the Forth route. The study was completed in 2004 and has provided the framework for local authorities and other organisations including Sustrans to develop routes for access around the Forth. As a result, Sustrans has developed the round the Forth cycle route as part of the national cycle network. Forth Estuary Forum regularly attends the round the Forth group to help to promote access to members and the wider community. In doing so it not only broadens enjoyment of the natural environment, but improves it by supporting active travel and, perhaps, reduces some of the heavy traffic that can damage coastal ecosystems.

The forum has also sought ways to adapt the coastline and protect ecosystems from increasing occurrences of flooding. Its past investigations into natural defences included a 1999 project that was co-ordinated with GeoWise and the University of Glasgow on potential options for managed realignment along the Forth. After considering the feasibility of various sites, it was concluded that some local protection could be achieved, but that flood risk to the wider estuary would not be lessened. However, valuable discoveries were made in the course of the study. For example, it was found that salt marsh habitat creation could be achieved by using that technique.

The motion gives me a chance to praise the work of the Water of Leith Conservation Trust, which is one of the member organisations in the Forth Estuary Forum. The trust was established in 1988 by residents who were concerned about the river and its future. From small beginnings, the voluntary organisation grew and, in 1997, the trust was successful in obtaining funding, with match funding principally from City of Edinburgh Council and Lothian and Edinburgh Enterprise Ltd—LEEL—for a £5 million capital project to complete the Water of Leith walkway and renovate the Slateford school house to create the Water of Leith visitor centre.

I am delighted to use the walkway on my bike and on foot. I hope that that is also the case for many other people on the Forth coastline and

throughout Scotland. I look forward to further developments along the coastline in my constituency in the coming months and years.

17:53

Jamie McGrigor (Highlands and Islands)

(Con): I, too, congratulate Rhoda Grant on securing the debate. Like Rhoda Grant, I welcome the opportunity to pay tribute to the good work of local coastal partnerships in my Highlands and Islands region—including the Moray Firth Partnership and Coast Hebrides, which is the Outer Hebrides coastal marine partnership—and many others across Scotland.

There are many positive examples of the different work that is being undertaken by local coastal partnerships. The Moray Firth Partnership runs the dolphin space programme, which is an accreditation scheme for wildlife tour boat operators. It is an innovative, co-operative approach to sustainable wildlife tourism. The partnership's "seafood—see here!" project aims to make local seafood more easily available, and to increase the amount and quality of seafood that is offered in local restaurants and shops.

On that point, I simply must mention the town of Oban in Argyll and Bute, which has some of the best shellfish outlets in Europe, which are unmatched for quality of produce. Their service is excellent, as well. I will never apologise for advertising Scotland's shellfish. Our lobsters, crabs, scallops and prawns are the best in the world.

Coast Hebrides's coastal care programme aims to restore and protect dunes and soft coasts by undertaking a range of initiatives in beach and dune management, restoration and flood protection. Marram grass has been transplanted to stabilise blowouts on dunes. The work is vital, because coastal erosion is a threat to communities in the Western Isles, for example.

The motion refers to the need to "bring stakeholders together" and to

"brokering agreements between different sectoral interests",

which is important. In preparing for the debate I consulted representatives of the Clyde Fishermen's Association and was most encouraged to learn that the association feels that its participation in the Firth of Clyde Forum over many years has been worth while. The group has collaborated and co-operated to seek constructive solutions in relation to the concepts that it supports.

The Clyde Fishermen's Association suggested that the forum, unlike some initiatives, understands intuitively that there needs to be

recognition of existing socioeconomic patterns, which should not be disrupted unless to make an improvement. As we look to improve the biodiversity and health of our coastal environment, we need to take with us the fishermen and other people who make their livings from our seas and coastline. In many cases, they are the people who have the practical understanding, expertise and knowledge about our coastal waters that can help to inform plans to ensure the sustainability that we all want. I have made that point repeatedly in the chamber—not least in the debate in March this year on bringing the Clyde up to good environmental status by 2020.

I see that I am running out of time. The Scottish Conservatives recognise the importance of our coastlines to our economy and to our biodiversity. We are aware of the positive achievements of Scotland's local coastal partnerships and we hope that the best practice, experience and expertise that have been built up over the past 20 years or more can be maintained and developed as the new regional marine planning partnerships are introduced.

17:57

Nigel Don (Angus North and Mearns) (SNP): I congratulate Rhoda Grant on securing this evening's debate.

It is amazing what one discovers when faced with something that one knew nothing about. I wondered why I knew nothing about coastal partnerships, but I explored the issue and found that east Grampian has a coastal partnership and that, at the south end of my constituency, there is the Tay estuary forum. The division between the two partnerships is precisely where Angus meets Aberdeenshire, which is a mercy, because I am sure that it makes life a lot simpler for them both.

The partners in the East Grampian Coastal Partnership include the local councils, the port and harbour authorities, Marine Scotland and the University of Aberdeen. They are a group of people who clearly have a vested interest in the area, but they must be active partners, because I note that they have just one, part-time employee, who I think will be hard-put to achieve a great deal unless the partners get involved.

The partnership's objectives include promoting sustainable development, seeking to

"protect, conserve, enhance and promote the natural and cultural heritage of the East Grampian coast",

and engaging stakeholders and everyone else who is interested. Those objectives seem very commendable and quite open-ended. I wish the partnership well and will help it in future.

I will give members a brief tour of my part of the east coast—we will probably get round the whole of Scotland in this debate, given that Elaine Murray is next to speak. My area starts with Stonehaven in the north, which has a harbour, a museum and, of course, the hogmanay fireball ceremony, which is unique—it will not happen anywhere else, if only for health and safety reasons. No distance away at all is Dunnottar castle, from where it is a short walk to the RSPB's Fowlsheugh nature reserve, where we can find not just birds but butterflies and cliff-top flowers. It is still walkable to Inverbervie, where it is possible to pick up an old railway track, along which my wife and I were walking over the weekend. The old railway takes us down to Gourdon, Johnshaven and, probably after a bit of climbing, the wonderful beach at St Cyrus. There are fish festivals, fish-and-chip shops aplenty and tea houses, and very good exercise to be had. It is a wonderful environment.

Other members have mentioned litter, which is a problem that must be addressed in both directions. I stood on St Cyrus beach on Sunday afternoon looking at bottles that had not come on the tide, and at huge hay bales that must have done, because they could not have got there any other way. We were scratching our heads and wondering where they had come from, but it is clear that litter comes in both directions.

I look forward to the cabinet secretary's announcement very soon—within a few days, I suspect—of the marine spatial plan. I welcome the increasing interest in what we do on the foreshore, and the increasing concerns about planning. I wonder whether the Old course at St Andrews would ever be built if someone wanted to do that now. It would no doubt be a site of special scientific interest on which no one would ever be allowed to put a golf course. I will leave members with that thought.

The coast needs to be looked after. At an institutional level, the coastal partnerships are doing their bit, and—as I said—I look forward to the publication of the draft marine plan in the next few days. We as individuals must also do our bit, and ensure that we do not drop litter. We have the opportunity to go down to the coast and enjoy our countryside, and I encourage everyone to do so.

Malcolm Chisholm mentioned the Water of Leith, which I have walked. Other members have mentioned Oban, where I have also been. I have walked most of my own coastline, and probably most of the coastlines that other members will mention. That is a fabulous opportunity, but it worries me that I do not meet many people out there. We need to broadcast the benefits rather more.

18:01

Elaine Murray (Dumfriesshire) (Lab): I, too, congratulate Rhoda Grant on bringing to the chamber the debate on local coastal partnerships. There are more than 50 such partnerships throughout the United Kingdom, which make a vital contribution to management and integration activities on the coast.

Like Malcolm Chisholm and Nigel Don, I will concentrate on my local coastal partnership, the Solway Firth Partnership, which turned 20 years old in June. It was inaugurated by Magnus Magnusson, with the initial aim of developing a cross-border marine and coastal strategy, and it became a limited company with charitable status in 2003. The partnership continues to work on both sides of the Solway, and therefore faces the challenge of operating within two different regulatory and policy frameworks, but it rises to the challenge and makes an important contribution to supporting the local economy and the local environment. Membership is open to all who are interested in coastal issues, whether they are organisations or individuals.

Over the years, the partnership has played many important roles. Those have included helping with the recovery from the effects of foot-and-mouth in 2001 in Dumfries and Galloway and Cumbria; co-ordinating Solway Fish—the organisation, not the species; establishing the Solway aquatic litter task—or SALT—programme; developing the Solway biosecurity plan; and taking action on non-native invasive species, which included the publication of an identification guide.

The partnership has worked with the UK and Scottish Governments during the development of marine planning legislation such as our Marine (Scotland) Act 2010 and the UK's equivalent, the Marine and Coastal Access Act 2009. It is involved with the North Western Inshore Fisheries and Conservation Authority in England, and with the south-west inshore fisheries group that covers the Scottish part of the Solway Firth.

The partnership has run several successful projects, including the making the most of the coast initiative, which was a two-year project that was completed in the summer. The project involved more than 2,500 people; engaged with 28 education providers, from nurseries and schools to research establishments; worked with more than 30 groups; and featured in 33 publications.

Primary school children were involved in filming a documentary about the sea shore, and three awareness-raising films for young people were produced on coastal issues that included risks to coastal heritage, monitoring climate change and marine litter. Four short films were also produced

featuring the variety of the Dumfries and Galloway coast.

The Solway Firth Partnership has been involved in co-ordinating work that is aimed at reopening the important Solway cockle fishery. The management of that intertidal fishery has, over the years, been problematic to say the least. Cockles are economically valuable, but they are also a food source for waders such as the oyster-catcher, and there is clearly a balance to be struck between economic and environmental considerations. The partnership has worked with Marine Scotland to develop a sustainable management model and, although the local contractor that had been taking part in the scientific study withdrew in August, the Government believes that sufficient information has been gathered to enable the fishery to reopen in September next year.

The partnership produces a biannual newsletter containing information about a range of coastal issues. For example, November's edition includes an article on smuggling on the Solway in the 18th century—an activity that benefited not only from the differences in customs and excise in Scotland and England but from the proximity of the Isle of Man, whose rulers imported large quantities of luxury goods, repackaged them and sold them on to the Solway smugglers. Members may know that one of the most famous excisemen was Robert Burns, who caught a smuggler at Annan. That prompted him to write the poem "The De'il's awa wi' th' Exciseman", which suggests that he was somewhat more sympathetic towards the smuggler than an exciseman should have been.

The Solway Firth Partnership works with local people to promote sustainable enjoyment of the coast through activities such as sea angling, sailing, kayaking, diving, wildlife watching and coastal walking. The inner Solway Firth is designated as both a special protection area under the birds directive and a special area of conservation, or a Natura site. The estuary is an important wetland for overwintering birds such as Svalbard barnacle geese and whooper swans, and it is the most northerly habitat for the rare natterjack toad, for which I am the species champion in Parliament.

The role of the Solway Firth Partnership has been, and will continue to be, essential to the sustainable development, management and promotion of the Solway, and I am grateful to Rhoda Grant for the opportunity to thank the members of the partnership for their vital contribution to our region.

18:06

The Cabinet Secretary for Rural Affairs, Food and Environment (Richard Lochhead): I congratulate Rhoda Grant on lodging the motion to recognise the important role that has been played by our coastal partnerships over many years. It is appropriate that I am able to speak in this debate after opening and closing the previous debate on sea fisheries, which was relevant to many members' speeches. I enjoyed Rhoda Grant's economic, social and cultural tour of Scotland's coasts, particularly the Moray Firth, which I am privileged to represent part of. I certainly recognise those attributes of the Moray Firth that members have mentioned—it is a stunning area of Scotland.

I echo other members' comments in acknowledging the contribution of the partnerships to the management of our coasts and seas. Their contribution has helped to shape and influence national policy in this country. Many of the partnerships and the bodies they represent were directly involved in the wide-ranging discussions that led to the Marine (Scotland) Act 2010, as members have said. That legislation is all about protecting the features that Rhoda Grant and other members have spoken of.

The partnerships remain important to the ongoing implementation of Scotland's marine legislation, and the motion highlights the partnerships' role in the development of marine planning and the work that they have done to pilot marine regional planning, which is now being taken forward. They have helped to pave the way for our new marine planning framework, and the debate is timely not only because we are celebrating the 21st anniversary of the emergence of the local coastal partnerships but because the national marine plan will be laid before Parliament later this week. It will be Scotland's first statutory marine plan and will set the framework for the sustainable development of our seas.

Marine planning seeks to manage the impact of human activity on the marine environment, but it also recognises and encourages the growth of all the industries that members have mentioned that need and use our waters, such as fishing, oil and gas, renewables and marine tourism. It also gives further weight to the designated marine protected areas and preferred locations for the development of offshore wind and marine renewables. It is right that we take that approach. As has been said, our seas are a vast resource, offer a stunning environment that is essential for our climate and our lifestyles, are capable of providing food and energy, and are increasingly enjoyed by tourists and recreational users alike.

The Scottish seas with which we are blessed are also among the most diverse in the world, being home to many distinctive habitats and iconic

species such as the basking shark and more than 20 species of marine mammals as well as internationally important bird populations.

Jamie McGrigor: The cabinet secretary has made a lot of Scotland becoming a food and drink nation. Does he agree that advertising our quality products from the areas that he is talking about is one of the best ways of doing that?

Richard Lochhead: I certainly agree with that. In the previous debate, I mentioned the fact that I was in Orkney last week to meet food and drink businesses. The nature of Orkney defines the image that helps to sell the food and drink from those islands, and that is the case with other parts of Scotland as well. I hope that in 2015—the year of food and drink—our coastal partnerships and everyone who has an interest in promoting the image of our fantastic natural environment, which spawns our food and drink, will find ways of promoting their local produce throughout that important year.

It is important that we manage all those resources, because they will continue to support our reputation for food and drink, all the various species that I have mentioned and all the other benefits, which we want to be there not just for the present generation but for generations to come.

The national marine plan, which we have worked hard to develop since the 2010 act came into force, will help us to do that. The hard work that we have had to do reflects the processes that have been necessary to arrive at a plan that achieves a fair and appropriate balance between the economic, environmental and social interests that members have referred to.

First and foremost, the plan is based on the evidence in “Scotland’s Marine Atlas”, much of which is now available online. I invite members who have not had a look at it to consult it—it is available through a system called national marine plan interactive. I encourage schools, MSPs and the coastal partnerships to use that system to look at the marine atlas.

The marine plan was drawn up after heavy consultation. Last autumn, Marine Scotland hosted more than 30 consultation events around Scotland to take views from local communities. We have worked closely with a range of stakeholders, including the Scottish coastal forum, which represents the local coastal partnerships, and the marine strategy forum.

That engagement with local stakeholders and their understanding of the local marine environment have been mainstays of the activity of coastal partnerships throughout their existence. The partnerships have provided a forum for local stakeholders to come together and connect directly with the community on issues that affect

them. Their activities range from the practical, such as organising the beach cleans that other members have mentioned—I have attended such events in my constituency—and providing wildlife watching guides, which has been done in Spey Bay in my constituency and in other areas that have been referred to, to strategic initiatives, such as developing sector interaction and addressing issues of conflict between sectors in different parts of Scotland. The key characteristic of the partnerships has been their ability to bring together a range of interests to consider common issues and to find local solutions.

Rhoda Grant: How does the cabinet secretary envisage the partnerships getting involved in the new marine planning set-up? What will their role be?

Richard Lochhead: Many of the organisations that are part of the coastal partnerships will be involved in marine planning in different parts of Scotland. We are at a very early stage, and as the marine regions evolve over the coming years we will see the evolution of local planning for our seas. As part of that process, we should—as I think that the member is suggesting—consider ways in which the coastal partnerships can play a role.

I do not think that it is for ministers to come up with ideas about how the coastal partnerships can play a greater role. We want to ask the partnerships what role they feel that they can play, and what support they require from the Government to play it in the future. I strongly encourage that bottom-up approach. That is the value of the partnerships around Scotland’s coasts.

A lot is happening. I expect that local coastal partnerships will continue to champion their members and all the marine industries that operate in their patches. I want them to do what they can to raise awareness of all the issues that members have spoken about and the riches of our coastal communities. If there is anything that the Government can do to help with that, we are open-minded.

There are many fine examples of such work being done around the country, such as by the Moray Firth Partnership and its neighbour the East Grampian Coastal Partnership, which are raising awareness of and demand for local seafood. Of course, there are now plans to develop an east Scotland seafood trail in 2015, which is timely given that 2015 will be the year of food and drink. There are many examples of such co-operation going on around the country, and I encourage that to continue.

Looking forward, I believe that the Government’s plan to establish marine planning

partnerships at a regional level will ensure that the work of the local coastal partnerships is continued and developed. We are working closely with the Firth of Clyde forum and with those in Shetland to establish formal marine planning partnerships in those areas, to which I referred earlier.

The experience of local coastal partnerships, their engagement with local communities, the issues that they tackle and their ways of working provide many learning points for the development of regional marine planning in the coming years.

I could talk for a while longer about the many other initiatives that are happening around Scotland involving the local coastal partnerships. I do not want to do that, but I will close by commending the work of our local coastal partnerships. I wish their representatives well for tonight's reception—if I can pop along, I will certainly do so—and I look forward to ensuring that their commitment to managing our coasts and seas is reflected in our new marine planning regime.

Let us continue to celebrate Scotland's coasts and the role that our coastal partnerships play in doing that.

Meeting closed at 18:15.

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