



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 2, No. 77, Session 6

Meeting of the Parliament

Wednesday 22 February 2023

Note: (DT) signifies a decision taken at Decision Time.

The meeting opened at 2.00 pm.

1. Portfolio Questions: Questions on Rural Affairs and Islands, and then on Health and Social Care, were answered by Cabinet Secretaries and Ministers.

2. Launching a Successful Deposit Return Scheme: Maurice Golden moved S6M-07975—That the Parliament believes that a Deposit Return Scheme (DRS) can make a positive contribution to increasing the rate of recycling and reducing litter for drinks containers; recognises that the Scottish Government has been committed to introducing a DRS since 2013; welcomes the widespread support that the scheme’s environmental objectives have received from businesses, and recognises their concerns over key operational elements of the scheme; understands that businesses, and waste management experts have called for at least 18 months’ notice prior to the scheme launch, and that, with less than six months until the proposed launch, information is still required by stakeholders to both ensure compliance and maximise the operational success of the scheme; notes the findings of the Gateway Review Final Report, which stated that “...a fully functioning and compliant DRS cannot be in operation for the revised August 2023 schedule”, and calls for an urgent independent review of the launch date to enable a successful launch as soon as practically possible.

The Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater) moved amendment S6M-07975.2—

As an amendment to motion S6M-07975 in the name of Maurice Golden (Launching a Successful Deposit Return Scheme), leave out from “Scottish

Government” to end and insert “Deposit and Return Scheme for Scotland Regulations 2020, which establish the approach and structure of Scotland’s DRS, were agreed by the Parliament in May 2020; welcomes the recent progress made by Circularity Scotland, SEPA, the Scottish Government and the UK Government in finalising the key operational elements of the scheme; further welcomes the package of measures recently announced by Circularity Scotland to support producers; notes that the most recent review in October 2022 concluded that ‘the DRS Programme has gained increased momentum and is in a much improved position’; understands that Scotland’s DRS will make an important contribution to cutting climate emissions, and calls on the Scottish Government to continue to take a pragmatic approach to implementation, working with industry to identify and address concerns.”

After debate, the amendment was agreed to ((DT) by division: For 65, Against 58, Abstentions 0).

Colin Smyth moved amendment S6M-07975.1—

As an amendment to motion S6M-07975 in the name of Maurice Golden (Launching a Successful Deposit Return Scheme), insert at end “; acknowledges that an effective modern deposit return scheme reduces carbon emissions and waste; welcomes the changes that have been made to the proposals since the regulations were first made; recognises that concerns from some businesses, in particular small producers and retailers, remain over operational elements of the scheme, and urges the Scottish Government to consider further changes ahead of any introduction, including a grace period for small producers, exemptions for low volume producers, and an opt-in for small retailers to ensure delivery of a viable Deposit Return Scheme that helps meet Scotland’s net zero ambitions.”

After debate, the amendment was disagreed to ((DT) by division: For 58, Against 65, Abstentions 0).

The motion, as amended, was then agreed to ((DT) by division: For 65, Against 58, Abstentions 0).

Accordingly, the Parliament resolved—

—That the Parliament believes that a Deposit Return Scheme (DRS) can make a positive contribution to increasing the rate of recycling and reducing litter for drinks containers; recognises that the Deposit and Return Scheme for Scotland Regulations 2020, which establish the approach and structure of Scotland’s DRS, were agreed by the Parliament in May 2020; welcomes the recent progress made by Circularity Scotland, SEPA, the Scottish Government and the UK Government in finalising the key operational elements of the scheme; further welcomes the package of measures recently announced by Circularity Scotland to support producers; notes that the most recent review in October 2022 concluded that ‘the DRS Programme has gained increased momentum and is in a much improved position’; understands that Scotland’s DRS will make an important contribution to cutting climate emissions,

and calls on the Scottish Government to continue to take a pragmatic approach to implementation, working with industry to identify and address concerns.

3. A9 Dualling: Graham Simpson moved S6M-07977—That the Parliament believes that the Scottish Government’s failure to deliver on its promise to dual the A9 between Perth and Inverness by 2025 is a betrayal; recognises the vital importance of this route to the economic and social wellbeing of the communities it serves; notes the serious safety implications of failing to meet the commitment to dual, with lives lost and serious accidents having occurred since the commitment was made, and calls on the Scottish Government to provide a specific date for when a revised timescale of works and costs will be published, and to ensure that Transport Scotland publishes a quarterly update setting out progress against published targets.

The Minister for Transport (Jenny Gilruth) moved amendment S6M-07977.3—

As an amendment to motion S6M-07977 in the name of Graham Simpson (A9 Dualling), leave out from “believes” to end and insert “acknowledges the significant investment by the Scottish Government in sustainable transport infrastructure in the Highlands, including the £330 million enhancements to the Inverness to Aberdeen railway line, the £57 million upgrade of the Highland Main Line between Perth and Inverness, the new £42 million Inverness Airport train station, passing loop and signalling, and over £430 million invested to date on dualling the A9 between Perth and Inverness; notes the progress on dualling this part of the A9, including the opening of two sections, as well as the confirmation by the Scottish Ministers that the statutory process for a further eight sections will be completed; is concerned by the impact of Brexit and the UK Government’s economic mismanagement, which have caused increased labour and material costs, on the A9 dualling programme, including the Tomatin to Moy project; welcomes the intention of the Scottish Government to engage further with the relevant local members on the A9 dualling programme and to set out a renewed timescale for completion of the dualling programme to the Parliament later in 2023, and further welcomes the early progress being made on the £5 million package of short-term measures to make the A9 safer for all road users.”

After debate, the amendment was agreed to ((DT) by division: For 65, Against 57, Abstentions 0).

Neil Bibby moved amendment S6M-07977.1—

As an amendment to motion S6M-07977 in the name of Graham Simpson (A9 Dualling), insert at end “; notes the statement made by the Minister for Transport on 8 February 2023 that the Scottish Government is still ‘absolutely committed’ to dualling the A9, and believes that this project is a priority and should be progressed as a matter of urgency.”

After debate, the amendment was disagreed to ((DT) by division: For 57, Against 65, Abstentions 0).

The motion, as amended, was then agreed to ((DT) by division: For 65, Against 58, Abstentions 0).

Accordingly, the Parliament resolved—

—That the Parliament acknowledges the significant investment by the Scottish Government in sustainable transport infrastructure in the Highlands, including the £330 million enhancements to the Inverness to Aberdeen railway line, the £57 million upgrade of the Highland Main Line between Perth and Inverness, the new £42 million Inverness Airport train station, passing loop and signalling, and over £430 million invested to date on dualling the A9 between Perth and Inverness; notes the progress on dualling this part of the A9, including the opening of two sections, as well as the confirmation by the Scottish Ministers that the statutory process for a further eight sections will be completed; is concerned by the impact of Brexit and the UK Government's economic mismanagement, which have caused increased labour and material costs, on the A9 dualling programme, including the Tomatin to Moy project; welcomes the intention of the Scottish Government to engage further with the relevant local members on the A9 dualling programme and to set out a renewed timescale for completion of the dualling programme to the Parliament later in 2023, and further welcomes the early progress being made on the £5 million package of short-term measures to make the A9 safer for all road users.

4. Shark Fins Bill - UK Legislation: The Cabinet Secretary for Rural Affairs and Islands (Mairi Gougeon) moved S6M-07983—That the Parliament agrees that the relevant provisions of the Shark Fins Bill, introduced in the House of Commons on 15 June 2022, and as amended at its committee stage on 16 November 2022, relating to shark finning, so far as these matters fall within the legislative competence of the Scottish Parliament or alter the executive competence of the Scottish Ministers, should be considered by the UK Parliament.

The motion was agreed to (DT).

5. Business Programme: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-07994—That the Parliament agrees—

(a) the following programme of business—

Tuesday 28 February 2023

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Economy and Fair Work Committee Debate: Retail and Town Centres in Scotland

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 1 March 2023

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Constitution, External Affairs and Culture; Justice and Veterans

followed by Scottish Government Debate: Local Government Finance (Scotland) Order 2023

followed by Scottish Government Debate: Dementia Strategy

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.00 pm Decision Time

followed by Members' Business

Thursday 2 March 2023

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Education and Skills

followed by Ministerial Statement: Caledonian Sleeper Train

followed by Scottish Government Debate: Arctic Connections - Scotland's Growing Links with the Arctic

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 7 March 2023

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Business

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 8 March 2023

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Covid Recovery and Parliamentary Business; Finance and the Economy

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.00 pm Decision Time

followed by Members' Business

Thursday 9 March 2023

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Net Zero, Energy and Transport

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 27 February 2023, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.

Stephen Kerr moved amendment S6M-07994.1—

As an amendment to motion S6M-07994 in the name of George Adam (Business Programme), after first "*followed by* Topical Questions (if selected)" insert "*followed by* Ministerial Statement: Teacher Strikes".

After debate, the amendment was disagreed to (by division: For 57, Against 66, Abstentions 0).

The motion was then agreed to.

6. Designation of Lead Committee: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-07995—That the Parliament agrees that the Net Zero, Energy and Transport Committee be designated as the lead committee in consideration of the supplementary legislative consent memorandum in relation to the Energy Bill (UK Legislation).

The motion was agreed to (DT).

7. Decision Time: The Parliament took decisions on items 2, 3, 4 and 6 as noted above.

8. Special Tribunal on Russian Aggression in Ukraine: The Parliament debated S6M-07345 in the name of Jenni Minto—That the Parliament notes the support, including among people in the Argyll and Bute constituency, for efforts to seek justice and accountability for the reported atrocities committed by Russian troops during their invasion of Ukraine, as well as for what it sees as the crime of the war itself; considers that the decision by the Russian Federation to launch attacks on Ukraine poses a grave challenge to the post-1945 international order; believes that, in line with international law, the invasion has provided for individual criminal responsibility for those who plan, initiate or execute wars of aggression; notes the support for the ongoing investigations into Russia's military invasion of Ukraine, including those before the International Court of Justice, International Criminal Court and European Court of Human Rights; further notes the calls for the establishment of an ad hoc special tribunal with a mandate to investigate and prosecute the crime of aggression allegedly committed by the political and military leadership of the Russian Federation; notes the suggestions to apply the definition of the crime of aggression based on Article 8 bis of the Rome Statute; further notes the calls for guarantees that accountability will extend to government and political officials; welcomes the reported exercise of jurisdiction by the International Criminal Court over war crimes, crimes against humanity, and attempted genocide on the territory of Ukraine; considers that Russian co-operation with such a trial may be one key metric by which we can judge that Europe is on a path towards peace; believes that a Ukrainian victory is necessary for the integrity of the international system, as are, it considers, justice and accountability for Russian crimes, and notes the view that accountability for the crime of aggression against Ukraine must be secured.

The meeting closed at 6.11 pm.

David McGill
Clerk of the Parliament
22 February 2023

Appendix
(Note: this Appendix does not form part of the Minutes)

Committee Reports

The following report was published on 22 February 2023—

Delegated Powers and Law Reform Committee, 18th Report, 2023 (Session 6): Supplementary Legislative Consent Memorandum: delegated powers relevant to Scotland in the Procurement Bill (SP Paper 322)

Subordinate Legislation

Made Affirmative Instruments

The following instrument was laid before the Parliament on 22 February 2023 and is subject to the made affirmative procedure—

Scottish Landfill Tax (Standard Rate and Lower Rate) Order 2023 (SSI 2023/50)
laid under section 41(3) of the Landfill Tax (Scotland) Act 2014

Affirmative Instruments

The following instrument was laid before the Parliament on 22 February 2023 and is subject to the made affirmative procedure—

Local Government Finance (Scotland) Order 2023 [draft]
laid under section 14(3) of the Health and Care (Staffing) (Scotland) Act 2019

Other Documents

The following document was laid before the Parliament on 22 February 2023 and is not subject to parliamentary procedure—

The Local Government Finance (Scotland) Order 2023 – Report by the Scottish Ministers (SG/2023/35) laid under paragraph 2(3) of schedule 12 of the Local Government Finance Act 1992

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