



OFFICIAL REPORT
AITHISG OIFIGEIL

Meeting of the Parliament

Wednesday 8 November 2017

Session 5



The Scottish Parliament
Pàrlamaid na h-Alba

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - www.parliament.scot or by contacting Public Information on 0131 348 5000

Wednesday 8 November 2017

CONTENTS

	Col.
BUSINESS MOTION	1
<i>Motion moved—[Joe FitzPatrick]—and agreed to.</i>	
PORTFOLIO QUESTION TIME	2
RURAL ECONOMY AND CONNECTIVITY	2
Rural Payments.....	2
Farm Incomes.....	3
Secretary of State for Environment, Food and Rural Affairs (Meetings).....	6
Strategic Timber Transport Fund.....	7
Angling Clubs (Consultation on River Categorisation).....	7
Railways (Funding for Improvements).....	8
ENVIRONMENT, CLIMATE CHANGE AND LAND REFORM	11
Community Land Buyouts (Remote and Rural Communities).....	11
European Union (Withdrawal) Bill (Environment).....	12
Wildlife Organisations.....	14
Vehicle Emissions.....	15
Air Quality (Central Scotland).....	15
Climate Change (Impact of Brexit).....	16
JUNIOR MINISTER	19
<i>Motion moved—[First Minister]—and agreed to.</i>	
The First Minister (Nicola Sturgeon).....	19
Jackson Carlaw (Eastwood) (Con).....	20
CHILD POVERTY (SCOTLAND) BILL: STAGE 3	21
CHILD POVERTY (SCOTLAND) BILL	36
<i>Motion moved—[Angela Constance].</i>	
The Cabinet Secretary for Communities, Social Security and Equalities (Angela Constance).....	36
Adam Tomkins (Glasgow) (Con).....	39
Pauline McNeill (Glasgow) (Lab).....	41
Ruth Maguire (Cunninghame South) (SNP).....	42
Jeremy Balfour (Lothian) (Con).....	44
Alex Neil (Airdrie and Shotts) (SNP).....	46
Iain Gray (East Lothian) (Lab).....	48
Alison Johnstone (Lothian) (Green).....	49
Alex Cole-Hamilton (Edinburgh Western) (LD).....	51
Sandra White (Glasgow Kelvin) (SNP).....	53
Jamie Greene (West Scotland) (Con).....	55
Ben Macpherson (Edinburgh Northern and Leith) (SNP).....	56
Mark Griffin (Central Scotland) (Lab).....	58
Michelle Ballantyne (South Scotland) (Con).....	60
Angela Constance.....	62
BUSINESS MOTION	65
<i>Motion moved—[Joe FitzPatrick]—and agreed to.</i>	
PARLIAMENTARY BUREAU MOTIONS	67
<i>Motions moved—[Joe FitzPatrick].</i>	
DECISION TIME	68
HOMES FIRST	71
<i>Motion debated—[Andy Wightman].</i>	
Andy Wightman (Lothian) (Green).....	71
Ben Macpherson (Edinburgh Northern and Leith) (SNP).....	74
Graham Simpson (Central Scotland) (Con).....	75
Pauline McNeill (Glasgow) (Lab).....	77

Mark Ruskell (Mid Scotland and Fife) (Green) 77
Gordon Lindhurst (Lothian) (Con)..... 79
Kezia Dugdale (Lothian) (Lab)..... 81
The Minister for Local Government and Housing (Kevin Stewart) 83

Scottish Parliament

Wednesday 8 November 2017

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

Business Motion

The Presiding Officer (Ken Macintosh): The first item of business is consideration of business motion S5M-08733, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a timetable for proceedings on the Child Poverty (Scotland) Bill.

Motion moved,

That the Parliament agrees that, during stage 3 of the Child Poverty (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 and 2: 55 minutes

Groups 3 to 5: 1 hour 20 minutes.—[Joe FitzPatrick]

Motion agreed to.

Portfolio Question Time

Rural Economy and Connectivity

Rural Payments

1. **Stewart Stevenson (Banffshire and Buchan Coast) (SNP):** To ask the Scottish Government whether it will provide an update on progress with the 2017 basic payment scheme. (S5O-01415)

The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing): Through the basic payment scheme 2017 loan scheme, the majority of farmers and crofters are receiving up to 90 per cent of their basic payment support earlier than ever before. As of the beginning of November, £292 million has been paid to more than 12,000 businesses, demonstrating the Scottish Government's commitment to supporting and providing security to the rural economy.

Stewart Stevenson: Does the cabinet secretary agree that, given that the money is reaching rural areas and farmers earlier and quicker than ever before, much needed certainly is being given to the rural economy as a whole and to businesses that depend on agriculture? Will he confirm that even though the deadline has passed, farmers and crofters can still apply for an interest-free loan, if that is the decision that they want to make?

Fergus Ewing: The loan payments have been welcomed, as has the fact that they were paid a week or so earlier than it was indicated at the outset that they would be. I was determined that we would pay out the maximum possible and, in most cases, that has been 90 per cent—not 80 per cent—of entitlements. That has provided financial certainty for farmers and crofters; it has also helped the wider economy in rural Scotland.

The answer to the member's second question is yes. Those farmers and crofters who have yet to accept their loan offer may do so—the offers are still open for acceptance and payment. In fact, the money is there for farmers and crofters, so I am keen that they receive the money to which they are entitled, and I encourage them to send their opt-in slips in the supplied pre-paid envelopes.

Any business that has not received a loan offer, or that has lost its original offer, should not hesitate to contact its local rural payments and inspections directorate office.

Edward Mountain (Highlands and Islands) (Con): I declare an interest: I am a partner in a farming business.

The computer did not work in 2016, it did not work in 2017 and it does not look as though it will work in 2018. When will it work?

Fergus Ewing: I must admit that the one predictable thing about the Conservatives is the unremitting gloom in everything that they say on this topic. I sincerely believe that most farmers and crofters welcome the loan scheme—some have told me so; some have thanked me.

The loan scheme means that the money is in their bank accounts at a time, in the run-up to Christmas, when many of them make their spending decisions on new equipment, new feedstock and other purchases. That is to be welcomed.

As far as the computer system is concerned, it is working—I have made that absolutely clear, as Mr Mountain has heard me say on my innumerable appearances before his committee. It is not working to the deadlines as yet, but I am confident that we will make substantial progress. I will come back to the Parliament early in the new year to outline that progress.

In the meantime, I think that farmers and crofters also welcome the clear timetable that we have set out for payments across the schemes. NFU Scotland, whose support for the loan scheme—and others—I welcome, has made that point, too. They all want clarity and certainty about when farmers and crofters can expect to receive the funds, and that is what I have sought to provide.

Rhoda Grant (Highlands and Islands) (Lab): Loans are welcome, but they are not substantive payments. How much substantive payment is outstanding for each year of the new scheme?

Fergus Ewing: I have a series of figures here. In respect of the basic payment scheme—I will check the record in case I err inadvertently—we have paid 99.7 per cent of the 2016 payments. The less favoured area support scheme payments for 2015 and 2016 are being processed and we have paid 98.7 per cent of the 2015 LFASS payments, which is 11,216 payments, and we have processed 92.3 per cent of the 2016 LFASS payments.

I will not be happy until everyone who is entitled to payment has received it, but from those figures the chamber can accept that we are making good progress. I will not rest until everyone has received the payment to which they are entitled.

Farm Incomes

2. Peter Chapman (North East Scotland) (Con): I declare an interest as a partner in a farming business.

To ask the Scottish Government what it is doing to tackle reported falling farm incomes and rising farm debt. (S5O-01416)

The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing): I answered a very similar question from Mr Chapman when I announced the common agricultural policy stabilisation plan. I will not repeat the full answer that I gave then, but I remind him that there is a long-term trend of rising farm debt levels across the United Kingdom—they have been rising for the past 23 years, in fact. As for farm incomes, the long-term trend is generally upwards, with a 14 per cent increase since 2015.

However, I am not complacent and am determined to do all that I can to support farmers and to provide security to the rural economy. I can now confirm that we have made payments totalling £292 million to more than 12,324 farmers and crofters, which, compared with in the same period last year, is £46 million more to 360 more businesses.

Peter Chapman: There is a bigger picture here. I am very concerned that there is still no idea of what system of support the cabinet secretary is planning to put in place to support Scottish agriculture post-Brexit.

Members: Oh!

Peter Chapman: There is a responsibility here. Westminster has guaranteed the same level of financial support to Scottish agriculture until 2022. How will the cabinet secretary use that money in a fair, transparent and innovative way to allow a profitable future for our farmers?

Fergus Ewing: I do not accept the point at all. To be accurate—although I do not want to be cruel to the Conservative Party—

The Minister for Transport and the Islands (Humza Yousaf): Go on!

Richard Lyle (Uddingston and Bellshill) (SNP): Go on!

Fergus Ewing: The pledge was not until 2022; it was to the end of the current UK Government, whenever that will be. We will see. Even if it manages to stumble on in chaos until 2022, it has not yet provided clarity on pillar 2 funds. I have raised that point with Mr Gove at the past two multilateral meetings, the most recent of which was on Monday when I attended with my colleague Roseanna Cunningham. I asked Mr Gove to confirm in writing to us that there will be payment of LEADER, the forestry grant scheme, the agri-environment climate scheme—all the pillar 2 programmes—up to 2022, and I have had no answer; only farm support has been guaranteed. All of those long-term projects, for example in forestry, do not have the clarity that Mr Chapman implied they do.

Post-Brexit, I am afraid that it gets rather worse for Mr Chapman. I asked Mr Gove another

question. I said, “Mr Gove, during the Brexit referendum, you said that after Brexit, the funding from Europe, which is worth £500 million to the rural economy in Scotland, would be matched.” After Brexit is after the end of the transition period, and Mr Gove had nothing whatsoever to say on that. We are completely in the dark about the UK Government’s intentions for what financial support will be provided post-Brexit, despite the fact that, since the referendum day, we have asked for that clarification time and again.

Mr Gove said that he would match the money post-Brexit. If a minister promises something, he has to deliver or he has to resign.

Emma Harper (South Scotland) (SNP): I remind the chamber that I am the parliamentary liaison officer to the cabinet secretary.

Speaking of bigger issues, given the upcoming possibility of tariffs, the loss of European Union workers and the ending of EU rural support, I wonder: what does the cabinet secretary currently see as the biggest threat to farm incomes?

Fergus Ewing: The unanswered questions that I have just alluded to and the issues around Brexit are the single-biggest challenge facing farmers for decades. There is the loss of access to the European single market; the possibility of substantial tariffs; the threat to Scotch lamb, which is reliant on European markets; the threat to Scotch beef from imports from South America and other countries flooding the market with cheaper beef; the threat to farming generally from the imposition of border inspection posts or some other procedure that would delay the process of export for perishable goods, thus rendering them potentially worthless—in none of those cases do we have any clarity whatsoever from the UK Government.

That is perhaps not surprising because there is no Brexit plan—there is no deal and no plan; and there is no clarity on the future of seasonal workers or EU workers. In our slaughterhouses, 95 per cent of those who work as official veterinarians—supervising the slaughter process to assure that it complies with good practice—come from the EU, and we have not had any clarity about whether they are welcome to stay in Scotland. What a disgrace!

Colin Smyth (South Scotland) (Lab): A key impact on farmers’ income is the CAP payment scheme but, at the moment, a number of farmers cannot properly identify or account for the payments that they have received. When will the reductions and exclusions letters for the CAP payment schemes, which set out what payments have been made for what schemes, be issued to farmers?

Fergus Ewing: The reductions and exclusion letters come towards the end of the processing of pillar 1 payments in every year, and that process is on-going. I will write to the member with full details, because it is a technical matter.

Secretary of State for Environment, Food and Rural Affairs (Meetings)

3. Angus MacDonald (Falkirk East) (SNP): To ask the Scottish Government when it last met the United Kingdom Secretary of State for Environment, Food and Rural Affairs. (S5O-01417)

The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing): We last met on Monday.

Angus MacDonald: I note that an agreement has been reached to review where we are on convergence, but there is as yet no sign of the £160 million that is owed to Scottish farmers and crofters. Some might say that that is downright theft. Can the cabinet secretary assure Parliament that he will continue to press for the return of the funding? If it is received, how might it benefit hill farmers and crofters in Scotland?

Fergus Ewing: Mr MacDonald is quite right to pursue the matter as doggedly as he does. I remind members that the sum of £190 million was due to Scottish farmers alone. It came from Europe for the precise purpose of removing the gap between those who receive the greatest amount per hectare and those who receive the least: those were Scottish farmers and only Scottish farmers. All that money—£190 million—was earmarked for, intended for and designed only and exclusively for Scottish farmers.

Despite that, £160 million of it—the lion’s share—has been used by the UK Government to pay farmers elsewhere in the UK. That is done. Our quarrel is not with those farmers—they have received their money and that was the decision of the UK Treasury. If the UK can find £1 billion for a shabby deal to secure the support of the Democratic Unionist Party members who prop up its chaotic and shambolic Administration, then plainly the Treasury can, if it wishes to do so, find £160 million in order to give Scottish hill farmers the money that was their due.

Yesterday, after pressure from this Government and Parliament, Mr Gove agreed that there will be a review of the matter. I hope to revert to members to state the details of an agreement that, I hope, will be reached with Mr Gove on the review’s remit, the people who will carry it out and the timescale for conducting it. I sincerely hope that that process will lead to justice for Scotland’s hill farmers.

The Presiding Officer (Ken Macintosh): Question 4 was withdrawn.

Strategic Timber Transport Fund

5. Richard Lyle (Uddingston and Bellshill) (SNP): To ask the Scottish Government what investment is planned from the strategic timber transport fund. (S5O-01419)

The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing): In the current year, an additional £5 million has been allocated for timber transport, bringing the total invested through the timber transport fund to £7.85 million. That funding is supporting nearly 50 projects that are worth over £11 million and will take nearly 1 million lorry miles off the Scottish road network.

Richard Lyle: I welcome what the cabinet secretary has said. There are 50 projects, so can he provide me with more detail on them and on what funding is supporting them in the current year?

Fergus Ewing: I am not sure whether the Presiding Officer wishes me to read out all 50 projects. Perhaps not. I can say that roads projects are going on all over the country, but particularly in rural parts—Argyll, Ayrshire, Dumfries, Highland, Moray, Perth and the Borders.

The investment performs a number of useful functions. It takes a total of 1 million lorry miles off the road network. It assists the environment, and it assists in recovery of timber—often trapped timber—from our woods and forests, and prevents it from becoming windblown and effectively wasted. Therefore, the projects are good for the economy, good for transport and good for the environment. That is why the SNP Government has injected further resources to benefit rural Scotland in all those respects.

Angling Clubs (Consultation on River Categorisation)

6. Liz Smith (Mid Scotland and Fife) (Con): To ask the Scottish Government what discussions it has had with angling clubs regarding the categorisation of rivers for 2018. (S5O-01420)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): The public consultation on our proposals for river gradings for the 2018 salmon fishing season closed on 13 October 2017, with over 150 written responses received. We are now considering those responses carefully.

Liz Smith: In the cabinet secretary's letter replying to me on 1 November about river classification, she indicated that Marine Scotland had not at that date received any submission from

the Tay District Salmon Fisheries Board, when in fact its submission was lodged on 23 October.

Has the cabinet secretary now had sight of that submission, in which the Tay District Salmon Fisheries Board has provided substantial evidence questioning the validity of the river categorisation model that is being used by Marine Scotland? What steps is she taking to have full engagement with the board and with angling clubs on this important matter?

Roseanna Cunningham: As I indicated, the consultation has closed. Marine Scotland is considering a number of requests that it has had for meetings: I think that one meeting has already been arranged, others are being discussed and others will be considered. That is an on-going process.

There is a difficulty in that I am not a fish scientist. However, I have people who provide scientific advice; it is advice that I have to listen to. We do not accept that the model that is currently being used is fundamentally flawed. However, we accept that there are opportunities to develop it further, so we continue to have those conversations.

Further refinements for the 2019 season are currently being discussed, so our position is not absolutely set in stone. We will continue to refine the model in the best possible manner, with the ultimate aim—let us remember—of ensuring that we have salmon stocks for future as well as current anglers.

Neil Findlay (Lothian) (Lab): The cabinet secretary used to be an active and leading opponent of protection orders on rivers. Ironically, she is now responsible for maintaining protection orders, with no end date identified for any of them. Will she commission independent research to establish whether the orders are justified, or are simply a ruse to keep trout anglers away from high-value salmon beats? After all, is not the Government supposed to be led by evidence-based policy rather than finger-in-the-air stuff?

The Presiding Officer: That is not really a supplementary question. Perhaps you can give a very brief response, cabinet secretary.

Roseanna Cunningham: I will say, Presiding Officer, that we are, of course, led by evidence—as I just said in my response to Liz Smith. The entire system of fisheries management—as, I suspect, Neil Findlay knows perfectly well—is being reconsidered and all aspects will be taken on board.

Railways (Funding for Improvements)

7. Bob Doris (Glasgow Maryhill and Springburn) (SNP): To ask the Scottish

Government whether it will provide an update on its discussions with the United Kingdom Government regarding a fair funding deal for Scotland for railway improvements. (S5O-01421)

The Minister for Transport and the Islands (Humza Yousaf): The Cabinet Secretary for Finance and the Constitution raised the issue with the Chief Secretary to the Treasury in discussions on 26 October. In the meantime, my officials continue detailed discussions with Her Majesty's Treasury counterparts.

The latest offer that we received leaves a shortfall of £600 million from what the industry tells us it needs. I can assure Bob Doris that our immediate priority and focus is to press Her Majesty's Treasury in order to secure a fair deal for Scotland's railways.

Bob Doris: The minister will acknowledge that changes that are due to be introduced by the UK Government will lead to a real-terms cut in funding of railway investment, and will do serious damage to Scotland's railways as well as to future enhancement projects. Reports suggest that the Glasgow Central station improvement works might have to be rescheduled, delayed or cancelled. Can the minister give me any further information on that?

Humza Yousaf: Bob Doris has made a good point. This is not an abstract discussion, argument or negotiation between two Governments: it will have real effects. Our being £600 million short, as the current offer from the UK Government stands, will clearly impact on the ambitions that the industry has to improve, enhance and maintain Scotland's excellent rail network.

It is a swindle. To be frank, it is railway robbery. There is not a party in this Parliament that has not come to the Government to ask for rail improvements in its members' constituencies, and it is quite right that they do so. However, if what we have to invest in our railways is £600 million short, many members from across the political spectrum and their constituents will be deeply disappointed. That is why I still await a response from some parties to my call to unite behind the Scottish Government's and the industry's ask; the industry is telling us that it needs £4.2 billion for the next control period if we are to take Scotland's railways forward. I hope that those who have not responded to my call will do so, and that together we can stand up for Scotland's railways.

Rona Mackay (Strathkelvin and Bearsden) (SNP): The data for the past 12 months shows that the Westerton to Milngavie line in my and Gil Paterson's constituency was listed as the worst performer, with trains regularly using the practice of skipping stations, and only 26 per cent arriving on time. The main cause of that disruption is the

single track. A twinned track, as formerly existed, would ease disruption and allow the rail halt that has been proposed by East Dunbartonshire Council. Can the minister confirm that that possibility will be investigated with Network Rail with some urgency?

Humza Yousaf: Yes. We will explore that, but I want to put some context around what Rona Mackay said.

The Presiding Officer: Do so very briefly, minister.

Humza Yousaf: Although ScotRail reports the on-time performance, the industry standard is the public performance measure, which offers a more balanced approach.

On skip-stopping, I understand the frustration of Rona Mackay's constituents. We have said to ScotRail on many occasions that it should look to minimise that practice. In fairness, it has been trying to do that during peak times; in the past 12 months, 1 per cent of trains skipped stops. That 1 per cent is still 1 per cent too much.

I will explore the measures that the member asked us to explore and I will give her an update on how the discussions go.

Jamie Greene (West Scotland) (Con): The fact is that during control period 6, spending will rise from £3 billion to £3.6 billion, and spending per passenger in Scotland will be £39 compared to £25 in England and Wales. Will the minister confirm that he is now saying that it is official Scottish Government policy to reject the Barnett formula funding mechanism?

Humza Yousaf: Jamie Greene does not realise that funding for the railways was never based on the Barnett formula.

The 2005 discussion between the Scottish Government and the UK Government—before the Scottish National Party came to power—was based on the regulator's 11.17 per cent agreement. That is not what the Government demands; the industry demands it. It is based on advice from the regulator. The UK Government has unilaterally moved away from that without any discussion or engagement with the Scottish Government. The UK Government has left us £600 million short.

In his letter to me, Jamie Greene suggests that we use our tax powers to raise taxes—

Members: Oh!

Humza Yousaf: So, on the one hand, the Conservatives falsely claim that we are the highest-taxed part of the UK while, on the other, Jamie Greene suggests that we have additional powers over tax and borrowing that we could use to invest in our railways. Perhaps Jamie Greene

should get his own house in order before he comes to Parliament.

Jamie Greene: On a point of order, Presiding Officer. My brief point of order relates to the minister reporting facts. He has expressed in his answer that I said that we should increase taxes in Scotland. That is not what the letter says, and I hope that he is willing to put the matter right.

The Presiding Officer: That is not a point of order, but it is a point that has been noted.

Environment, Climate Change and Land Reform

Community Land Buyouts (Remote and Rural Communities)

1. **Kate Forbes (Skye, Lochaber and Badenoch) (SNP):** To ask the Scottish Government how it is assisting remote and rural communities with community land buyouts. (S5O-01425)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): The Scottish Government has committed £10 million annually to the Scottish land fund, which supports communities to purchase land and assets. The fund can provide support to community bodies for preparatory work such as undertaking feasibility studies and writing business plans, as well as making awards to help to fund land purchases. Since April 2016, the fund has supported 78 groups and there is the potential for a further 25 projects to receive funding this year.

Kate Forbes: Can the cabinet secretary advise me how completed and potential community buyouts in Skye, Lochaber and Badenoch, which includes Dingwall and the Black Isle, are helping to achieve the Scottish Government's target of 1 million acres under community ownership by 2020?

Roseanna Cunningham: The information is collated by council area rather than by parliamentary constituency. In the course of the previous Scottish land fund, which ran from 2012 to 2016, nine groups in the Highland Council area received a total of £1.6 million. Last year, 16 groups in the Highland Council area received awards totalling almost £200,000. This year, up to the end of September, four groups in the Highland Council area have received £265,000. In total, those community buyouts have contributed just over 4,000 acres towards the target.

I would encourage all communities to consider whether there are local community right-to-buy opportunities. In addition, I ask colleagues in the chamber to promote the community right to buy and, crucially, not have communities wait until land

is being marketed before they submit their applications.

Finlay Carson (Galloway and West Dumfries) (Con): What resources, financial or otherwise, can the Government offer Kirkmaiden Community Harbour Trust in Galloway and West Dumfries to assist in purchasing or transferring Drummole harbour from the Queen's and Lord Treasurer's Remembrancer?

Roseanna Cunningham: The specifics of transferring the harbour from the Queen's and Lord Treasurer's Remembrancer may fall under the community asset transfer arrangement rather than the community right-to-buy arrangement. That arrangement has slightly different rules and regulations, and it will depend entirely on what the agreement is with the transferring body. If the member wishes to write to me with specific details of that case, which does not sound as though it falls under the normal community right-to-buy or land fund proposals, I would be happy to look further into the matter for him.

David Stewart (Highlands and Islands) (Lab): Many remote and rural communities aiming for community land buyouts will also seek to use the water exemption scheme to help them to pay water and waste bills. Can the cabinet secretary confirm that it is her intention to continue with the scheme for the duration of this session of Parliament?

Roseanna Cunningham: I have no advice to the contrary. I can double-check that, but I have seen no suggestion that anything other than that would be the case.

European Union (Withdrawal) Bill (Environment)

2. **Joan McAlpine (South Scotland) (SNP):** To ask the Scottish Government what the impact could be on Scotland of the reported proposals in the European Union (Withdrawal) Bill to abandon the principles that the polluter pays and that preventative action should be taken to avert environmental damage. (S5O-01426)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): As I indicated when I spoke to the European Environmental Bureau on Monday morning, my ambition is to ensure that the principles of precaution, prevention and rectifying pollution at source, as well as the polluter-pays principle, sit at the heart of Scotland's approach to environmental policy for the future. Without them, we risk lagging behind and diverging from the ambitions of our European allies.

I welcome Mr Gove's acknowledgment last week that areas of environmental policy in Scotland have

“set the standard in the UK”

and his admission that

“there are things that both the Scottish and Welsh Administrations have done that have been admirable and in advance”

of what has been done in England. On Monday, I pressed Mr Gove to ensure that, once again, the United Kingdom Government follows Scotland’s lead, clearly commits to the EU environmental principles and provides clarity on how the principles will continue to shape the UK Government’s approach to future environmental policies and practices.

Joan McAlpine: Scottish Environment LINK has warned that there is a risk that withdrawal from the EU will mean a rapid decrease in environmental standards and that, even if EU legislation is incorporated into national law, there will be no legal recourse to the European Court of Justice to ensure the proper implementation of the standards. Does the cabinet secretary share my concerns that future environmental policy imposed by a Westminster Tory Government is likely to fall short of EU standards? Does she agree that, to protect those high standards, power over environmental policy should remain with the Scottish Parliament, as is laid down in the Scotland Act 1998?

Roseanna Cunningham: I would always want powers to remain with the Scottish Parliament; indeed, I want considerably more powers to come to it. I share the member’s concern. The issue that she raises is a key reason why I believe that the best way to protect our environmental ambition is to ensure that the principles that I spoke about in answer to the earlier question continue to be respected and that the powers of the Scottish Parliament continue to be respected. That must be our first priority, as devolution has been vital to Scotland’s environment.

As part of our preparations for the UK’s exit from the EU, we are carefully considering whether any gaps could arise in existing domestic monitoring and enforcement powers that would need to be addressed to ensure that Scotland maintains high standards of environmental protection.

Claudia Beamish (South Scotland) (Lab): I welcome the cabinet secretary’s commitment to the important environmental principles that she highlighted on Monday. My UK Labour colleague Kerry McCarthy MP has submitted amendments that would ensure that the European Union (Withdrawal) Bill would maintain the environmental principles. Can the cabinet secretary clarify whether the Scottish Government supports those amendments, and will she urge all Scottish MPs to support Kerry McCarthy’s amendments?

Roseanna Cunningham: I need to be a little careful, as I have not seen the detail of those amendments, but I undertake to ensure that I see them and get back to the member with a response. If those amendments are, in general terms, along the lines that I have been speaking about, I do not see that there would be any difficulty in doing as the member asks.

Wildlife Organisations

3. John Finnie (Highlands and Islands) (Green): To ask the Scottish Government how it works with wildlife organisations to ensure that environmental protections are adhered to. (S50-01427)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): The Scottish Government works with wildlife organisations in a number of ways on a broad range of topics, and I meet their representatives regularly. We value their advice and the important work that they do.

John Finnie: The cabinet secretary attended the European Environmental Bureau conference the other day. The comments that she made there about the emphasis that Scotland places on environmental commitments and about the European Union protections being instrumental to safeguarding the environment were warmly welcomed. However, a proposed development at Coul Links would affect that. I appreciate that the cabinet secretary cannot comment on a live application but, regardless of Brexit, if a site were categorised as a site of special scientific interest, a special protection area in respect of the birds directive and a United Nations Educational, Scientific and Cultural Organization Ramsar site, should it continue to be respected and protected in full?

Roseanna Cunningham: As the member knows, I cannot be drawn into comments that might impact on a live application—it would not be proper for me to make such comments.

In general terms, the procedure for major developments is that prospective applicants are required to consult communities before any application is made. Anyone can comment, and planning authorities have to take account of a full range of views. That is all set in the context of Scotland’s planning system, which balances a variety of interests to ensure that land use and development create high-quality, sustainable places.

John Scott (Ayr) (Con): In the light of reports of damage to and interference with legal traps by activists and members of the public, has the cabinet secretary met the Scottish Gamekeepers Association to discuss the matter and seek a

resolution to the problem? If she has not yet met the association, will she consider doing so?

Roseanna Cunningham: I meet the Scottish Gamekeepers Association officially as an organisation and I often meet individual members of the SGA. Their concerns on the issue, which are fairly well known, are one of the matters that they raise with me. I simply urge the Scottish Gamekeepers Association to keep bringing forward appropriate evidence and, in cases where it looks as though illegal interference has taken place, to take that evidence to the police.

Vehicle Emissions

4. **Gordon Lindhurst (Lothian) (Con):** To ask the Scottish Government, in light of its strategy to tackle climate change, what action it is taking to reduce vehicle emissions. (S5O-01428)

The Minister for Transport and the Islands (Humza Yousaf): As announced in the programme for government, we will increase our efforts to support electric vehicles so that, by 2032, we will have phased out the need to buy petrol or diesel cars and vans. We are taking the lead by creating Scotland's first low-emission zone by 2018 and doubling the active travel budget, and further measures are outlined in the draft climate change plan.

Gordon Lindhurst: The minister will be aware that the City of Edinburgh Council is currently consulting on a diesel surcharge for parking permits, which could result in up to 8,000 motorists being charged around £40 extra a year to park their cars. Does the minister agree that any such measures adopted around the country should target older cars that are worse for the environment, rather than being indiscriminate charging schemes that fail to focus on the most polluting cars?

Humza Yousaf: The City of Edinburgh Council, whether the current or previous administration, has a good record on tackling vehicle emissions, and I will leave it for local authorities to come up with the design and logistics of any schemes to reduce vehicle emissions. Whether through low-emission zones or the City of Edinburgh Council's scheme, we all have a shared objective in reducing carbon emissions in our urban and rural areas, but we have to give local authorities the autonomy to do that in the way they see fit. However, Mr Lindhurst makes a valid point in that it seems logical to tackle the worst emitters of pollution first.

Air Quality (Central Scotland)

5. **Monica Lennon (Central Scotland) (Lab):** To ask the Scottish Government what action it is

taking to improve air quality in Central Scotland. (S5O-01429)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): Scotland's first separate air quality strategy, "Cleaner Air for Scotland", sets out a comprehensive range of local and national measures to improve air quality. The measures include the development of a national low-emission framework, through which the 2017 programme for government committed to introducing low-emission zones in all local air quality management areas by 2023, where evidence supports such interventions. The Scottish Government also continues to provide practical and financial assistance to local authorities to support air quality monitoring and the development and implementation of action plans.

Monica Lennon: Last month, a *Sunday Herald* investigation into the proliferation of super-incinerators around Scotland brought into sharp focus concerns about pollution and public health. Dr Richard Dixon of Friends of the Earth Scotland warned:

"The Scottish Government has fine plans but they will come to naught unless they stop this rush to incineration before it is too late."

Despite cross-party and community campaigns, the Scottish Government has already allowed an appeal for one such incinerator in Hamilton, which is in the region that I represent. How is the Scottish Government policy on incineration consistent with the cleaner air for Scotland strategy?

Roseanna Cunningham: Every decision that is made in respect of an individual application takes all matters into consideration and, although I do not know the details of the particular application that Monica Lennon referred to, I presume that that will have been the case for that one, too.

There have been significant reductions in pollution emissions in Scotland over recent decades through tighter industrial regulation—which suggests that it is working—improved fuel quality, cleaner vehicles and an increased focus on sustainable transport. We have a good record and we are meeting domestic and European air quality targets in much of Scotland, albeit that there might still be hotspots of poorer air quality in a number of urban areas.

Climate Change (Impact of Brexit)

6. **Tom Arthur (Renfrewshire South) (SNP):** To ask the Scottish Government what discussions it has had with the United Kingdom Government regarding the impact that Brexit could have on climate change policy in Scotland. (S5O-01430)

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham): To date, the Scottish ministers have had no formal discussions with UK ministers on the impact of Brexit on climate change policy, nor have we seen UK Government reports or impact assessments, in spite of repeated requests.

In May 2017, I wrote to Nick Hurd, the UK's former climate change minister, asking for formal involvement in negotiations on the UK's future participation in the European Union emissions trading system, given how central that is to our meeting our climate change targets. We have had no response to that letter.

On 31 October, I wrote jointly with the Minister for UK Negotiations on Scotland's Place in Europe to Greg Clark, Secretary of State for Business, Energy and Industrial Strategy, to request immediate discussions on future EU ETS membership. Claire Perry, the Minister of State for Climate Change and Industry, replied to offer a discussion, but formal engagement on future participation in the emissions trading scheme should involve all four Administrations, and I made that point in my response.

If the UK Government has an assessment of the impact of Brexit on climate change in the UK, including Scotland, it would be in the national interest for that to be made public immediately. It is vital that the UK Government provides clarity and certainty to people, businesses and communities in Scotland.

Tom Arthur: Given that 64 per cent of the UK's imports of low-carbon equipment come from the European Union, does the cabinet secretary share my concern that, if the UK were to leave the EU without a deal, the subsequent loss of free trade would make reducing carbon emissions more expensive, thereby making climate change mitigation more difficult for Scotland and the UK as a whole?

Roseanna Cunningham: Walking away from the EU with no trade deal would be a disaster for the Scottish and UK economies. The renewable energy sector, which now supports 26,000 jobs in Scotland and has an annual turnover of £5 billion, has been a major driver of Scotland's economy in recent years, and it will play an important role in helping us to deal with climate change in the future.

The member is right to say that the sector relies on the EU for low-carbon equipment. That is why, in the negotiations to determine the future relationship with Europe, detailed consideration will need to be given to this important area of policy with a view to safeguarding Scotland's key interests and maintaining our place as a

progressive leader on climate action. It really is not good enough that, at this stage in the game, we have absolutely no answers and no information to allow us to plan for the future.

Junior Minister

The Presiding Officer (Ken Macintosh): The next item of business is consideration of motion S5M-08732, in the name of Nicola Sturgeon, on the appointment of a junior Scottish minister.

14:41

The First Minister (Nicola Sturgeon): Before I turn to Maree Todd's appointment, I want to address Mark McDonald's departure. As Minister for Childcare and Early Years, Mark oversaw the initial work on our plans to double the provision of nursery education and the successful national roll-out, from this summer, of the baby box, an initiative of which I am extremely proud.

However, as John Swinney said last week, politics must set the highest of standards. He urged men, in particular, to reflect on their behaviour, and Mark has done that. Mark's departure did not come about in a manner that anyone would have wished, but it was the right decision.

I turn to Maree Todd's appointment. As well as being a relative newcomer to our Parliament, Maree is a relative newcomer to politics. She is one of the many people on both sides of the debate who were inspired to become politically active during the independence referendum campaign. Prior to her election last year, Maree had a long career working for NHS Highland as a mental health pharmacist. She also volunteered as an antenatal teacher for the National Childbirth Trust; indeed, she was still teaching a weekly bumps and babies group right up until her election. Having supported mothers and their babies, Maree will now take on responsibility for ensuring that Scotland is the best place for those same children to grow up in.

Since becoming a member of the Scottish Parliament, Maree has shown herself to be a formidable advocate for her constituents and for the causes in which she believes. Few could fail to have been moved by the passionate, heartfelt appeal that she made in this chamber to the United Kingdom Government to halt the roll-out of universal credit, which was based on what she had witnessed in the Highlands.

However, it is in her day-to-day parliamentary duties as a whip and as a member of the Finance and Constitution Committee and the Health and Sport Committee that Maree has developed a well-deserved reputation for diligence and hard work. I gently remind those Opposition members who might have the job of shadowing her that she is also an enthusiastic member of the Scottish Parliament's rugby team. I suggest that, if they believe that she can be pushed around easily,

they should first consult her teammates to find out the truth.

Government has few greater long-term responsibilities than that of ensuring that all our young people get the best possible start in life. As such, the job that Maree is taking on is one of the most important in Government. In doing so, she has my full confidence, and I hope that she also has the best wishes of every MSP across the chamber.

It gives me great pleasure to move,

That the Parliament agrees that Maree Todd be appointed as a junior Scottish Minister.

14:44

Jackson Carlaw (Eastwood) (Con): The circumstances attending this ministerial resignation do not require editorial comment from me in the chamber this afternoon. I note only—on behalf, I hope, of us all—that this is the most depressing ministerial resignation in our relatively short history. I thank the former minister for his service and note, in particular, the focus that he brought with real passion and feeling to the issues of children with autism. I thought that he did a commendable job in that regard.

We welcome the appointment of Maree Todd, a new member in 2016. She has worked hard in the chamber and has built a reputation across the parties as an effective and passionate MSP. I hope that those qualities will be reflected in her career as a minister, which we will all watch with interest.

We support the nomination.

The Presiding Officer: The question is, that motion S5M-08732, in the name of Nicola Sturgeon, be agreed to.

Motion agreed to,

That the Parliament agrees that Maree Todd be appointed as a junior Scottish Minister.

The Presiding Officer: We congratulate the minister on her appointment. [*Applause.*]

Child Poverty (Scotland) Bill: Stage 3

14:46

The Deputy Presiding Officer (Linda Fabiani): The next item of business is stage 3 proceedings on the Child Poverty (Scotland) Bill. In dealing with the amendments, members should have to hand the bill as amended at stage 2, that is, Scottish Parliament bill 6A; the marshalled list; and the groupings. For the first division of the afternoon, the division bell will sound and proceedings will be suspended for five minutes. 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.

Section 6A—Poverty and Inequality Commission

The Deputy Presiding Officer: Group 1 is on the Poverty and Inequality Commission. Amendment 4, in the name of the cabinet secretary, is grouped with amendments 28 to 39.

The Cabinet Secretary for Communities, Social Security and Equalities (Angela Constance): I am delighted to bring this important bill to the chamber for its stage 3 debate. Throughout the process, the bill has had cross-party support for its principles, and the Parliament's robust scrutiny has led to a number of amendments to strengthen it. Indeed, I committed at stage 2 to working with members and stakeholders on amendments that they wished to see, and we come to the first of those amendments now.

It was clear that people wanted to find a workable solution to ensure that the Poverty and Inequality Commission established by the Government not only was put on a statutory footing but, crucially, retained our vision of being wide in scope. I am therefore pleased to be able to confirm today to Parliament that, following a number of very helpful discussions with stakeholders, including Douglas Hamilton, the commission's current chair, Oxfam Scotland, the Poverty Alliance, the Child Poverty Action Group and, indeed, members of the Parliament, a pragmatic and workable solution has been identified. My amendments in this group give effect to that solution and, where necessary, strengthen and tidy up provisions related to the commission.

Amendment 38 lists the Poverty and Inequality Commission in schedule 5 to the Public Services Reform (Scotland) Act 2010 to allow the Scottish Government to introduce a public services reform order and ensure that the functions of the commission established in the bill are wider in scope and reflect the clear wishes of the committee and stakeholders. I am pleased to inform members that a draft public services reform order that sets out more detail for consultation has been laid in Parliament today.

Amendment 29 means that the provisions establishing the statutory commission will come into force on 1 July 2019. In effect, that means that the statutory commission will come into operation seamlessly from when the current non-statutory commission finishes. That will ensure that the current commission is able to proceed on the basis that is set out in the position paper that I published earlier this year and that ministers will receive the commission's advice on the first delivery plan and the matters to be included in the first progress report. It will also ensure that there will be no break as the commission moves to a statutory footing.

Amendment 28 states that, before the provisions establishing the statutory commission come into force, the references in the bill that require ministers to consult the statutory commission in relation to the first delivery plan and the first progress report are to be read as references that require ministers to consult the non-statutory commission.

The remaining amendments in the group are changes of a more technical nature. Amendments 30, 32, 33 and 35 are drafting amendments that will replace incorrect references to subparagraphs with references to paragraphs.

Amendment 31 responds directly to a Delegated Powers and Law Reform Committee recommendation. The committee's report recommended that the delegated power conferred by paragraph 3(2)(c) of the schedule, which is a power that allows the Scottish ministers, by regulations, to add to the list of people in relation to which the commission has rights of access to information and assistance or explanation, is subject to the affirmative procedure rather than the negative procedure. I am happy to confirm that we propose to make that change from the negative procedure to the affirmative procedure.

Amendment 34 clarifies that reappointments to the commission are subject to the same parliamentary approval mechanisms as appointments.

Amendment 36 clarifies that the remuneration and expenses that are mentioned in the schedule are to be paid by the Scottish ministers.

Amendment 37, which is also a tidying amendment, confirms that, as well as regulating its own procedures, the commission may regulate the procedures of any committees that it establishes.

Amendment 39 is a technical amendment that will add to the long title of the bill to reflect the fact that the bill contains provisions that establish a Poverty and Inequality Commission.

I am pleased to propose those amendments to members, and I hope that they will support them to allow us to move forward together on the basis that I have set out.

I move amendment 4.

Adam Tomkins (Glasgow) (Con): I am glad that the cabinet secretary recognises that all the amendments that we supported, pressed and made at stage 2 were designed to strengthen the bill.

It is important that there is a statutory Poverty and Inequality Commission. I welcome the fact that the cabinet secretary has already appointed an ad hoc commission that is directly accountable to her, but it is important that the Parliament says that we want a statutory commission that is accountable to us as MSPs and not merely to the minister of the day. I welcome the cabinet secretary's constructive approach to that issue at stage 3 and thank her for it.

The Scottish Conservatives will support all the amendments in the group.

Pauline McNeill (Glasgow) (Lab): We will support all the Government amendments. It is a big achievement that the Parliament will—I hope—support an independent statutory Poverty and Inequality Commission. As Adam Tomkins said, those of us who felt at stage 2 that it was important that the commission was statutory felt that primarily because we need a commission that goes beyond the terms of the Parliament and ensures that there is scrutiny of child poverty targets, whichever Government is in power. Free and frank expert advice to ministers is important to meet those targets by 2030. A commission that has its own work programme and works with the Children and Young People's Commissioner Scotland and the Equality and Human Rights Commission is absolutely vital. I welcome the appointment of Douglas Hamilton, who is chair of the current commission, and all the other appointments.

I thank Alison Johnstone, Adam Tomkins and Richard Leonard, who stood firm at stage 2 to ensure that we got something at stage 3 that was statutory and independent. I also thank the Scottish Government for the constructive way in which it has worked throughout the process. To be honest, I wondered in the summer whether we

would actually get here. However, a very clever mechanism in the legislation, using the Public Services Reform (Scotland) Act 2010, has got us to the place where everybody wanted us to be. I note also the important work of the third sector in bringing us to this important point at stage 3.

Sandra White (Glasgow Kelvin) (SNP): I echo what my colleagues and the cabinet secretary have said. The way in which the Social Security Committee and the Government have conducted themselves over the issue has been exemplary and shows what committees can achieve if we all work together. It is important to realise that the new Poverty and Inequality Commission will have far-reaching powers and will not just look at child poverty, as it does at the moment, but will have a wider remit. I am very grateful for that.

The Deputy Presiding Officer: I invite the cabinet secretary to wind up.

Angela Constance: I very much appreciate the comments and support from members across the chamber. As a Government, we were always committed to an independent Poverty and Inequality Commission, which was a key manifesto commitment and action 3 in our fairer Scotland action plan. We delivered the Poverty and Inequality Commission on 3 July 2017, as announced by the First Minister. We had a very useful and detailed debate about the added value of having a statutory independent commission. We all agreed that, post stage 2, we needed to find a solution to ensure that the Poverty and Inequality Commission had a broad base and was not narrowly focused on the remit of the bill. I am pleased to say that we have found a pragmatic and workable solution.

Amendment 4 agreed to.

Section 7—Delivery plan

The Deputy Presiding Officer: We move to group 2, which is on the delivery plan. Amendment 40, in the name of Alison Johnstone, is grouped with amendments 5, 6, 2, 7, 1, 8 to 10, 3, 11, 42, 43, 12 and 13. I draw members' attention to the pre-emption information that is noted on the groupings paper.

I call Alison Johnstone to speak to and move amendment 40, and to speak to all the other amendments in the group.

Alison Johnstone (Lothian) (Green): The antipoverty measures that we will need to put in place in order for us to stand any chance of achieving the targets will need to be radical and far-reaching. They will also need to be adequately funded. We know from experience—in particular, of new Labour's progress in reducing child poverty—that that does not come cheap. Although they could always have done more, previous

Governments made significant investments in more generous social security benefits for families, as well as in education, children's health and other areas. As we go forward to production of the delivery plans, we need to be very clear about what level of investment will be made by Scottish Governments for those plans. My amendment 40 seeks to do that and would require Scottish Governments to include in the plans an assessment of the financial resources that will be required to fund the delivery plan measures.

Amendment 42 is designed to ensure that the requirement that Scottish Governments regularly consider topping up child benefit, which was inserted at stage 2, will remain in the final version of the bill. It is the case that the amendment would in no way force the Scottish Government to exercise the power to top up child benefit; it would just require the Government to indicate in each delivery plan whether it intends to use the power. It would be free to decide not to do that. However, it is an idea that we should consider seriously if we are to make progress towards the targets that the bill sets.

There is good evidence to suggest that a £5 top-up to child benefit would make immediate inroads into child poverty: research by the University of York suggests that it could help 30,000 children to escape relative child poverty. I do not think that any other antipoverty measure that we have discussed in the course of the bill's passage is likely to achieve such large reductions in poverty so quickly. Organisations including the Child Poverty Action Group in Scotland, the Poverty Alliance, Children in Scotland, Children 1st, the Scottish Women's Convention, the Children and Young People's Commissioner Scotland, the Church of Scotland, the Conforti Institute and Justice & Peace Scotland, to name just some, are all calling for that policy. A top-up of child benefit would not come a moment too soon. The Child Poverty Action Group projects that by 2020, that benefit will have lost 28 per cent of the value that it had in 2010, so we could start to address that by adding an extra £5.

15:00

We know that child benefit goes to more of its intended recipients than almost any other benefit, apart from the state pension, with 95 per cent of those who are eligible for child benefit making successful claims. I accept that the near universality of child benefit means that some of the additional spending would go to relatively well-off families whose children are not in poverty, but there is a range of problems with taking a means-testing approach, not the least of which is that take-up for means-tested benefits is lower. Also, many food banks report that child benefit is often

the only source of income for families that present to them—families who have been failed by means-tested benefits and the system that delivers them due to sanctions and administrative errors.

The Scottish Government describes social security as an investment; I agree whole-heartedly with that approach. At an annual cost of around £250 million, a £5 top-up would be a significant investment. However, Loughborough University conservatively estimates that child poverty costs us £750 million a year, so it is an investment that we cannot afford not to make. It is something that we should consider doing regularly. That is what my amendment would do.

I move amendment 40.

Angela Constance: I will speak to my amendments in group 2 and respond to the amendments from Alison Johnstone, Adam Tomkins and Pauline McNeill.

The amendments in group 2 relate to section 7 and the contents of the child poverty delivery plans that Scottish ministers will be required to develop and publish. Members will be aware that a number of amendments to section 7 were agreed at stage 2. Because there were multiple changes, the section as amended is repetitive and difficult to interpret.

I wrote to the Social Security Committee last week to explain my approach to section 7 and gave a detailed explanation of the amendments that I proposed to lodge. As I explained in that letter, my intention is to streamline the provisions by removing repetition and duplication and ensuring that the ordering is clear. My amendments will ensure that anyone reading the legislation can see clearly what they should expect from the Scottish Government in respect of its producing a delivery plan. My amendments keep to the spirit of what was wanted at stage 2 and will strengthen the bill further.

Amendment 5 will amend section 7(2A), which lists the subject areas that ministers must cover in a delivery plan. It requires ministers to "set out ... measures" that they propose

"to take in relation to"

all lists of matters. In the main, those are matters that are already listed in section 7(2A), but amendment 6 will consolidate and relocate the references to social security powers.

References to the use of social security powers were the subject of most duplication in the post-stage 2 version of the bill. I have sought to remove that and other duplication via amendments 10 and 11. In seeking to improve section 7(2A), I have paid attention to the clear desire from stakeholders and members for an explicit reference to the use of social security powers. The full range of

Scotland Act 2016 powers are, therefore, explicitly highlighted by amendment 6. That broader reference covers the power to top up specific benefits, including child benefit, child tax credit and universal credit, and therefore makes sense in terms of future proofing by leaving open the range of options that ministers might consider in the future.

That leads me to respond to Alison Johnstone's amendment 42 and Pauline McNeill's amendment 43. For the reasons that I have just outlined, I believe that amendment 6 addresses Ms Johnstone's and Ms McNeill's points, therefore in my view their amendments are unnecessary. However, in the interests of continuing the co-operative cross-party dialogue that we have had during consideration of the bill, the Scottish Government will not oppose the amendments.

Amendment 7 will replace the reference to "employment that pays at least the Scottish living wage"

with a wider reference to the nature and quality of employment. That is employment with

"remuneration that is sufficient to secure an adequate standard of living".

Clearly, the nature and quality of employment are about more than hourly pay rates, important though they are. As this is living wage week, we are even more aware of the importance of the living wage. However, by itself it does not guarantee a decent income. For example, a person can be in receipt of the living wage, but on a zero-hours or part-time contract and, therefore, not in receipt of an adequate income.

I note that agreement to amendment 7 will preempt Pauline McNeill's amendment 1, which seeks specifically to highlight single-parent households in the context of employment skills. My amendment 8 will do something similar by requiring Scottish ministers to set out in a delivery plan any measures that they intend to take in relation to single-parent households. I hope that that will satisfy Ms McNeill that she does not need to move amendment 1.

Neil Findlay (Lothian) (Lab): The cabinet secretary said that the Government will not oppose amendments 42 and 43. Does that mean that it will support them?

Angela Constance: Yes, it does.

My amendment 9 will bring Richard Leonard's text on revenue support grants into the overall list of delivery plan measures that ministers must set out, in line with the overall approach of consolidating all the requirements in one place.

I signalled my intention to lodge amendment 12 at stage 2. It will clarify an amendment from Ben Macpherson by providing that there should be a

requirement for Scottish ministers to make a statement to Parliament in relation to each delivery plan.

Amendment 13 is a tidying-up amendment that confirms that the requirement to consult various groups on the development of the delivery plan can be complied with before the act comes into force. That reflects the facts that the Scottish Government is already undertaking a programme of consultation on the delivery plan, and that there will not be sufficient time to undertake detailed consultation if we wait until after the bill receives royal assent.

I hope that members will accept that my amendments need to be considered together in order for the legislation to be coherent and easy to understand and interpret. As a whole, my amendments are a practical way of achieving what members intended at stage 2, and will make section 7 stronger and clearer.

I turn to Adam Tomkins's amendments 2 and 3, which are on educational attainment. The Scottish Government is absolutely committed to tackling the attainment gap and would, of course, expect to address educational attainment as part of the first delivery plan. For that reason I am content to support Mr Tomkins's amendment 2.

However, I cannot support Adam Tomkins's amendment 3. As members are aware, the Scottish Government is currently carrying out a public consultation on the approach to measuring progress on closing the attainment gap. We want to have a clear way of measuring progress and we want, just as we do now, to use several measures to do so. Our consultation proposes an approach that could be used to assess progress in literacy, numeracy and health and wellbeing, and seeks views on key milestones for closing the gap between those from the most-disadvantaged backgrounds and those from the least-disadvantaged backgrounds. The consultation will close on 20 November, and the Scottish Government plans to use the findings in our approach to measuring the gap in the 2018 education improvement plan, which will be published in December. I respectfully urge Mr Tomkins not to move amendment 3, in order to allow for that consultation, which is the right and proper approach to measuring the attainment gap, rather than doing it through the bill.

I confirm that I will support Alison Johnstone's amendment 40. I will, of course, consider carefully the allocation of resources for measures that are set out in the delivery plan, and I am happy to set out in the plan an assessment of the financial resources that will be required.

Adam Tomkins: Group 2 is all about delivery plans, which will, as the cabinet secretary said, be absolutely central to the success of the legislation.

It is fair to say that when the bill was introduced, section 7 was skeletal—it did not say much about what must be in a delivery plan. It is one of the elements of the bill that was significantly strengthened at stage 2 with cross-party support, to which Pauline McNeill referred. Section 7 is in a much stronger form now than it was when the bill was introduced. We will support all the Government amendments in group 2. They are, as the cabinet secretary explained, designed to tidy up stage 2 amendments that were, when read together, somewhat repetitive.

It is important to note the holistic approach to child poverty that the delivery plans will have to take. The targets in section 1 are narrowly and carefully focused on income alone, but I think that we all know that we cannot successfully tackle child poverty by thinking only about income: we must also think about education, the employment prospects of families, parents and guardians, and the range of other issues about which the cabinet secretary and Alison Johnstone talked. That is why we welcome the more broad-brush, holistic and universal approach to an antipoverty strategy that will be embraced in a much-improved section 7.

I very much welcome the Government's support for my amendment 2. It is a modest amendment that will simply add to the requirement in section 7 that delivery plans must address themselves to education, in order to focus minds on reducing the attainment gap—a subject about which the cabinet secretary and the First Minister have spoken powerfully during this parliamentary session.

In the light of what the cabinet secretary said about my amendment 3, which tries to define “attainment gap”, so that the term does not appear on the statute book without a definition, I will be happy not to move it, although I am sure that Parliament will want to revisit what the Scottish ministers are doing, and are proposing to do, to reduce the attainment gap, which is an important matter.

Finally, I agree with what the cabinet secretary said about Alison Johnstone's amendment 42, which is on top-ups. Amendment 42 is strictly unnecessary, given that the Government amendments will require delivery plans to take into account the full range of devolved social security powers that are provided for in the Scotland Act 2016. However, there is no harm in some repetition or in drawing ministers' attention to the importance of top-up powers.

It was the Scottish Conservatives who brought top-up powers to the Smith commission table, so I

am personally attached to the idea that we take them seriously as an important part of devolved social security. The Deputy Presiding Officer remembers the Smith commission well, as does the Deputy First Minister, who is chuckling. I am glad to see that he is enjoying himself.

Like the Government, we will support amendment 42. The Scottish National Party sometimes says that only 15 per cent of social security powers have been devolved, but that is not true; a third of working-age social security has been devolved in full, and in addition to that we have the top-up power and the power to create new benefits. A statutory recognition of the particular importance of the top-up power, which is what Alison Johnstone's amendment 42 calls for, is something that we can support.

Pauline McNeill: I welcome the constructive spirit in which the Government has acknowledged that the bill was subject to a significant number of amendments at stage 2 that ideally it would not have planned for. It is fair to say that we should try at stage 3 to tidy up the bill in order to ensure that we have a good bill.

I lodged the amendments in my name before I had seen all the Government's amendments. At stage 2, I thought that the delivery plan should mention the need for measures for lone parents, because there is evidence that families in that group are faring worse under welfare reform and in the context of child poverty. There is provision in that regard in the bill, but for completeness I wanted to ensure that where there are references to employability there would also be references to lone parents. However, I will not move amendment 1, because I think that the issue is adequately covered by amendment 7 and the other Government amendments in the group.

I will not move amendment 43. Amendment 6 refers to the use of welfare benefits under the Scotland Act 2016, so the issue is adequately covered.

However, I will support amendment 42, in the name of Alison Johnstone. The bill says, as Adam Tomkins said:

“A delivery plan must ... set out whether ... the Scottish Ministers intend to bring forward legislation to exercise the power provided for in section 24 of the Scotland Act 2016”.

Regardless of who is responsible for there being top-up powers in the 2016 act, the Scottish ministers should be expected to say whether they intend to use them.

15:15

The delivery plan has to mean more than simply measuring child poverty. The government of the day and its ministers should be setting out clearly

how they intend to use Parliament's resources to reduce child poverty. Therefore, we will also support amendment 40, because it would be helpful to have an assessment of the financial resources that will be proposed by the Government to deal with child poverty.

On amendment 2, Adam Tomkins has been consistent in raising the issue of educational attainment. We do not see eye-to-eye on everything in that area, because Labour believes that income should be the primary focus. However, we will support amendment 2. Because "education" is mentioned in the list and the delivery plan, it is right that the provision should include the words

"and, in particular, closing the attainment gap".

We will not support amendment 3. As members know, other work is on-going in trying to define the meaning of the educational attainment gap and how to close it.

Alison Johnstone: I think that we would agree that child benefit is a trusted and stigma-free source of income for the vast majority of families, but for so many households it is also an absolute lifeline.

As colleagues are, I am open to discussions about the design and delivery of new benefits. I am sure that we all agree that lifting family incomes should be an absolute priority.

I appreciate the Government's desire to continue the cross-party work that has brought the bill to this point today, and I warmly welcome its support for my amendments. Amendment 42 in particular has been campaigned for and supported by the organisations that I mentioned, as well as by individuals and families across Scotland. Its being agreed to will be warmly welcomed.

I also welcome the support of Conservative members. Adam Tomkins suggested that there is no harm in specifically highlighting the benefit. However, specific mention of the benefit will strengthen the Government's amendments and the bill.

Amendment 40 agreed to.

Amendments 5 and 6 moved—[Angela Constance]—and agreed to.

The Deputy Presiding Officer: Group 3 is on equalities. Amendment 41, in the name of Jackie Baillie, is grouped with amendments 44 to 47.

Jackie Baillie (Dumbarton) (Lab): I thank the Coalition for Racial Equality and Rights for its work on this policy area. I hope to see this cross-party approach adopted by Government for future legislation. I also very much welcome the co-operation and partnership working from the cabinet secretary, her special adviser and her

officials. The cabinet secretary asked me to withdraw my amendments at stage 2, which I was happy to do, to allow for discussion, and I am delighted that we have reached agreement on all the stage 3 amendments in this group.

The purpose of the amendments is to ensure that children who have protected characteristics, or who live in a household where someone has a protected characteristic, are recognised as being most at risk of poverty.

I will cite three United Nations committees in support of the amendments. First, the UN Committee on the Rights of the Child concluded in 2016 that the rate of child poverty in the United Kingdom remained high and disproportionately affected children with disabilities or children living in households where there is a disabled person, and children from ethnic minorities. In the same year, the UN Committee on Economic, Social and Cultural Rights noted that poverty was prevalent among lone-parent families. This year, the UN Committee on the Rights of Persons with Disabilities urged the UK Government to eliminate the higher level of poverty among families with children with disabilities. This is the right thing for us to do.

Amendment 41 and amendments 45 to 47 embed this approach in the delivery plan, the progress report and local child poverty reports. We all know that, if we do not embed equality in policy from the start, it becomes an add-on or an afterthought. Although I welcome equality impact assessments, they are not always the answer. Let me demonstrate that briefly. The equality impact assessment on the mental health strategy has no mention of race or ethnicity, yet we know that black and minority ethnic communities experience a differential mental health impact. Some equality impact assessments are of variable quality, and some public bodies have not even bothered to submit them.

It is important that we have something more robust in the bill. The amendments in this group will build in equality from the very start, ensure that we evaluate progress and insist that local child poverty plans reflect equality. It takes warm words and good intentions and gives them the clear, hard edge of requiring action.

Amendment 44 is about consultation. It will ensure that we talk to all those with an interest and a contribution to make, which is something that this Parliament has always sought to do.

I will finish with a quote from the First Minister's independent adviser on poverty. In her "Shifting the curve" report, she says that those with protected characteristics

"are often the most disadvantaged and ... have additional barriers to face in escaping poverty."

It is essential that we recognise that if we are to effectively tackle child poverty in Scotland, so I hope that the chamber does not need any more convincing. I urge the chamber to support these amendments.

I move amendment 41.

Angela Constance: I welcome Jackie Baillie's commitment to issues of equalities and poverty and I am pleased that we have been able to work together to develop her amendments. As the Cabinet Secretary for Communities, Social Security and Equalities, I am keenly aware of my responsibilities in this area, and I agree with Jackie Baillie that, if we are to tackle poverty, we must consider the impact that having a protected characteristic can have. As Jackie Baillie rightly pointed out when we discussed equalities at stage 2, it is important for us all to remember that poverty can affect different equality groups in different ways, and that we need to take that into account when developing policies and actions.

I welcome the additional requirements for Scottish ministers to take into account the impact of protected characteristics on household income and expenditure when developing delivery plans and progress reports, and the requirements for local partners to do the same.

I thank Jackie Baillie once again for her constructive engagement on this issue and I urge members to support amendment 41 and amendments 44 to 47.

Amendment 41 agreed to.

Amendment 2 moved—[Adam Tomkins]—and agreed to.

The Deputy Presiding Officer: Amendment 7, in the name of the cabinet secretary, has already been debated with amendment 40. If amendment 7 is agreed to, amendment 1 is pre-empted.

Amendments 7 to 10 moved—[Angela Constance]—and agreed to.

Amendment 3 not moved.

Amendment 11 moved—[Angela Constance]—and agreed to.

Amendment 42 moved—[Alison Johnstone]—and agreed to.

Amendment 43 not moved.

Amendment 12 moved—[Angela Constance]—and agreed to.

Amendment 44 moved—[Jackie Baillie]—and agreed to.

Amendment 13 moved—[Angela Constance]—and agreed to.

The Deputy Presiding Officer: Group 4 is on progress reports. Amendment 14, in the name of the cabinet secretary, is grouped with amendments 15 to 23 and 27. I ask the cabinet secretary to move amendment 14 and to speak to all the amendments in the group.

Angela Constance: All the amendments in this group are in my name and are technical, consequential or drafting amendments. I will highlight a few of the more significant changes for the record.

Amendments 14 and 27 move the definition of "parent" into the interpretation section. Amendment 15 adjusts the existing provision in the bill requiring progress reports to set out progress in reducing the number of children in single parent households who live in poverty. That ensures that a wider category of persons is captured. For example, the text as amended at stage 2 would not include as a single parent a person who is married but separated, but such a person might not be in receipt of any support from their former partner.

Amendment 23 is a tidying amendment similar to the one that I made in relation to delivery plans. It clarifies that the requirement that was introduced by Ben Macpherson for Scottish ministers to make a statement is a requirement for a statement to this Parliament in relation to a progress report.

The remainder of the amendments in the group are minor drafting changes. I move amendment 14, and I ask members to support all of the amendments in this group.

Amendment 14 agreed to.

Section 8—Progress report

Amendment 15 moved—[Angela Constance]—and agreed to.

Amendment 45 moved—[Jackie Baillie]—and agreed to.

Amendments 16 to 23 moved—[Angela Constance]—and agreed to.

Section 10—Local child poverty action report

15:30

The Deputy Presiding Officer: Group 5 is on minor and technical amendments. Amendment 24, in the name of the cabinet secretary, is grouped with amendments 25 and 26.

Angela Constance: All three of the amendments in this group are in my name and all are minor, technical or drafting changes to a subsection in the provision for local child poverty

action reports. I ask members to support all amendments in the group.

I move amendment 24.

The Deputy Presiding Officer: You have the opportunity to wind up, cabinet secretary.

Angela Constance: That is tempting, but I will decline.

Amendment 24 agreed to.

Amendments 25 and 26 moved—[Angela Constance]—and agreed to.

Amendment 46 moved—[Jackie Baillie]—and agreed to.

Section 11—Interpretation

Amendment 27 moved—[Angela Constance]—and agreed to.

Amendment 47 moved—[Jackie Baillie]—and agreed to.

After section 11

Amendment 28 moved—[Angela Constance]—and agreed to.

Section 12—Commencement

Amendment 29 moved—[Angela Constance]—and agreed to.

Schedule

Amendments 30 to 38 moved—[Angela Constance]—and agreed to.

Long title

Amendment 39 moved—[Angela Constance]—and agreed to.

The Deputy Presiding Officer: That ends consideration of the amendments.

Child Poverty (Scotland) Bill

The Deputy Presiding Officer (Christine Grahame): Before we begin the debate, I am required to say that, as members will be aware, at this point in the proceedings the Presiding Officer is required under standing orders to decide whether, in his view, any provision of the bill relates to a protected subject matter. Put briefly, that is whether it modifies the electoral system and franchise for Scottish Parliament elections. If it does, the motion to pass the bill will require support from a supermajority of members. That is a two-thirds majority of all members, which is 86. In the case of the Child Poverty (Scotland) Bill, the Presiding Officer has decided that, in his view, no provision of the bill relates to a protected subject, so the bill does not require a supermajority to be passed.

The next item is the debate on motion S5M-08696, in the name of Angela Constance, on the Child Poverty (Scotland) Bill.

15:35

The Cabinet Secretary for Communities, Social Security and Equalities (Angela Constance): I am pleased to be opening this debate on the Child Poverty (Scotland) Bill. The passing of the bill will mark a historic milestone on the road to eradicating child poverty.

This morning, I had a lovely visit to St Catherine's primary school in the south side of Edinburgh. I went there to find out about how its popular breakfast club is setting children up for the day and enabling them to make the most of their learning. They asked me to wear the wrist band that I am wearing. These wrist bands are given to children when they perform well, so I hope that I can live up to the expectations of the children of St Catherine's this afternoon.

As is customary, I will start by thanking everyone who has been involved in developing this important bill. My thanks go to the clerks of the Social Security Committee; and I am grateful to the committee convener, Sandra White, and the members, who have helped to shape the bill and who have been constructive throughout the process. The fact that such critical legislation has cross-party support and that we have worked collaboratively to strengthen the bill is an achievement that we all share. I am also grateful to the Finance and Constitution Committee and the Delegated Powers and Law Reform Committee for their careful consideration of the bill.

I also thank the many stakeholders who have supported the bill, from responding to our initial consultation to giving evidence or engaging

directly with me and officials. I am grateful for their views and contributions and, although I will not be able to mention them all, I pay particular tribute to the following groups.

The coalition to end child poverty helped to improve the bill in a number of ways. The Scottish Youth Parliament, among others, usefully and powerfully represented the views and interests of young people. Oxfam Scotland played a valuable role in helping to prepare for the introduction of the Poverty and Inequality Commission. The local reference group, which represents local authorities and health boards, has been developing practical guidance on the local duty.

In particular, I extend my sincere thanks to the ministerial advisory group on child poverty. The group's expertise and guidance have been invaluable in getting us to this point, and its legacy is a strong foundation for the new Poverty and Inequality Commission.

The bill benefited greatly from the input of the Social Security Committee and that has led to a number of changes since introduction. First, the range of subjects to be included in delivery and local action plans was usefully extended. Secondly, parliamentary scrutiny has been strengthened, and ministers now need to make a statement to Parliament when publishing delivery plans and progress reports. Thirdly, a forward-looking aspect to local reports has been agreed, requiring local authorities and health boards to outline the action that they propose to take in future years.

Establishing an independent Poverty and Inequality Commission was a manifesto commitment. It appeared as action 3 in the "Fairer Scotland Action Plan", and it was delivered in July this year when Douglas Hamilton was appointed as commission chair, and Naomi Eisenstadt and Kaliani Lyle were appointed as deputy chairs. The commission has a remit to advise ministers on child poverty and, crucially, on any issue it sees fit.

I have worked hard to find a solution to the problem that was identified at stage 2, which was that making the commission a statutory body under the bill would limit its remit so that it would be able to focus only on child poverty. Today, as I said, I have introduced a draft order under the Public Services Reform (Scotland) Act 2010 to meet Parliament's aspirations for a statutory commission with a wide remit. The order will mean that the existing commission can move on to a statutory footing from July 2019, ensuring that that independent body can advise ministers on the first delivery plan, which is due in April 2018, and on the progress report, which is due in June 2019.

For me, it has been vital to protect the commission's wide remit. The commission was set

up specifically to provide ministers with independent advice on a wide range of poverty and inequality issues facing our country. Child poverty is an obvious first focus, but the commission will also be able to look at how we should address economic inequality, intergenerational inequality and the high risk of poverty that is faced by minority ethnic groups, among other challenges. I have argued strongly to keep that wide focus, because making progress on those deep-rooted problems requires expert and independent advice.

The bill signals the importance that we as a Parliament and as a country place on tackling the unacceptable levels of child poverty across Scotland. In 2015-16, one in four children were living in relative poverty after housing costs, and the Scottish Government fundamentally disagreed with the United Kingdom Government's decision to remove the targets and associated duties from the Child Poverty Act 2010. That led to the introduction of the Child Poverty (Scotland) Bill, which reintroduces income targets, but with even greater ambition.

The UK Government's new approach, focusing on so-called workless households, ignores the fact of the growing number of families who are in work and at the same time in poverty. In 2015-16, 70 per cent of children in poverty lived in a household where at least one adult was in employment, and the continued cuts to welfare spending, which in Scotland will amount to an annual cut of £4 billion by the end of this decade, are making things much worse. Work used to be a way out of poverty, but for too many that is no longer the case and rates of pay and the number of hours available are just not enough to ensure that their children have a bright future.

Meeting our ambitious targets to eradicate child poverty by 2013 will be challenging and it will feel at times as if we are fighting with one hand tied behind our backs in the face of the cuts which, according to the Child Poverty Action Group, will see the biggest increase in child poverty since the 1960s and mean that more than 5 million kids across the UK are growing up in poverty.

The Scottish Government is already taking positive action. The programme for government announced the £50 million tackling child poverty fund, and we are taking advice from the commission on where funding can have the biggest impacts. We are introducing the best start grant by summer 2019, which will provide cash payments to lower-income families and offer increased financial support in those crucial early years. We will be providing free access to sanitary products in schools, colleges and universities and, following a pilot programme in Aberdeen, we will consider how to support women on low incomes.

We will be providing a financial health check guarantee to ensure that families with children on low incomes claim all that they are entitled to, and we will support Scotland's credit union sector so that more people have access to affordable and ethical alternatives to high street banking and payday loans.

All of that is on top of our existing programme to deliver 50,000 warm, affordable homes and our help to close the poverty-related attainment gap, and we are taking the next steps towards the near doubling of funded early learning and childcare. We are also introducing a new socioeconomic duty for the public sector.

We all know that the 2030 targets are highly ambitious and challenging, but poverty is not inevitable. As we have seen during the passage of the bill, there is a genuine cross-party desire to place those targets in statute and then take action to meet them. If everyone plays their part, the targets are achievable and we can transform the prospects of generations to come. The bill is the crucial next step.

I move,

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

15:44

Adam Tomkins (Glasgow) (Con): We very much welcome the all-party agreement that there now is on the Child Poverty (Scotland) Bill, and I agree with much of what the cabinet secretary has said. It is an important piece of legislation and the tone in which it has been debated today is a significant and welcome change from the tone at stage 2. The bill has had a good passage through Parliament. I still think that the stage 1 debate that we had in the chamber a few months ago was the single best debate that I have had the privilege of taking part in, with notable contributions from Alex Neil and my friend and colleague Jamie Greene, among many others.

The bill was not very powerful when it was introduced into Parliament. Everything that we and the other Opposition parties have done to the bill over the past few months has been done to make it stronger and more robust. The bill contains very ambitious targets, and it will be difficult to meet them. The amendments that we have made on interim targets and on delivery plans, which we discussed earlier, and the measures to put the Poverty and Inequality Commission on a statutory basis will all help the Government and public authorities throughout Scotland to meet those very ambitious targets as best they can.

In particular, I welcome the amendments that we have made to section 7, on delivery plans. We on the Conservative benches do not believe that

an anti-poverty strategy can be effective if it focuses only on income. Of course we have to focus on income, among other things, but we do not believe that the focus should be solely on that. All of us on these benches welcome the fact that the delivery plans will now have to make express reference to education and the attainment gap, housing, the availability and affordability of childcare, employment and employment prospects, the skills training of parents and families and considerations pertaining to health. All those features are already in the Scottish Government's child poverty measurement framework and child poverty action plan, and it is important that they are reflected in the bill, which is soon to be an act.

We wanted to go much further. We wanted the bill not merely to measure child poverty but to take direct steps to tackle and reduce it, particularly at source. In addition to the four income-related targets, we wanted a target on unemployment. Some of the briefings that we were sent for today's debate from the third sector pointed out that 30 per cent of children living in poverty in Scotland live in families where no one works. The employment prospects of parents and carers are still a directly relevant and material consideration when we think about child poverty.

We also wanted a statutory target to take steps to reduce the attainment gap. Of course, there is already a statutory duty to have regard to the attainment gap, but that is plainly not enough. The attainment gap is getting worse, not better. Numeracy levels among children from our most deprived communities are getting worse and not better, and the attainment gap is growing and not narrowing. The PISA—programme for international student assessment—results show that Scottish education is going backwards and that England and Northern Ireland now outperform Scotland in every category, as do the Republic of Ireland, Estonia, Poland and many other countries. We wanted the bill to take direct action to require ministers to address that. At least the delivery plans will now have to do that, even if there is not the statutory target that we wanted.

The bill is stronger than it was when it was introduced into the Parliament and, as I said, I welcome that. However, on its own, the bill will do nothing to lift even a single child in Scotland out of poverty—we should be under no illusions about that. All the attention now turns to the delivery plans and the holistic approach that they will require ministers to take.

I wish Angela Constance and her ministerial team well in meeting those targets. They are ambitious, it is right that they are ambitious and the Scottish Parliament will today send our country the strong message that we are united in saying

that the targets should be met. We can make child poverty history in Scotland, so let us get to it.

15:50

Pauline McNeill (Glasgow) (Lab): I thank the clerks to the committee and especially Mark Brough and the legislation team. It is quite remarkable how they followed all the amendments that members wanted to make, so I particularly wanted to mention them.

It has to be recognised that there is some ingenuity in using the Public Services Reform (Scotland) Act 2010 to get us to where we are now and make something that started as a commission only for child poverty into a wider Poverty and Inequality Commission. In my book, whoever had that idea has to be commended.

The Child Poverty (Scotland) Bill sets out targets to reduce relative poverty, absolute poverty, low income and material deprivation, and persistent poverty. As we know, one in four children live in poverty. We have one of the worst records in Europe on that. I agree with Adam Tomkins that the bill is simply about measuring levels of poverty, but it is by using the powers of this Parliament and working with local authorities in taking the relevant measures that we can make a difference. The Scottish Government will have the full support of the Labour Party in its attempt to achieve that in this Parliament. The delivery plan is the main mechanism for setting out Government policy and allowing the Parliament to see how that policy will attempt to reduce child poverty.

The fact that there is child poverty in 2017 in a first-world economy such as ours is a national scandal. The life chances of hundreds of thousands of children are affected because they live in very low-income households. We all agree that no child should be robbed of their childhood years because they are poor.

All members have their own special interests with regard to how to make a difference, and I will mention two of mine. I supported Adam Tomkins's amendment that aimed to broaden out the educational attainment issue. To me, it is really important that all children get the chance to learn a musical instrument. That is very good for children from low-income households, and a lot of work has been done on that. In order to close the attainment gap, it is also important that children have parity when it comes to tutoring support in their education. Some work needs to be done by this Parliament and local authorities to make sure that poorer children get the same access to tutors in school as children from wealthier families.

Seventy per cent of children who live in poverty are in working households, which is an awful lot of children. Bright but poor children can lag up to two

years behind wealthier children. A toddler in a poor household is two and a half times more likely than a child living in more affluent circumstances to have poor health, and by the age of five there can be a gap of up to 13 months in vocabulary. Welfare reforms have deepened that crisis and, sadly, it will get worse. The report that we discussed yesterday, "The Austerity Generation", could not have been published at a more poignant time.

I am pleased about our achievements at stage 2 of the bill, and together, across the parties, we have made a bill that is worth supporting tonight, at the end of the stage 3 process. I have been keen to highlight the issues of lone parents and those with a disability, and I am pleased that they are now in the bill and will have to be addressed by ministers.

This morning, I chaired with Alison Johnstone a round-table discussion on the automation of benefits, which is mentioned in the bill. That involves exploring whether local authorities can ensure that those who are already eligible for a benefit such as housing benefit can be cross-matched to establish their eligibility for certain other benefits. The idea behind that is that many people do not come forward to fill in complex forms and jump through hoops in what is a very complex process.

This morning, I was struck by the story of a mum with four children who had been claiming housing benefit and who was unaware that she was eligible for the clothing grant. By matching her entitlement data, Glasgow's financial inclusion team was able to issue her directly with a voucher for £280 for her four children. She was astonished to receive it, and she phoned up the team to ask whether she was really due the money. She said that it was not possible to imagine the difference that that £280 would make.

I see that I must wind up. I thank Jeane Freeman for the interest that she has taken in the issue. I hope that, with the help and support of other members in the Parliament and of local authorities, we will consider how we can widen the scope of the bill to maximise the eligibility for benefits of the people who need them the most.

The Deputy Presiding Officer: We have a little time in hand. Speakers in the open debate can have up to—the phrase "up to" is key—five minutes.

15:55

Ruth Maguire (Cunninghame South) (SNP): I welcome the opportunity to participate in the debate. As a member of the Social Security Committee, I would like to thank everyone who took part in our scrutiny of the bill, including my

MSP colleagues on the Social Security Committee and other committees.

The passing of the bill will make clear the commitment of the Scottish Government and the Scottish Parliament to eradicating child poverty. It will provide an overarching national aspiration and focus diverse minds, organisations and approaches on a clear shared goal. For those reasons, I fully support the bill and thank the Government for introducing it.

As we have heard, the bill sets out four ambitious headline statutory income targets, which are supplemented by robust interim targets. Those are accompanied by stringent reporting requirements at national and local level. All of that will be underpinned by the setting up of the statutory Poverty and Inequality Commission.

In conjunction with the many other measures that are being taken by the Government, the bill will play a central role in tackling child poverty by galvanising and focusing action on clear income-based targets that must be met by April 2030. If Parliament supports the bill this evening, as I hope it will, we can rightfully be proud of the huge step forward that it represents.

However, as we celebrate Scotland's step forward, it is important that we reflect on the fact that the actions of the UK Tory Government are pulling us back at the same time. I appreciate that that does not make comfortable listening for my Scottish Conservative colleagues, but I am afraid that it is the reality of the context in which we are working to tackle child poverty in Scotland.

The Child Poverty Action Group report that was published earlier this week, which states that cuts to universal credit will push 1 million more children into poverty by 2020, is merely the latest addition to the damning dossier of evidence of the harm that is being done by Tory welfare reform. We should remember, too, that we are debating the bill because the UK Tory Government took the disgraceful decision to scrap its own child poverty targets. People will come to their own conclusions on how much of a priority tackling child poverty is for the UK Tories.

In contrast, the Scottish Parliament is doing what it can to mitigate the situation and to be proactive, but there are limitations on what we can achieve when so much resource is being invested in mitigation.

Neil Findlay (Lothian) (Lab): I agree with much of what the member has said about the conduct of the Conservative Party, but does she agree that we cannot address child poverty when we cut local government budgets year after year? Local government is on the front line in the fight against poverty and inequality.

Ruth Maguire: I thank Neil Findlay for that intervention and I agree that local authorities play a huge role in tackling child poverty. The Social Security Committee heard many examples of that. It is true that local authorities must receive appropriate funding.

Because of the resource that we are having to use to mitigate the Tory welfare reforms, it can feel as though we are being dragged back when we are trying to press forward; it is as if we are running to stand still. We must make it clear that, by pressing ahead with the roll-out of universal credit, the UK Tory Government is actively choosing to push more children into poverty. Our current starting point is that one child in four lives in poverty. That is challenging enough but, under the policies of the Tories, that figure will have increased before the bill even hits the statute book.

I whole-heartedly welcome the support of Tory MSPs for the bill, but they must know that it is not enough just to support policies to tackle child poverty; it is also necessary to oppose those that increase it. I urge them to stand up for Scotland's children by joining the rest of this Parliament and using whatever influence they might have with their UK colleagues to call for an immediate halt to the roll-out of universal credit.

Our pressing duty as Scotland's Parliament is to do all we can to protect and support children who are growing up in Scotland today. We also have a duty to future generations of children to ensure that the actions that we take will mean that they are born into a fairer and more prosperous society. Not only that, but we have a wider duty to send a clear message that child poverty, wherever it exists, is unacceptable, contravenes a child's fundamental rights and cannot and must not be tolerated.

In passing the bill today, we as a Parliament will take a crucial step forward in meeting that duty to our children and giving all children in Scotland an equal chance to succeed and thrive.

16:00

Jeremy Balfour (Lothian) (Con): Although I am at present a member of the Social Security Committee, I was not involved in the scrutiny of the bill, and I give credit to all those on the committee for taking the bill and making it, I think, a lot better than it was when it started off. It shows the strengths of the Parliament that, at stages 1 and 2 as well as today, we have seen colleagues from different parties coming together to get the best results for the whole of Scotland. It should reassure us and give us hope that, as we move forward with stages 1 and 2 of the Social Security

(Scotland) Bill in due course, we can reach consensus on that bill, too.

Clearly all parties agree that it is wrong for a child to be in poverty today, and the bill helps the Scottish Government and us as a Parliament to refocus on the fact that, in order to tackle the issue and meet the ambitious 2030 targets, we need to work together. It cannot be done by one commission, one Government or, indeed, a number of individuals; we need the Scottish Government to work together with local authorities. In that sense, I agree with Neil Findlay with regard to the question that he asked a few moments ago. We need to see local authorities delivering on this and ensuring that they play an important role.

Ben Macpherson (Edinburgh Northern and Leith) (SNP): Does Jeremy Balfour agree that the UK Government has a role to play, too, for example in halting the disastrous roll-out of universal credit?

Jeremy Balfour: I totally agree that the UK Government has a role to play, but I do not accept the member's final remark or that universal credit is the disaster that he has painted it as. As a party in Scotland, we have made our views very clear and we will continue to do so in taking the issue forward both here in Scotland and across the United Kingdom.

Local authorities must also work with the third sector, which has a growing role to play in this. After all, third sector organisations are often the ones on the ground, delivering local services, and they know the local people in a community. I hope that we will see everyone working together, collectively, on this matter.

I welcome the independence of the Poverty and Inequality Commission, which will be able to report to not just the Scottish Government but the Parliament. It can act as a helpful friend to us and the Government, helping us to see whether we are moving in the right direction and at the right speed.

My slight concern is that, so far, we have spent a lot of time focusing on targets. That is right, because if we aim at nothing, we will hit nothing, so we need targets. However, targets in themselves do not automatically produce positive outcomes, and we need to keep very focused on the outcomes that we are looking to achieve. In that respect, I agree with what my colleague Adam Tomkins said in his opening remarks. Finance, income and money form a key factor, but we must look at other reasons for people being held back in poverty, be they education, housing or other things that we as a Parliament are responsible for, and we must remain focused on tackling those inequalities as well as the income issue.

It is clear that the Scottish Parliament and the Scottish Government have limited finances to spend on any area, so we need to focus our spending in the right direction. If we are genuinely going to look at things such as child poverty, we must realise that spending money on things such as baby boxes simply does not produce what we want. I attended some of the briefings that Alison Johnstone attended, and I cannot see spending £5 more on child benefit as a particularly appropriate—

Ruth Maguire: Will the member take an intervention?

The Deputy Presiding Officer: The member is closing. He has 10 seconds left.

Jeremy Balfour: I do not see that as the right way. The 25 per cent of people who are in poverty would benefit from that, but the 75 per cent who are not in poverty would benefit as well.

16:05

Alex Neil (Airdrie and Shotts) (SNP): I congratulate the cabinet secretary and all our Opposition spokespeople counterparts on the productive and amiable way in which the bill has been handled.

Setting targets is important, and the bill is an important platform on which to build an effective child poverty strategy. The key challenge for us now is in how we will make that happen to ensure that we achieve the targets by 2030 and the interim targets between now and then.

I agree with Adam Tomkins that this is not just about cash income for poor families. Assistance with educational attainment, employment, housing and a range of other things is part and parcel of a child poverty strategy. However, the reality is that, given the current situation, we will not solve the poverty problem if we do not start to inject substantial amounts of cash into the pockets of families with children that are living in poverty. I am not saying that putting cash into their pockets is the whole answer, but it is a prerequisite of achieving the targets. Despite the difficult financial situation that the Government faces, it should look to make a start in this year's budget for next year, and I have two suggestions to make.

First, more or less across the chamber, we have rightly been annoyed and angered by the fact that the third child of people who live in poverty is no longer entitled to child tax credit. As a matter of urgency, the Government should see whether it can plug that gap. That would not cost a lot of money, as the policy applies only to third or later children who were born in or after April 2017 to families that qualify for child tax credit, but it would

let us rectify a moral outrage, let alone something that is making child poverty worse.

Secondly, there is a big debate to be had about whether we should target more through child tax credit increases and topping them up in the Parliament or go for universal benefits. In the light of the immediate financial situation that we face, I hope that the dedication of sums such as £150 million and £300 million to child poverty is being talked about and planned for over the next couple of years. According to the Scottish Parliament information centre, just under 500,000 children in Scotland currently receive child tax credit and, if we topped up every child tax credit, it would cost £150 million a year to give them an extra fiver a week. If we had a spare £300 million, I would rather give those kids an extra £10 a week than apply the increase through child benefit for the simple reason that eradicating or reducing child poverty is the number 1 priority.

We do not have the powers that we would like to have to tax people who are much better off and do not need the universal benefit.

Adam Tomkins: What does Mr Neil say in response to the Joseph Rowntree Foundation's finding that tackling poverty by increasing the value of benefits but not addressing the underlying drivers of poverty "has failed"? Those are not my words but the words of the Joseph Rowntree Foundation, which has said that that strategy for tackling poverty "has failed" to tackle poverty in the United Kingdom.

The Deputy Presiding Officer: I am afraid that you will have to be brief, Mr Neil.

Alex Neil: The point that Mr Tomkins raises is precisely the point that I made earlier, which is that we must tackle both aspects. We must tackle all the underlying issues, including the fact that 70 per cent of children who are in poverty live in households in which someone is in work. The reason why they are in poverty is probably that the person who is in work is not getting the living wage. We must tackle that situation in the same way as we tackle the 30 per cent figure that was alluded to by Mr Tomkins.

There must be an overall strategy. However, if that strategy does not include putting additional cash resources into the pockets of those families in which children are living in poverty, it will fail. Putting in additional cash resources must be part of the jigsaw—part of the plan or strategy—and on top of all the other things that are being done. If we do not attack poverty at its root and provide a cash injection, many of our other objectives, such as reducing health inequalities and closing the educational attainment gap, will not be met. I therefore hope that the next step will be taken very quickly and comprehensively.

16:11

Iain Gray (East Lothian) (Lab): I started this week by doing something that all members do: meeting children from one of the schools that visit the Parliament and answering their questions. They asked me a question that such children almost always ask: "Why did you want to be an MSP?" The answer that I give to that question is the same answer that is given by every MSP, from any party, whom I have known in my time in politics. I am an MSP because I believe that this country can be better and I think that I know what we have to do to achieve that. In all sincerity, that is what all of us seek to do. That being the case, surely we can seek no greater improvement than the eradication of what Pauline McNeill rightly called the scandal of 260,000 children's lives blighted by poverty and their life chances constrained by that scourge.

I also say to the children who ask me that question that, although that is why all MSPs are here, we differ—sometimes very significantly—on what has to be done to make the improvements that we all want to see. The origins of the Child Poverty (Scotland) Bill lie in the fact that we differ on that issue. They go back to the income inequality targets to eradicate child poverty that were set by a Labour Government way back in 1999 and legislated for in 2010 and the changes that came about with the change of Administration in the UK Government in 2010 and the repeal of those income inequality targets. There was a difference in view over the approach that should be taken to eradicate child poverty.

I think that I am right in saying that it was the Scottish Government's disagreement with the repeal of those targets that led to the Child Poverty (Scotland) Bill. In my view, the Scottish Government was absolutely right to disagree with that repeal, and the Conservatives in the Scottish Parliament have taken a very creditable approach to the matter. The bill was, therefore, born from both our agreement about our purpose and our disagreement in the past about how we should act on it. That is very much what our Parliament is for. When we, in Scotland, wish to take a different view or approach from that which is taken in the rest of the United Kingdom, the Scottish Parliament empowers us to do so, and that is what we are doing today in order to protect vulnerable children.

The Scottish Parliament was made for times such as this. We know that the number of children in Scotland who are living in poverty has increased by 40,000 in the past year. If there is a right time to act, this is it. Today, we commit to reversing that trend and moving instead towards the eradication of child poverty.

The legislative road to hell is, of course, paved with good intentions. We can all think of things for which we have legislated—a statutory right to a particular waiting time, for example—that we have then failed to deliver despite the promises that the legislation held. Alex Neil is absolutely right that the key is our willingness to do what is required in order to move towards and reach the targets.

The other day, I finished the most recent biography of Clement Attlee. There was much in that book about how the 1945 Labour Government implemented the Beveridge report and attempted to defeat the giants that Beveridge said stood in the way of progress: want, disease, ignorance, squalor and idleness. Today's work in this Parliament has a direct link to that approach. It is to our shame that, to a degree, those giants still roam our country.

The 1945 Government legislated for the means to change things, passing the Family Allowances Act 1945, the National Insurance Act 1949, the Pensions (Increase) Act 1947 and, of course, the National Health Service Act 1946. As we commit to the noble end of eradicating child poverty by 2030, we must do so in the sure and certain knowledge that we will have to take difficult and challenging decisions in areas such as tax, benefits and public services, because the measure of the sincerity of our commitment will be our willingness to create the means to achieve that end.

16:16

Alison Johnstone (Lothian) (Green): I thank those whom I have not thanked previously—the legislation team, the clerks, my MSP colleagues and the small team in my office. I will also mention, as others have, One Parent Families Scotland, the Scottish Youth Parliament and Oxfam.

Today is a really important day for the Scottish Parliament. By putting targets for the reduction of child poverty back into law, we are saying that child poverty in a country that is as well-off as Scotland is not acceptable and that the Parliament will expend every effort to reduce it significantly as we work to eradicate it. As we have heard, the latest statistics show what a huge challenge that is. There has been a 4 per cent rise in relative child poverty in just one year, between 2014-15 and 2015-16. That is a rise of 40,000 children, to 260,000 children, which is more than a quarter of a million children in this country living in poverty.

Peter Townsend, who was one of Britain's leading experts on poverty and one of the founders of the Child Poverty Action Group, defined relative poverty as someone having an income

“so seriously below those commanded by the average individual or family that they are, in effect, excluded from ordinary living patterns, customs and activities.”

That means no swimming lessons, no trips to the cinema and no having friends round to play after school. Five pounds may not be a lot of money to Jeremy Balfour, but to many families the lack of that sum means that their children cannot join in.

Jeremy Balfour: Will the member take an intervention?

Alison Johnstone: I will not take an intervention at this point, and I will not take lessons from Mr Balfour, who supports the random discrimination of the two-child limit and the abominable rape clause.

In setting the challenge of significantly reducing child poverty, we must rise to it urgently. The Parliament and the Scottish Government need to develop the clearest and boldest strategy for combating the ill effects of so-called welfare reform and for boosting the incomes of our poorest families.

Last week, the Institute for Fiscal Studies projected another rise in relative child poverty in Scotland by 2020-21. It projects that the rate could reach 29 per cent by then, which would be 300,000 children. The IFS says that a third of the rise in relative poverty will be a direct result of tax and benefit changes, which is surely shameful. It predicts that the two-child limit on child tax credits alone will lead to a 2 per cent rise in relative child poverty across the UK. In the face of those cuts, we will need to raise the incomes of our poorest families significantly.

The Scottish Government's more generous best start grant is a good beginning, and I welcome that, but we need to go further. Investment in income maximisation services that help folk to access the benefits to which they are entitled can help families to increase their incomes by thousands of pounds. We have seen evidence of that, and I welcome the fact that the Government accepted my amendment on the subject at stage 2. It is important that the bill's delivery plans and local child poverty action groups will refer to income maximisation.

As I said when I spoke to my amendment 42 on child benefit top-ups, we will have to consider using the powers to top up benefits and perhaps also to create new ones. I appreciate that there are different views across the chamber on how that might be achieved, but it is a good start to put a requirement to consider topping up in the bill in order to start the debate. I thank members for agreeing to my amendment on that.

I accept that the Scottish Government is already spending a significant amount of money in attempting to mitigate welfare cuts. As someone

who supported devolution before joining the Green Party, I appreciate how frustrating it is that we cannot be more proactive and are constantly reacting, but we can do more and we must do it with the powers that the Parliament will have. Research by the Greens has shown that the new benefit cap is removing thousands of pounds a year from the homes of some 11,000 children in Scotland.

Members across the chamber have made improvements to the bill, and it is widely recognised to be significantly improved compared to how it began. Adam Tomkins put significant effort into placing the Poverty and Inequality Commission on a statutory footing, and, to its credit, the Scottish Government has accepted that. Indeed, the Government accepted a number of Opposition amendments, such as those lodged by the Greens and by Pauline McNeill and Jackie Baillie of the Labour Party, all of which have made the bill more robust. The parties have worked together well to improve the bill, and I hope that we will continue to take that approach with the Social Security (Scotland) Bill.

The targets in the bill represent a major challenge to which we must rise. We should be ashamed that, in this wealthy country, many of our children live well below the average accepted standard. We must break that cycle, and passing the bill is only the beginning. The delivery plans will need policies that are more radical, far reaching and better funded than anything that we have had before. I pledge that the Greens will play their role in that on-going process.

16:21

Alex Cole-Hamilton (Edinburgh Western) (LD): I declare an interest, in that I served as convener of the Scottish Alliance for Children's Rights. Having worked in and alongside charities and groups that campaign to end child poverty all my adult life, I am pleased that so many of them were afforded the opportunity to influence the bill.

Lobbyists do not always have a good name, but I recognise the continuing efforts of Peter Kelly and Carla McCormack of the Poverty Alliance, John Dickie and Jenny Duncan of the Child Poverty Action Group, and my good friend Chloe Riddell of Children 1st, all of whom are first-rate champions in this area. It was my privilege to serve alongside them for nearly 15 years and I am delighted that they were given the chance to impart their expertise throughout the passage of the bill, because they have added to it considerably.

I am proud to lead for my party on the bill. I thank the Scottish Government for its inclusive approach. Parliament works best when the

Government opens its doors to people of all parties. I welcome the amendments on the statutory commission, on which I note that the Government has moved a considerable distance, for which I thank it.

Naturally, the bill commands the support of the Liberal Democrats. I am heartily glad that that support is shared across the Parliament. There is now a recognition in this chamber that our efforts to tackle the scourge of child poverty must go far beyond just the financial health of our nation's families. I refer to the range of other forms of poverty that are in many ways as pressing as financial poverty and which might have as profound an impact on life outcomes. There is poverty of aspiration, whereby children grow up in families that have experienced generations of unemployment and economic inactivity and do not seek social mobility for themselves; poverty of attachment, particularly among the 15,000 children in our care system who will find it difficult to form lasting adult relationships due to childhood trauma and loss; and poverty of health, whereby poor housing, health inequalities and depression diminish life outcomes and life expectancy.

We as a Parliament need to take a whole-system approach to child poverty. By introducing the targets in the bill that we will pass this afternoon we are throwing our cap over the wall, but it is on the delivery of progress against those targets that we will be judged. Put simply, the bill sets the destination, but it is now up to us to determine the means of travel and to put passage upon it. The delivery plan's inclusion of measures that relate to physical and mental health is a fantastic start.

I welcome the introduction of local child poverty action reports. Such reports will need to be book-ended by proactive efforts on the part of local authorities to plan ahead, through the community planning and children's services planning processes.

I welcome the amendments that will boost equalities provision, especially in areas of child poverty that are particular to protected characteristics. We needed to include such provision in the bill, because experience shows us that existing impact assessments do not always cut it, despite the good intentions behind them.

I am grateful to Adam Tomkins for his efforts to flush out a statutory definition of "educational attainment". I agree that a definition is necessary and suggest that when we are working with the Government to that end—I look forward to doing so—we will need to look beyond the Scottish index of multiple deprivation areas and include the young people in Scotland who are looked after and who have care experience, whose education outcomes are some of the worst in this country.

Poverty is an adverse childhood experience that can have lifelong effects. We must link poverty reduction with high-quality trauma recovery and family support, because if we do not do so we will not end cycles of intergenerational trauma, and our successors in this Parliament will still have to debate the issue, decades from now.

Today we have an example of this Parliament working at its best. The people who sent us here would rather that we had more days like this, when we chart a course to achieve a common purpose, without acrimony and with steely intent. I assure the Government of our support for the passing of the bill tonight.

16:26

Sandra White (Glasgow Kelvin) (SNP): As other members have done, I thank the Social Security Committee clerks for all their work. I also thank the stakeholders and groups who took the time to write to us and give evidence, who helped to shape the bill that is before us at stage 3.

For the benefit of members who are not members of the committee, I should say that when the committee first looked at the bill it was suggested that its title should be changed to “Child Poverty Targets (Scotland) Bill”, because it seemed to focus only on targets. However, the evidence that we heard in subsequent meetings showed that the bill could and should be about much more than targets, albeit that targets are important—indeed, when the bill is passed, Scotland will be the only part of the UK that has statutory income targets in relation to child poverty.

As members said, poverty comes in many guises—it is to do with housing, education and other issues. That is why we wanted to look at child poverty much more broadly. I thank committee members, the cabinet secretary and the Scottish Government for the work that they did together in that regard, in recognition of the fact that addressing poverty is not just about targets.

Two areas stand out in committee members’ work with the Scottish Government. The Poverty and Inequality Commission came up in committee at stage 1 and stage 2, and we have considered the commission at stage 3, too. I commend members and the cabinet secretary for their work on the issue. It is important that we do not take a narrow view of child poverty—the issue is bigger than that. The cabinet secretary has sent the committee a letter—I think that we got it from the clerks about five minutes before today’s debate started—which says that the

“draft Public Services Reform (Poverty and Inequality Commission) (Scotland) Order 2018 ... is a practical,

pragmatic way of delivering a statutory Poverty and Inequality Commission with a wide-ranging remit.”

That is important. The cabinet secretary went on to say of the draft order:

“It will improve the exercise of public functions, having regard to efficiency, effectiveness and economy, by allowing a single statutory body to provide the wide range of independent advice on poverty and inequality that Parliament and stakeholders clearly support.”

As members have said, it is because the Parliament and Government have worked together that we have reached this point. Things might not have been easy during stage 1 and stage 2, but we have got here and I congratulate everyone on their work.

Child poverty is such an important issue. It is absolutely fantastic that we have introduced and agreed on a bill on child poverty. That brings me to my next point. Members have mentioned the delivery plans, which are really important. We should recognise that the delivery plan will be prepared for different periods. The first delivery plan is due in 2018, which is not that far away. We will see how that goes—indeed, we will be able to hold the Government to account on that. The first delivery plan will provide a baseline, so we will be able to measure progress. The delivery plan is not pie-in-the-sky thinking; it is real and it will help the children who are living in poverty.

I am pleased that we are all working together on this issue. However, there is absolutely no doubt that, with the changes to universal credit and the benefits system, more and more children are living in abject poverty. We cannot forgive the UK Government for that. I would ask, as Ruth Maguire, Alison Johnstone and others did, that someone—anyone at all—speaks to the Westminster Government about this issue. I do not know how that would work—perhaps someone from the Conservatives could do that.

Universal credit has been proven to drive more people into poverty. I do not want to cite individual constituency cases, but I must say that people are dying because they have no money whatsoever. They do not have money to pay the rent, let alone to buy food or to heat their homes. That is a huge issue. I would be very grateful if we were all to realise that dealing with child poverty is not just about our doing something different here in the Scottish Parliament. It is a Westminster issue, too. We cannot get away from that.

We all remember the Billy Connolly sketch in which he talks about someone coming to the door and the mum asking the children to hide in their beds by pulling the duvet over them—but the duvet is actually old army coats. Some kids still have to live like that. They pretend to have blankets when in fact they are using old coats to heat them up in their beds. We cannot do that to

our kids in Scotland, or anywhere else for that matter. At least, with this bill, we can make a start on tackling the issue of poverty.

16:32

Jamie Greene (West Scotland) (Con): I am very pleased to participate in the debate. Members may recall that I spoke in the stage 1 debate on the bill in some detail. That was probably one of the more difficult speeches that I have delivered in Parliament, because the subject has a striking personal resonance. However, this debate is much bigger than me, it is much bigger than any MSP in the chamber today and it is much bigger than any of the words that have been spoken in the debate.

I approach today's debate with the same tone as before and with the same earnest expectation that when we work together on legislation such as this, the Parliament produces meaningful output. There is nothing headline grabbing in what I have to say.

Child poverty, and poverty more generally, is a serious issue that needs to be tackled in Scotland and throughout the UK, and it cannot be disputed by anyone in the chamber that doing so will require all our commitment. Moreover, as the Scottish Parliament is now listed in the bill as a consultee in the creation of the delivery plan and will review the progress reports that are laid before us by the minister, there is an increased duty on us to engage in the plan and monitor its relative success, or otherwise.

Alison Todd, the chief executive of Children 1st, summed up nicely the importance of the bill when she said:

"By creating a framework to hold this and future governments to account for their efforts to eradicate child poverty, this Bill marks a crucial milestone in achieving that vision."

I could not agree more.

The issues that I raised in the stage 1 debate centred on tackling poverty through education and closing the attainment gap, the lack of a delivery plan beyond measuring and setting targets and the lack of a more grass-roots research approach looking at generational poverty and the importance of household worklessness.

At previous stages of the bill's progression, we have been encouraged by the Government's willingness to make amendments. As a result, the bill that we are considering is far more robust than it was before. That is to be welcomed. On the plus side, we welcome the addition of interim targets set out on a statutory footing rather than in secondary legislation, and the establishment of an independent statutory commission, which will help us to hold to account the Government of the day.

However, as my colleague Adam Tomkins mentioned, the Conservatives would have gone further on employment targets. In my view, robust plans and targets to reduce the number of workless households in Scotland would go a long way to reduce poverty in said households. I do not need to go into great detail, but I have first-hand experience of the direct link between unemployment in the home and poverty. It has been and remains my view that employment can be the most impactful step out of poverty.

I add my voice to concerns around the atmosphere of the setting of targets. Although targets are meaningful, I hope that we do not fall into the mindset that the setting of targets is an end in itself, rather than a means to an end.

I see the success of the bill as being that we will take tangible steps to tackle, reduce and eventually eradicate child poverty. The focus is not on simply meeting targets. As we review interim or progress reports, we should be honest with ourselves if targets are not met, and ask why they were not met and what will change.

The point that I would like members to take away from today's debate is that the focus cannot be solely on income, either. Although it is an important metric, it does not take into account things that members on the Conservative benches have highlighted such as quality of housing, parity of healthcare provision, educational attainment, skills, and access to the workplace.

The bill is a prime example of the impact that Holyrood can have when it actively seeks to find consensus and work in a co-operative manner to tackle some of the deep-rooted issues that transcend political cycles and partisan disagreements. In my speech in the stage 1 debate, I said that I do not think

"that one party or another holds a magic wand that will eradicate child poverty"—[*Official Report*, 1 June 2017; c 82.]

and that good ideas will come from all sides.

I believe that those ideas have led to where we are today, but let us not pat ourselves on the back too readily at decision time. What is said and passed in Holyrood today must be delivered on the streets of Scotland tomorrow.

16:36

Ben Macpherson (Edinburgh Northern and Leith) (SNP): I am grateful to speak in the stage 3 debate on this very important bill. I thank colleagues on the Social Security Committee and all the third sector organisations and other organisations that contributed to our making the important bill that is in front of us today. I thank the Government for the constructive manner in which

it engaged with us all, and I thank all the clerks who assisted us. I share the opinion of members who think that the process on this bill showed the Parliament at its best and what can be achieved by working together on what the cabinet secretary rightly said is “the road to eradicating child poverty”, and poverty itself.

In my constituency of Edinburgh Northern and Leith, I see instances of child poverty that would be unacceptable to all—as such instances would be unacceptable in any other part of Scotland. This summer, the Spartans Community Football Academy raised money to tackle holiday hunger. National statistics have been quoted: almost one in four children in Scotland is officially recognised as living in poverty. According to the IFS, that figure is predicted to increase. Just this week, the Trussell Trust published figures that show that the use of food banks in Scotland has risen by 20 per cent in the past year.

As we pass the bill, a hugely pertinent and upsetting challenge is before us. That is frustrating, given that so much child poverty is unnecessary. Scotland is an incredibly advanced country with a strong economy—the UK has the ninth-biggest economy in the world. We must ask ourselves how it can be that we have so much child poverty.

In today's debate, we have heard about the complexity of the causal factors of child poverty and poverty more widely, which transcend the powers of this Parliament and go into reserved matters. I am glad that the Conservatives acknowledged that we need good-quality policies across the spectrum in the other Parliament that governs Scotland. We heard this week—which is living wage week—that one in five Scots earns less than the real living wage. Figures from the Resolution Foundation this year on inequality of wealth, the damage from welfare reform and the problems with the roll-out of universal credit are clear for all to see. All of those create a huge challenge and, while some are more to blame, all are responsible.

The holistic approach taken in the bill to targets and interim targets, the cross-party effort on the delivery plan and the emphasis on a cross-Government approach, with a willingness from the Conservative benches to press the UK Government on matters, give us all an opportunity to let the start of something happen today. There is a clear statement not just in passing this law but in the commitment from all sides to galvanise and focus on addressing child poverty.

Iain Gray spoke powerfully about going out to school groups and people asking him about his number 1 aim when he went into politics, which was to help other people. Tackling child poverty could not be a clearer or more important aspect of

that. When we politicians speak to young people in this era, who have been through a decade of austerity, we see that the idea of overcoming child poverty and tackling poverty per se has perhaps become abstract, if not unobtainable. I worry about the normalisation of poverty in our society, particularly given the welfare reform agenda of the Westminster Government and some of the other challenges.

If we have cross-party support as we do today, that gives us the ability not only to pass a meaningful law—with the delivery plans, robust targets and all the other aspects of the legislation—but to start a process of reglvanising ourselves as a nation, with hope, determination and optimism that we can tackle child poverty meaningfully and robustly. I hope that we will take that leadership from today, roll it out across the years ahead and deliver the targets that are in this piece of legislation.

The Deputy Presiding Officer: Thank you. The closing speeches follow. I call Mark Griffin.

16:42

Mark Griffin (Central Scotland) (Lab): I congratulate the cabinet secretary and her officials, members of the Social Security Committee and its clerks and all the outside organisations that have put in so much to take the legislation from the bill that was introduced to the one that we have in front of us. Unlike Jeremy Balfour, I come to the child poverty bill late in the day, and I thank Richard Leonard for taking my place on the Social Security Committee, which allowed me time to spend with my wife and our daughter at a critical time for us.

We welcome the Child Poverty (Scotland) Bill as an opportunity to create a cross-Government strategy that tackles the roots of child poverty. This is the first meaningful cross-portfolio action that the Government has taken to challenge poverty, and it is long overdue in this Parliament. The bill must be followed by bold and effective policy making in some of the ways that Alex Neil mentioned, including, crucially, use of the Scottish Parliament's social security powers.

Targets will not, in themselves, reduce child poverty. The figures are stark; they have been quoted by a number of members, but are important to restate: there are 260,000 children living in poverty in Scotland, an increase of 40,000 in one year. As the cabinet secretary pointed out, 70 per cent of children in poverty are in working families. Pauline McNeill pointed out that children from more deprived backgrounds lag two years behind wealthier ones at school, and a toddler in a poor household is two and a half times more likely than a toddler in a more affluent household to

suffer from a chronic illness. If we in this place are truly serious about tackling child poverty in Scotland, we need to think about those underlying issues as part of a complete and holistic approach to meeting the targets set out in the bill. In that respect, I fear that we may, at times, fall short of the mark. We showed in government, as Alison Johnstone mentioned during the debate on the amendments, that despite the challenges, things can be done differently: the last Labour Government lifted 120,000 kids out of poverty in Scotland.

Our approach to this legislation has been consistent through the whole process. As a result, there have been amendments to include the Poverty and Inequality Commission in the bill, and the Government has agreed that the commission should be put on a statutory footing. It was and is essential that the group that is tasked with advising and holding the Government to account is independent and that its future is assured.

We, along with others, have also put pressure on the Government to use the Parliament's new social security powers, through amendments that force the Government to lay out why any delivery plan does not include using the powers at the Government's disposal to top up benefits. For example, the Government should have to set out why it is not topping up child benefit, knowing that a £5 a week top-up could lift 30,000 children out of poverty.

We have asked the Government to consider the unique challenges, including financial challenges, that are faced by single parents, families that include a disabled person and families that include someone with a protected characteristic, and to reflect those in the delivery plan.

We have ensured that interim targets appear on the face of the bill and that delivery plans are linked directly to bringing down child poverty. Any plan must include an assessment of the contribution that the proposed measures will make to the targets and how that assessment has been arrived at.

We have ensured that when progress towards the targets is not made, the plans are scrutinised and altered, if appropriate.

Presiding Officer, as they say, the proof of the pudding will be in the eating. The passing of this legislation in itself will not lift a single child out of poverty. The proof of the pudding will be in the delivery plans that the Government puts in place and the funds that are allocated in the budget to tackling child poverty.

We welcome this legislation as the first step towards tackling the scourge of child poverty and look forward to the Government taking bold and radical policy decisions that are backed up by

substantial resources to make a real difference. Thank you.

The Deputy Presiding Officer: Thank you, Mr Griffin.

I call on Michelle Ballantyne to close for the Conservatives.

16:47

Michelle Ballantyne (South Scotland) (Con): Thank you, Presiding Officer. I first apologise for my late entry to the chamber due to the early start.

I am very pleased to close this debate on behalf of the Scottish Conservatives. We on these benches have supported the laudable principles of this bill from stage 1. We have sought never to supplant its aspirations, but to support and strengthen the prospects of their achievement.

This bill is now far stronger than when it was introduced. I commend all parties, and the Scottish Government, on their efforts to build cross-chamber consensus to buttress the provisions of the bill.

As my colleague Adam Tomkins has highlighted, we particularly welcome the Scottish Government's support for the Conservative amendments to section 7. In embedding on the statute book an obligation on ministers to take steps to address the educational attainment gap, we see a real and important improvement to the bill.

We know that educational underattainment is one of the key drivers of child poverty, and it was apparent to most in this chamber that the Scottish Government's child poverty strategy, or indeed any child poverty strategy, would not work if it was centred around a myopic focus on income. A wider, joined-up approach is vital.

It is for that reason that I find myself hoping that we have not missed an opportunity: to confer legal requirements on ministers to reduce the number of children in Scotland who grow up in workless households; to imprint on the statute book a duty on ministers to take steps to mitigate family breakdown; and to legally compel the Scottish Government to address the manifest impact of alcohol and drug addiction on child poverty.

Pauline McNeill: I wonder why the member is so concerned about workless households when many members have talked about the higher percentage of people who are still in poverty while they are in work. Does she not agree that that issue must be a higher priority?

Michelle Ballantyne: Fundamentally, that is because 30 per cent of children in poverty are in workless households. It is about the continuation

of a problem and about aspiration, as other members said.

Iain Gray highlighted the fact that the existence of the Scottish Parliament enables us to act in a way that is right for Scotland. That is the principle on which we have come together to talk about the bill.

Alex Neil said that the key to the bill will be how we take it forward. I was really pleased that he acknowledged that it is not income alone that will take us forward. He also made two more interesting suggestions, but I will leave those for the cabinet secretary to respond to.

Alison Johnstone made some nice statements about all the contributions that have been made, across the chamber, and highlighted that working together underpins the discussions that have taken place around the bill.

Alex Cole-Hamilton hit the right note when he talked about the other impacts of poverty. The poverty of attachment is something that I have seen through my professional life, and I certainly acknowledge that the poverty of aspiration needs to be addressed. He also highlighted the importance of community planning and the need to ensure that looked after and accommodated children have a voice in the process.

Ruth Maguire: Can the member understand how offensive the term “poverty of aspiration” is to people who simply do not have enough money?

Michelle Ballantyne: Yes I can, because I have worked with a lot of children who have been in that position. I have always tried to ensure that the children I have worked with know that money is part of the process but also that believing in oneself and having the confidence to move forward is really important, and that can be achieved in a number of ways.

The Scottish Conservatives will be supporting the bill tonight. Notwithstanding some disagreements about process and approach, the bill encapsulates the importance and impact of parliamentary scrutiny. Thanks to effective opposition from the Scottish Conservatives and from other members of Parliament, some significant improvements have been made throughout the process, on interim targets, a statutory commission and the strengthening of section 7.

The future trajectory of child poverty in Scotland now depends on the delivery plans: will they amount to a tinkering around the edges, or will they be tough, robust and proactive in their approach? I sincerely hope that the Scottish Government opts for the latter. In any case, we must be prepared to be fluid and flexible in our efforts as we go forward. It is a commitment to

tackling the drivers of child poverty, and not the setting of targets, that will improve the lives of our most vulnerable and impoverished children.

16:53

Angela Constance: I hope that in approximately 10 minutes we will all stand united, as a Parliament, to pass the Child Poverty (Scotland) Bill. I know that the UK Government does not have its troubles to seek—most of them are of its own making—at the moment, but I hope that it will take stock and note that our Parliament is united in saying that we will not lie down, we will not walk away, and we will not give up on the challenge of tackling the rising levels of child poverty in this country. We will take that challenge head-on.

Mr Tomkins graciously said to me that he wishes the Government good luck with the bill. Let me reciprocate: the UK Government will not be let off the hook while it still controls 85 per cent of welfare spend in Scotland.

To Michelle Ballantyne, I say that 30 per cent of poor households might indeed be “workless”, to use her word, but as we heard earlier, that means that the parents, carers or guardians of children in 70 per cent of households that are considered to be poor are actually working for their poverty. That has to be a damning indictment of our current society.

The Child Poverty (Scotland) Bill is our collective statement of intent to tackle the causes and the consequences of child poverty, as well as being recognition of the central importance of income—or, indeed, of lack of income. It is our statement of intent, as a Parliament, not just to tackle but to end child poverty. However, as most members from across the chamber have rightly acknowledged, statements of intent are all very well, but it is what we do that counts.

On that note, I want to say that neither I nor the Government was under any obligation, or any manifesto commitment, to introduce the bill. We chose to do so. The reasons for choosing to introduce the bill have been echoed across the chamber.

We fundamentally opposed the UK Government’s scrapping of the statutory income targets. I refute the suggestion that the bill was weak when it was introduced: it was certainly stronger than anything that had existed before at UK level and, as Alex Neil rightly pointed out, we now have a stronger platform from which to move forward. The scale of the challenge that we face—the biggest increase in child poverty since the 1960s—is profound. I do not know about anybody else in the chamber, but that keeps me awake at night.

The other aspect that I will mention in relation to supporting the bill is that it is, at its heart, absolutely the right thing to do. We could have said that we would not reintroduce the targets that successive UK Governments failed to meet, because we do not have all the levers and the majority of tax and welfare powers remain reserved, but I chose not to do that. As members including Iain Gray did, and despite not knowing what the future holds in terms of our economy, in terms of Brexit or in terms of the constitutional future for Scotland, I came into politics to make Scotland a fairer place: I know that I have no monopoly on that.

The question that we will ask ourselves today and every day is this: what can we do today, and what can we do now to make a difference? Although I will always contend—not surprisingly—that our job of meeting the ambitious and challenging targets would undoubtedly be easier with more powers, I acknowledge that, under any constitutional settlement, the job of eradicating child poverty will always be challenging and will never be easy. That does not mean, however, that it is not achievable. The challenge that we will all face in Parliament is to find ways to do more than just mitigate austerity and welfare reform, but instead actually to lift children and their families out of poverty. That is where the delivery plans are absolutely crucial: they will detail the comprehensive action that will cover our economy, education, the benefits system, housing and health.

We will, no doubt, return to the debate time and again. Ben Macpherson was absolutely right to say that we must all guard against the normalisation of poverty, because poverty is fundamentally wrong on every level. I know that we will, as a Government, have to make decisions that are difficult, and decisions that at times will seem to be impossible. The Tories will, of course, have to answer for the impact of so-called welfare reform, but in fairness we will all have difficult questions to answer.

I know that we will all seek to be guided by the evidence of what works in the current and future contexts—not least, the work and advice that we will receive from the independent statutory Poverty and Inequality Commission. Needless to say, we will debate and disagree over what that evidence is or is not, but there is an opportunity to build consensus on what the right thing to do is, and on what the evidence tells us.

As a Government, we are prepared to have that debate, whether it is a debate on tax or on our new social security powers. What I am crystal clear about is that, as a Government, as a Parliament and as a country, we will have to pull together as never before. What will have to be

evident when we publish our first delivery plan is that tackling child poverty must be at the very heart of everything that we do. In that regard, absolutely none of us will be let off the hook.

Ending child poverty is the biggest challenge that we face as a Parliament and as a country, and we all have a responsibility and a role to play. All of us, whether in Government, Parliament, councils, businesses, the third sector or civic Scotland, will have to work together in new ways.

In a minute or so, we will, I hope, stand united—even if just for that moment in time on the journey between now and 2030—to pass the Child Poverty (Scotland) Bill, which I believe will be an historic next milestone on the way to confining child poverty to the history books. The time for talk is over; it is now time for us to act.

Business Motion

17:00

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-08723, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 14 November 2017

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Ministerial Statement: Preventing Sexual Offending Involving Children and Young People

followed by Scottish Government Debate: Migration

followed by Final Stage Proceedings: Edinburgh Bakers' Widows' Fund Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 15 November 2017

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions
Culture, Tourism and External Affairs;
Justice and the Law Officers

followed by Ministerial Statement: Update on Ministerial Working Group on Building and Fire Safety

followed by Equalities and Human Rights Committee and Education and Skills Committee Debate: Prejudice-based Bullying and Harassment of Children and Young People in Schools and Review of Personal and Social Education

followed by Business Motions

followed by Parliamentary Bureau Motions

5.30 pm Decision Time

followed by Members' Business

Thursday 16 November 2017

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 Preliminary Stage Debate: Pow of

Inchaffray Drainage Commission (Scotland) Bill

followed by

Scottish Government Debate: Scottish Government Support for Veterans and the Armed Forces Community in Scotland

followed by

Business Motions

followed by

Parliamentary Bureau Motions

5.00 pm

Decision Time

Tuesday 21 November 2017

2.00 pm

Time for Reflection

followed by

Parliamentary Bureau Motions

followed by

Topical Questions (if selected)

followed by

Scottish Government Business

followed by

Business Motions

followed by

Parliamentary Bureau Motions

5.00 pm

Decision Time

followed by

Members' Business

Wednesday 22 November 2017

2.00 pm

Parliamentary Bureau Motions

2.00 pm

Portfolio Questions
Education and Skills

followed by

Scottish Government Business

followed by

Business Motions

followed by

Parliamentary Bureau Motions

5.00 pm

Decision Time

followed by

Members' Business

Thursday 23 November 2017

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

Scottish Government Business

followed by

Business Motions

followed by

Parliamentary Bureau Motions

5.00 pm

Decision Time

and (b) that, in relation to First Minister's Questions on 16 November, in rule 13.6.2, insert at end "and may provide an opportunity for Party Leaders or their representatives to question the First Minister".—[*Joe FitzPatrick*]

Motion agreed to.

Parliamentary Bureau Motions

17:01

The Presiding Officer (Ken Macintosh): The next item of business is consideration of nine Parliamentary Bureau motions. I ask Joe FitzPatrick, on behalf of the Parliamentary Bureau, to move motions S5M-08568 and S5M-08724 to S5M-08731, on approval of Scottish statutory instruments.

Motions moved,

That the Parliament agrees that the Legal Aid (Scotland) Act 1986 Amendment Regulations 2017 [draft] be approved.

That the Parliament agrees that the Land Reform (Scotland) Act 2016 (Supplementary, Consequential, Transitory and Saving Provisions) Regulations 2017 [draft] be approved.

That the Parliament agrees that the Land Reform (Scotland) Act 2016 (Supplemental Provision) Regulations 2017 [draft] be approved.

That the Parliament agrees that the Private Housing Tenancies (Scotland) Act 2016 (Consequential Provisions) Regulations 2017 [draft] be approved.

That the Parliament agrees that the Private Residential Tenancies (Information for Tenants) (Scotland) Regulations 2017 [draft] be approved.

That the Parliament agrees that the Private Residential Tenancies (Statutory Terms) (Scotland) Regulations 2017 [draft] be approved.

That the Parliament agrees that the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Amendment of Specified Authorities) Order 2017 [draft] be approved.

That the Parliament agrees that the Scotland Act 1998 (Insolvency Functions) Order 2017 [draft] be approved.

That the Parliament agrees that the Scotland Act 1998 (Specification of Devolved Tax) (Wild Fisheries) Order 2017 [draft] be approved.—[*Joe FitzPatrick*]

The Presiding Officer: I am minded to accept a motion without notice to bring decision forward time to now. I invite the Minister for Parliamentary Business to move such a motion.

Motion moved,

That, under Rule 11.2.4, Decision Time be brought forward to 5.00 pm.—[*Joe FitzPatrick*]

Motion agreed to.

Decision Time

17:01

The Presiding Officer (Ken Macintosh): The first question is, that motion S5M-08696, in the name of Angela Constance, on the Child Poverty (Scotland) Bill, be agreed to. We will have a division on the motion. Members should cast their votes now.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)

Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 115, Against 0, Abstentions 0.

The motion is therefore agreed to unanimously and the Child Poverty (Scotland) Bill is passed. [Applause.]

Motion agreed to,

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

The Presiding Officer: The next question is, that motions S5M-08568 and S5M-08724 to S5M-08731, in the name of Joe FitzPatrick, be agreed to.

Motions agreed to,

That the Parliament agrees that the Legal Aid (Scotland) Act 1986 Amendment Regulations 2017 [draft] be approved.

That the Parliament agrees that the Land Reform (Scotland) Act 2016 (Supplementary, Consequential, Transitory and Saving Provisions) Regulations 2017 [draft] be approved.

That the Parliament agrees that the Land Reform (Scotland) Act 2016 (Supplemental Provision) Regulations 2017 [draft] be approved.

That the Parliament agrees that the Private Housing Tenancies (Scotland) Act 2016 (Consequential Provisions) Regulations 2017 [draft] be approved.

That the Parliament agrees that the Private Residential Tenancies (Information for Tenants) (Scotland) Regulations 2017 [draft] be approved.

That the Parliament agrees that the Private Residential Tenancies (Statutory Terms) (Scotland) Regulations 2017 [draft] be approved.

That the Parliament agrees that the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Amendment of Specified Authorities) Order 2017 [draft] be approved.

That the Parliament agrees that the Scotland Act 1998 (Insolvency Functions) Order 2017 [draft] be approved.

That the Parliament agrees that the Scotland Act 1998 (Specification of Devolved Tax) (Wild Fisheries) Order 2017 [draft] be approved.

Homes First

The Deputy Presiding Officer (Linda Fabiani): The final item of business is a members' business debate on motion S5M-08370, in the name of Andy Wightman, on the homes first campaign. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes what it understands as the anxiety being expressed by communities over the rapid growth in entire homes being let for short-term occupancy across urban and rural Scotland and the view that this should not be at the expense of people in housing need nor compromise the peaceful enjoyment of people's homes; believes that this issue is long-standing in parts of the Highlands and the south-west and that this form of letting is now increasingly displacing residential communities in Edinburgh and across Lothian; notes reports of distress being felt by residents, particularly in communal property in the centre of the capital; acknowledges the recently-launched Homes First campaign, and notes the calls for all parties to urgently bring forward planning, fiscal or regulatory measures to enable local government to provide effective controls over the change of use of residential property to short-term let property.

17:05

Andy Wightman (Lothian) (Green): I thank members from all parties who have signed my motion and turned up this evening to contribute to the debate. I welcome those in the public gallery, many of whom live every day of their lives with the impact of short-term lets. I hope that the debate will bring them assurance that Parliament is willing to tackle the issue with some urgency.

My motion highlights an issue that is of significant concern to large numbers of my constituents, and it is on their behalf that I speak today. The motion is not about the collaborative economy, in which people rent out a room in their house on a peer-to-peer platform, and it is not about the platforms themselves. It is about the framework in which decisions are made—or, currently, not made—about the existence, extent, scope and nature of the use of residential properties in their entirety as short-term letting businesses.

Short-term letting has a long history and I am sure that many members have hired a self-catering property in rural Scotland, for example, for holidays. In rural Scotland, such properties form an important part of the tourism economy and provide valuable income for local businesses. However, in most cases, such properties are detached dwellings that have planning consent for use as a self-catering property. Nevertheless, even in rural Scotland, there remain issues to be resolved about the extent of second homes and short-term lets in areas of acute housing need.

It is in Edinburgh that the phenomenon has taken off and where the implications of that unregulated market are causing severe distress that affects the quality of life of my constituents. The implications include antisocial behaviour in communal areas; a loss of community as speculators buy up properties and turn them into short-term lets; mental ill health, including anxiety and stress, that is associated with not knowing who is coming and going; the displacement of the residential population when homes are acquired as lucrative short-term lets and residents who remain are left to decide whether to stay; a tax gap, as thousands of properties are not on the valuation roll and their owners do not pay non-domestic rates; and concerns about security, as keys are distributed to hundreds of unknown people every year, allowing access to residential areas.

On one online advertising website, there are 5,474 whole properties that are available for let in the city of Edinburgh, which is almost double the number that was available in July last year. That is despite a City of Edinburgh Council presumption in planning against any short-term lets in flatted properties. Thousands exist. It is also despite thousands of domestic dwellings having conditions in their title deeds that restrict the use of property to a main home and that prohibit any business use. Thousands of owners are flouting those conditions with no redress available to affected neighbours. Due to owners not declaring their properties and because of the 100 per cent relief that is granted through the small business bonus scheme, a tax system that is meant to ensure the payment of non-domestic rates to support the provision of public services in the city is failing to collect more than £10 million.

I reiterate that the mischief that is complained about here is not that of homeowners renting out rooms as part of the collaborative economy; it is the situation whereby changes of use for residential property are taking place with no democratic scrutiny or accountability, and where properties are being marketed to tourists despite those properties not complying with the law. It is a situation that is causing a degree of stress and misery that should not be tolerated, and that causes, for example, a school pupil to fail her exam because of lack of sleep due to an unannounced party held by strangers in the flat above her bedroom.

I have other testimony, which is as follows:

"We have lost a neighbour and gained an endless stream of strangers";

"Cheap holiday lets come at a very high price for people living next door to them";

“What was our neighbour’s house is now a ‘hotel’ with no planning permission, no safety regulations and no regard for families living next door”;

and,

“I am leaving the Old Town, my home for the past 25 years. I have sold my flat and I am moving out in January. I have nothing but feelings of utter contempt for the selfish and irresponsible people that have done this. And the Council have been both complicit and complacent, presiding over an increasingly dire situation only interested, it seems, in turning the city centre into a transit camp”.

For the record, those are some of the very large number of testimonies that we have received over the past few months.

The motion is called “Homes First”, which is the name of a campaign that I launched yesterday to tackle this scourge. “Homes First” means what it says. There is an affordable housing crisis in the city of Edinburgh, and what residential accommodation exists should be used to provide homes for residents in the first instance. Only through a careful and considered process in the planning system should any short-term letting of whole properties on a commercial basis be allowed. The human rights of my constituents to housing and to the peaceful enjoyment of their property are being violated by the rapid and uncontrolled expansion of short-term lets.

One constituent recently observed to me that three key factors have led to the rapid growth of the market that we are discussing: cheap flights, online accommodation platforms and wheelee suitcases. Before the close of the debate, members could, if they so wished, easily book a short break in Madrid, Paris or Berlin from their mobile phone or tablet device. Although that has created unprecedented freedom for some, it has caused untold misery for others.

To resolve the matter, we need to recognise two distinct issues. The first is how we give councils the powers to effectively decide the appropriate scale, location and scope of short-term lets. That is a first-order question of how property is used, which is normally addressed by the planning system—in particular, the land use class order system. It is a first-order question whether short-term lets should even exist in any given location.

The second issue is how we effectively regulate the operation of any short-term letting system and how we manage the impacts of it. That is a second-order question that needs to be addressed once we have dealt with the first question, because the resolution of that question does not, in itself, resolve the core issue, which is where and in what circumstances a change of use from a domestic dwelling to a commercial short-term letting business should be allowed.

A modern-day clearance is under way, as long-established communities are torn asunder in the

face of global market forces. Across the rest of Scotland, too, change is under way in towns and rural communities as the new wave of cheap travel disrupts local housing markets.

As I said at the outset, the motion and the campaign are not about the collaborative economy; they are about the exploitative economy. I urge the Scottish Government to wake up to the need for action to tackle the issue before it is too late and to listen to the concerns of residents whose lives are made intolerable by a market that is out of control and a system of regulation that permits widespread illegality.

The Deputy Presiding Officer: I ask the people who are observing the debate from the gallery not to holler, clap or boo.

17:13

Ben Macpherson (Edinburgh Northern and Leith) (SNP): I commend Andy Wightman for bringing the matter to the chamber for debate. It is one on which, as the MSP for Edinburgh Northern and Leith, I, too, have received concerning correspondence from constituents, including constituents in the Abbeyhill colonies, not too far from this Parliament. People have spoken about all the aspects that Mr Wightman highlighted, including increase in noise, disruption at different times of the day, strangers turning up and damage to community. Although our experience and the responses that we have had from constituents might be anecdotal, it is clear that there is a trend, particularly in Edinburgh, whereby the situation that the motion addresses, and the antisocial behaviour and disruption that are associated with it, are causing great concern for the affected individuals and communities. The issue will be particularly pertinent to constituents who are watching the debate.

Over the past months, I have sought to take action on the issue, as Mr Wightman has done. I agree with the general consensus that action needs to be taken, and I have been in correspondence with Scottish Government colleagues, including the Cabinet Secretary for Economy, Jobs and Fair Work, Keith Brown, and the Minister for Local Government and Housing, Kevin Stewart, as well as with colleagues in the City of Edinburgh Council.

What is clear is that we need to put some considerable and purposeful thinking into whether any action can be taken through existing laws or whether any change or new initiative is required. However, my strong view is that that must happen on the basis of robust empirical evidence and consideration to ensure that any new initiatives are robust and effective.

Andy Wightman: I welcome Ben Macpherson's support for my motion. He has mentioned the need for reliable information and so on, but does he not accept that the voluminous testimony that I have received is, if not statistically verifiable, sufficient as evidence to suggest that change is needed in the way that properties are used as short-term letting businesses?

Ben Macpherson: I sympathise with the member's position, but we need to work with government at local authority level here in Edinburgh and at national level to ensure that we act on empirical evidence. That is why I have written to the minister Kevin Stewart and City of Edinburgh Council colleagues to inquire where they are in the process of gathering evidence on this matter and what actions they are considering. We also await the findings of the advisory panel on the collaborative economy.

Call it semantics, but I was not able to support the motion as drafted because it did not refer to the need to gather evidence. However, I absolutely agree with its sentiments and the fact that this is a huge concern for many constituents here in Edinburgh and elsewhere. I commend Andy Wightman for bringing this debate to the chamber, and I look forward to working with him, the Scottish Government and local government in Edinburgh on tackling this issue for the benefit of the communities and individual constituents who are being negatively affected.

17:17

Graham Simpson (Central Scotland) (Con): I, too, thank Andy Wightman for bringing this issue to Parliament. His motion raises important issues, particularly here in Edinburgh. I do not disagree with him when he says that anxiety and distress are being caused to some residents as a result of properties being let out short term, and I felt that he was very eloquent in spelling out the situation.

However, I must urge a degree of caution, because the danger with such issues is that we have a knee-jerk reaction before knowing the full picture. We should not be complacent, but we need some balance. Tourism is vital to the Scottish economy; according to the Scottish Government, spending by tourists in Scotland generates around £12 billion of economic activity for the wider Scottish supply chain and contributes around £6 billion to Scottish gross domestic product.

Short-term lets are part of that important economy. In addition to supporting more than 15,000 jobs, self-catering attracts £723 million in consumer spending, £470 million of which is spent by visitors to Scotland. In Edinburgh and the Lothians alone, self-catering supports more than

2,500 jobs and brings nearly £50 million into the capital. Indeed, the headline objective of "Edinburgh 2020", Edinburgh's tourism strategy, is to increase the number of visits to the city by a third.

John Finnie (Highlands and Islands) (Green): Does the member accept that one of the local authority's major obligations is to house its population?

Graham Simpson: I was just about to come on to talk about the council.

With regard to Edinburgh, there are officially nearly 1,300 self-catering units on the Lothian roll. Those units are let for more than 140 days a year, and I accept that they are not the ones that Andy Wightman is talking about. They can be seen as commercial enterprises.

I am a keen user of self-catering properties. I have stayed in them throughout Scotland and Europe and elsewhere.

The motion states that residents are displaced when properties are rented out in the short term. That rather states the obvious. As I have said, tourism is vital wherever we go, not just in Edinburgh.

Kezia Dugdale (Lothian) (Lab): Will the member take an intervention?

Graham Simpson: I have taken one intervention and I do not really have time to take another, unless I am allowed more time.

The Deputy Presiding Officer: You are.

Kezia Dugdale: I am sure that, if Graham Simpson was faced with a constituent who had been affected by antisocial behaviour in a community, he would call for greater support and greater interventions from the police. When such antisocial behaviour is happening in tenements and flatted properties, does he not understand the need for greater regulation to deal with the new phenomenon that we are discussing?

Graham Simpson: I am rather minded to agree with Ben Macpherson that we need to get the full picture and know the facts before we rush to regulation. Regulation may well be necessary, but we need to know the facts and figures.

Concerns have been raised at the Scottish Government's panel on the collaborative economy about the validity of some of the scraped data that has been produced. The discussion paper from the panel's June meeting recognised that some of the data from third-party websites was "open to dispute".

We need to work with Airbnb and others to get things right. It is right to raise issues that affect communities, but solutions can often be found

through dialogue rather than regulation. We need to avoid harming the tourism industry but, if there is an issue, let us get the facts first. If we then need to regulate, we should do so.

17:22

Pauline McNeill (Glasgow) (Lab): I want to make just a short contribution.

I am mindful of Andy Wightman's opening remarks about the motion being specific, but I hope that he will not mind if I speak to the issue and to a related issue that is pertinent.

Andy Wightman has made a really good case for action and regulation based on the homes first campaign and the situation in Edinburgh, which he has outlined. I cannot say for sure whether there is any comparison between the situations in Edinburgh and Glasgow, but Patrick Harvie and I have had representations from Glasgow city centre residents who similarly feel that the proliferation and combination of short-term leases and speculative buying for short-term leases and letting on Airbnb are interrupting people's peaceful enjoyment of their properties.

What concerns me—this is where I think that there is a similarity between Edinburgh and Glasgow—is that, although no one wants to prevent the economy from booming and people from taking advantage of global platforms and cheaper opportunities to use properties while they are staying in a city, communities should be protected. There has been a rise of 184 per cent in listings on global platforms such as Airbnb. It is important that 56 per cent of those listings in Glasgow are entire home rentals. There is a similar impact in Glasgow in that people feel that there is no security where they live because so many people come to and go from their tenement homes or flats, and people do not always take responsibility. In many cases, there is definitely evidence of antisocial behaviour.

A range of issues to do with short-term leases and Airbnb needs to be looked at to see whether further regulation is needed to protect communities. There is no doubt that the balance has been interrupted in some cases. If we encourage people to live in city centres, they are entitled to be treated as a community. The Government and local authorities need to protect people who choose to live in city centres. If that means that we need to consider a little bit of regulation, that is what we should do.

17:24

Mark Ruskell (Mid Scotland and Fife) (Green): I, too, thank my colleague Andy Wightman for bringing this important topic to the

chamber for debate. His speech had his usual blend of forensic analysis and passion for change.

At the heart of the debate there is a question about what kind of communities we are trying to create; it is about the art of place making and whether councils have the right tools to make our places sustainable. Why do we want to visit beautiful places as tourists in the first place? We visit them because they are authentic and because we can share a moment in time, feeling what it is like to be a part of a community and its culture. However, when we undermine the very qualities that draw us to visit communities in the first place, we need to step back and question the market forces that are at play.

I went to Cornwall this summer with my children and we greatly enjoyed playing in fishing villages along the coast. However, the children kept asking what the black boxes with combination locks on every single door were for. There was a creeping sense that the authenticity of many places was being hollowed out by near universal short-term letting of residential properties. When I wander around east neuk fishing villages, I see the little black key boxes steadily increasing there. Fife has the second-highest number of self-catering properties in Scotland, which is a good indicator of a growing tourism economy, but we need to be mindful of striking a balance.

There is not a right or a wrong answer here, it is about careful judgment, but we need to understand first how big the short-term letting sector is and what it brings to communities in terms of benefits and disbenefits. We then need to have the right tools to mould the growth of the sector in a way that does not compromise residents' quality of life. We must also ensure that the sector makes a fair contribution to the local economy.

Graham Simpson: Does Mark Ruskell agree with Ben Macpherson and me that we need to establish the scale of the problem before deciding on any action?

Mark Ruskell: The best way to establish the scale of the problem is to give councils the right regulatory powers. If we gave powers to councils under land-use classes, that would force investigations as well as conversations in communities about the impacts of the short-term letting sector, both positive and negative. We should therefore start with giving councils those powers.

In the east neuk alone, 500 self-catering properties are registered with the assessor that are eligible for rates relief, most of which do not pay council tax either. Through non-domestic rates relief alone, that equates to £0.5 million lost in tax revenue every year. Alongside that, there is the

informal, unregistered short-term letting sector in the east neuk, which uses online platforms and could be bigger than the registered sector. That combined loss of public revenue amounts to a sum that could otherwise be spent on, for example, reopening the St Andrews rail route, which would bring huge benefits to visitors, the tourism economy and locals alike.

I agree that there needs to be a more detailed local conversation about the impact of the short-term letting sector on housing availability and quality of life. However, in order to get there, we need to give councils the powers under planning use class orders. Such a move would put short-term letting on to a better, spatially planned footing that made it transparent and accountable while recognising the positive economic impact that it can have.

Councils already exercise powers to cap the number of houses in multiple occupancy in student areas, for example. I would argue that that move is far more controversial than any cap on short-term lets, because students are in genuine housing need and are members of communities rather than just weekend visitors. Likewise, on alcohol licensing, boards can consider policies on overprovision and limit licences. If we are prejudicing public safety in an area through overprovision of alcohol sales, licences can be declined according to lines on a map. Therefore, councils routinely make decisions to allow the economy to grow in a way that does not undermine the fabric of communities and their needs.

If we want to protect our communities as authentic and beautiful places both to live in and to visit, we need to heed the concerns in Andy Wightman's motion and give councils the powers to get the balance right.

17:29

Gordon Lindhurst (Lothian) (Con): I refer to my interest as a registered landlord within the Lothian region that I represent, although I am not engaged in the short-term letting market.

I have lived in flats in this great city of Edinburgh on and off for many years and have personal experience of the irresponsible behaviour that others sometimes engage in: loud noise at late hours of the night, rubbish left in stairwells, lack of respect for fellow residents and other antisocial behaviour to which Andy Wightman has already referred. It can be both frustrating and, at times, life destroying for those who suffer from it. Of course, such behaviour is not limited to those who stay for only a night or two, but I think that it is fair to say that a very different relationship comes to

exist between long-term residents and those others who may pass like ships in the night.

In my view, one of the most important aspects of democracy is for members of the public to exercise their right to contact their elected representatives. I thank all those who have written to me about this issue since I was elected, from places as far apart as Marchmont, Bruntsfield, Merchiston and South Queensferry. As Andy Wightman pointed out, issues raised by short-term lets are not new, but because I recognise their importance I am happy to support his motion, which raises awareness of them here in Parliament and more widely.

Positive points should, of course, be made. Edinburgh and Scotland are very successful tourist destinations. Short-term lets are a lucrative business in Edinburgh and a testament to the popularity of our city for tourism, but we need to strike a better balance between Edinburgh's popularity and the sometimes unwanted consequences of that success. Many residents feel a loss of the sense of community. Relationships that are built up over time in a stairwell of flats, for example, are something that they used to cherish, but now can only crave. Short-term tenants are not around for long and little, if any, relationship can be built up.

Ideas about how we can overcome those problems have been generated. For example, the Government's expert advisory panel on the collaborative economy may provide insight into how policymakers can overcome some of the social problems that we have talked about. Government, Parliament and stakeholders should work together to enable informed decisions to be made that address the concerns without shutting down the short-term letting market altogether.

Overregulation could have that effect. Making it harder for hosts to navigate red tape could have an impact on economic activity—an estimated £500 million of economic activity was generated in the past year by hosts and guests. Council budgets are continually stretched. Are they ready to take on the administrative role of dealing with a new use class order, for example, and short-term let planning applications? Those are just some of the questions that we need to think about in relation to the issue.

Mark Ruskell: Will the member take an intervention?

Gordon Lindhurst: I am just closing.

We should respond to the problem, but we should guard against overreaction, overregulation or anything that would be mere window dressing involving measures that sound good but do not have the desired effect.

17:33

Kezia Dugdale (Lothian) (Lab): I offer the obligatory thanks to Andy Wightman for securing the debate and, to go a bit further, commend him for an excellent and very thorough piece of work that demands plaudits in its own right. Specifically, I note how forensic it is with regard to the need to look at change of use and how we can better regulate short-term lets across Edinburgh and, indeed, Scotland.

It is worth taking a moment to consider how the Parliament has addressed such issues before. I have been involved in housing issues in Edinburgh for 10 or 15 years now, since the days when I was a student activist supporting the student community in houses in multiple occupation.

A piece of legislation that was intended to improve the standard of housing was, for a time, used against young professionals and students in Edinburgh by using the idea of quotas, which the Liberal Democrats were proposing at the time in order to limit the density of HMOs in certain communities. The idea had its merits, but it was not going to tackle the underlying problems. The debate then morphed into one on party flats in the city. In the previous session of Parliament, Sarah Boyack did a lot of work on party flats in the Grove Street area and the south side of the city.

I mention those approaches to housing issues because what we need is a legal system that is light on its feet—light and agile enough to adapt to new and growing circumstances. We could not have anticipated Airbnb when we passed the HMO legislation a few years ago. It is important that we revisit such laws and consider whether they are fitting for the time.

All the contributions that I have heard from those who are not favourable towards Andy's proposals mention data scraping, which filters through the briefing papers that we have had from Airbnb and the Association of Scotland's Self-Caterers, which are against any further regulation. I suggest to Graham Simpson and others that the people who are arguing against data scraping perhaps have a vested interest in it.

It is clear to me that there are merits in having quality empirical evidence—we all support that—but the idea that Airbnb might not like us making our own assessment of how many properties are available in Edinburgh demands greater scrutiny. It is a bit like asking airports to be responsible for their own carbon emissions or—dare I say it—asking Tories to be responsible for their own tax returns. We need independent analysis of the data, but let us not discount what we can see before us. If we spend five minutes on the Airbnb website, for example—I know that other companies are available—we can see the litany of

properties across Edinburgh that are available for short-term rent.

Graham Simpson: Will the member give way?

Kezia Dugdale: I will make a bit more progress and then let the member in, because he was kind enough to let me in. Let me establish the point and then I will give way.

If we look at the website, we can see that there are brand-new properties, often with wooden floors that should not be there—building regulations have been ignored—so that there will be continual problems with noise. Likewise, there are lots of older properties in tenement buildings, which have their own culture around stair management, which people who visit for one or three days will not be aware of. That is why the issues about community are so important.

There has to be a bit of give and take and people have to compromise when they live at such close quarters, but the problem is the introduction of profit into the notion of community. I will develop that point a bit further after I have taken Graham Simpson's intervention, if he still wants to make one.

The Deputy Presiding Officer: You do not have much longer, Ms Dugdale.

Kezia Dugdale: I will speak very fast.

Graham Simpson: Thank you. I will be really quick.

I am confused by what the member is saying about data. Does she agree that we should have accurate data or is she happy with data scraping?

The Deputy Presiding Officer: I will give you another minute, Ms Dugdale.

Kezia Dugdale: Thank you. That is appreciated.

Of course I want accurate data, but the member has not demonstrated that what has been put before him is in any way inaccurate. His only evidence is from the vested interests involved. I do not think that it is a black and white scenario.

The point that I wanted to make is about profit. I am grateful to Andy Wightman for identifying the fact that people using Airbnb and other companies are not paying non-domestic rates. There is a wider issue about tax here, too. It was George Osborne who said that people could earn additional money from Airbnb without paying any income tax—in fact, they can earn up to £7,500 through letting out a room or indeed the whole property that they own. That needs to be addressed.

Furthermore, had we given local authorities the power over a tourist tax, we might be able to apply

that to people who are participating in this type of letting.

I turn finally to the proposal that Andy is putting forward. He makes arguments about how we could use class orders to better regulate the system. I tried that when we had a debate in the previous parliamentary session about the proliferation of pay-day loan shops. I tried to introduce a new class order system then so that we could treat those applications differently from other retail use, but I found it immensely difficult. I would like very much to discuss that further with the member, either in the chamber or beyond it. I wish him well. His proposal is excellent and it has the support of a vast number of constituents who have contacted me. I will do anything that I can to support Andy Wightman's proposals as they go forward.

The Deputy Presiding Officer: I remind members that, even in members' business debates, it would be helpful if they could use colleagues' full names. That helps the official report and brings clarity to those who might be listening in.

17:38

The Minister for Local Government and Housing (Kevin Stewart): I thank Andy Wightman for bringing this debate to the chamber and I welcome the opportunity to close the debate for the Government.

The debate has raised a number of serious issues that merit discussion. None of us wants to see a situation in which an increase in short-term lets leads to displacement of residents or the erosion of communities. Accessibility to and ease of technology have led to the increase in on-line platforms that have made it much easier for individuals to market their accommodation. That has broadened the type of accommodation that is available for visitors to Scotland and elsewhere around the world. That new model of tourist accommodation is now an established part of the overall short-term-let offering that is provided online and offline.

However, we must be aware of the downsides to the growth in short-term lets that we have heard about today and previously, which give rise to concern. I take the matter very seriously, as a member who represents a city-centre seat. Antisocial behaviour, noise nuisance, loss of the sense of community, loss of amenity in areas and other potential negative impacts on the fabric of our towns have all been discussed in the debate.

Local authorities have quite comprehensive powers to deal with antisocial behaviour and noise nuisance; I expect them to use those powers effectively. As recently as 2011, Parliament

agreed to the Antisocial Behaviour Notices (Houses Used for Holiday Purposes) (Scotland) Order 2011. I wonder how often that order is being used in Edinburgh and elsewhere, so I challenge local authorities to consider using it and other antisocial behaviour powers, as well as the powers in relation to noise and environmental health that are currently at their disposal. I urge local authorities to use those powers to deal with some of the difficulties that folk are facing.

Kezia Dugdale: That is a welcome point, but does the minister recognise that the powers that he is talking about can be actively used only if they are properly resourced? Historically, in Edinburgh we have had antisocial behaviour teams and a noise hotline—indeed, we had wardens to address such issues. All those have gone, as a result of cuts to local authorities, and because they were not statutory requirements they were among the first things to go. Surely we need resources if we are actively to use the law.

Kevin Stewart: Local authorities are responsible for their use of resources and must respond to their residents. As members have said, the issue affects many people in Edinburgh, so I ask the City of Edinburgh Council to look carefully at what it is doing in that regard.

Andy Wightman: I accept what the minister is saying, but the problem with short-term lets is that often by the time a resident has phoned the council and a council officer has visited, the visitor has gone, or will go the next day. The next week, another issue arises and the resident phones the council, but by the time the council officer comes, the visitor has gone. The powers are valuable, but they are not particularly helpful in a market that is expanding so rapidly.

Kevin Stewart: The powers may not be being applied properly, which might be the difficulty in all this. I will certainly discuss the matter with the City of Edinburgh Council, because under the order that I mentioned, the antisocial behaviour notice is served not on the people in the property who are causing the problem but on the landlord. That is extremely important. Folk having left a property should not affect in any way, shape or form the serving of a notice on the landlord.

The issues to do with short-term lets are complex, so we need to understand them properly if we are to put in place effective measures to tackle problems. That is why the Government commissioned research on short-term lets earlier this year. It is also why we asked the Scottish expert advisory panel on the collaborative economy to consider the impact of growth in peer-to-peer accommodation through collaborative online platforms. The expert advisory panel is considering not just the contribution to Scotland's economy and the opportunities that are presented,

but the regulatory, economic and social challenges that arise. The panel is chaired by Helen Goulden of the Young Foundation, and will ensure that the wider economic, social and community impacts of the collaborative economy, including in respect of taxation, social inclusion and employment conditions, are taken into account.

Andy Wightman: Will the minister give way?

Kevin Stewart: I shall give way briefly.

Andy Wightman: I am grateful. Does the minister accept that the panel's remit is the collaborative peer-to-peer economy, whereby someone rents a room in their flat to someone who is visiting the city, which is not the focus of my concern, as I made clear in my speech? The focus of my concern is the practice of converting whole residential properties to short-term lets for commercial use. That is not the collaborative economy; it is the exploitative economy.

Kevin Stewart: I understand exactly where Mr Wightman is coming from, but the work needs to go forward. I will look at other evidence, too. Mr Wightman knows that I am a pragmatic man when it comes to certain things, but it is very important that we see the findings from the panel, which is looking not just at urban settings, but at rural settings, too. I see that members from rural constituencies are in the chamber. Airbnb and other such platforms are vital to the survival of the tourist industry in some parts of Scotland, so we must get the balance absolutely right. I look forward to the panel's findings.

The Government recognises the intrinsic links between building housing and inclusive growth, and between providing warm and affordable homes and tackling inequalities and poverty. Increasing housing supply across all housing tenures is a priority for the Government. We are investing more than £3 billion during this session of Parliament to deliver at least 50,000 affordable homes. As well as working towards that bold and ambitious target, we are working to increase the supply of homes through our wide-ranging review of the planning system, in order to improve its effectiveness.

There is no doubt that the increase in the use of whole properties in cities and in rural areas for short-term lets is a direct response to our thriving tourism industry. Just a few months ago, "Rough Guide" readers voted Scotland the most beautiful country in the world. In 2016, we welcomed 2.7 million overseas visitors and 11.5 million domestic visitors to our cities and to our unique countryside. Tourism generates £11 billion of economic activity, and supports 217,000 jobs across the country, including 34,600 jobs here in Edinburgh.

We need to take account of the tourism-related industries and their importance to this city and

throughout Scotland. Scotland's economy benefits hugely from tourism, but that should not be at the expense of communities. I will say that again: tourism should not be at the expense of communities. We need to find a way to continue to welcome visitors to our beautiful country, and to offer them safe good-quality accommodation while ensuring that local residents can continue to live and work in our town centres and rural communities.

The Scottish expert panel on the collaborative economy will report to ministers at the end of the year. I am sure that we will all be interested in its conclusions and will want to consider carefully what planning, fiscal or regulatory measures would enable local government to provide effective controls over the change of use of residential properties to short-term-let properties.

Meeting closed at 17:47.

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

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

All documents are available on the Scottish Parliament website at:

www.parliament.scot

Information on non-endorsed print suppliers is available here:

www.parliament.scot/documents

For information on the Scottish Parliament contact Public Information on:

Telephone: 0131 348 5000

Textphone: 0800 092 7100

Email: sp.info@parliament.scot



The Scottish Parliament
Pàrlamaid na h-Alba