



OFFICIAL REPORT
AITHISG OIFIGEIL

Meeting of the Parliament

Tuesday 5 November 2019

Session 5



The Scottish Parliament
Pàrlamaid na h-Alba

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Tuesday 5 November 2019

CONTENTS

	Col.
TIME FOR REFLECTION	1
BUSINESS MOTION	3
<i>Motion moved—[Graeme Dey]—and agreed to.</i>	
TOPICAL QUESTION TIME	4
Supervised Drug Consumption Facility	4
Prison Officers (Stress-related Sickness Absence)	6
Deaths Abroad (Support for Families)	9
UEFA EUROPEAN CHAMPIONSHIP (SCOTLAND) BILL: STAGE 1	12
<i>Motion moved—[Ben Macpherson].</i>	
The Minister for Europe, Migration and International Development (Ben Macpherson)	12
Joan McAlpine (South Scotland) (SNP)	16
Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con)	20
Claire Baker (Mid Scotland and Fife) (Lab)	23
Ross Greer (West Scotland) (Green)	27
Mike Rumbles (North East Scotland) (LD)	30
Annabelle Ewing (Cowdenbeath) (SNP)	32
Brian Whittle (South Scotland) (Con)	34
Stuart McMillan (Greenock and Inverclyde) (SNP)	36
James Kelly (Glasgow) (Lab)	39
Richard Lyle (Uddingston and Bellshill) (SNP)	41
Miles Briggs (Lothian) (Con)	43
James Dorman (Glasgow Cathcart) (SNP)	45
Bill Kidd (Glasgow Anniesland) (SNP)	48
Claire Baker	50
Alexander Stewart (Mid Scotland and Fife) (Con)	53
Ben Macpherson	55
SCOTTISH PARLIAMENTARY CORPORATE BODY	60
DECISION TIME	62
LOCH LOMOND	63
<i>Motion debated—[Ross Greer].</i>	
Ross Greer (West Scotland) (Green)	63
Jackie Baillie (Dumbarton) (Lab)	67
Rona Mackay (Strathkelvin and Bearsden) (SNP)	69
Maurice Corry (West Scotland) (Con)	70
Mark Ruskell (Mid Scotland and Fife) (Green)	72
The Minister for Rural Affairs and the Natural Environment (Mairi Gougeon)	73

Scottish Parliament

Tuesday 5 November 2019

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

Time for Reflection

The Presiding Officer (Ken Macintosh): Good afternoon. Our first item of business today is time for reflection, for which our leader is the Rev Duncan J Macpherson, who is senior chaplain Scotland and deputy assistant chaplain general for the 51st Infantry Brigade.

The Rev Duncan J Macpherson: Presiding Officer, members of the Scottish Parliament, it is a deep honour to offer this reflection before remembrance Sunday and armistice day. It will be no surprise that those opportunities in the life of our nation and her communities to pause, reflect on the horrors of war, honour the fallen and dedicate ourselves to a better future, are significant to me, as a Church of Scotland minister who has been called to serve as an army chaplain. It has been my privilege to lead acts of remembrance in parishes and in military service in communities here, overseas and on operations. I am deeply proud that Scots, wherever they are, still wish to pause to remember who and what has formed their past, influences their present and shapes their future.

In the darkest hours and most desperate of circumstances, there are people of hope whom we can look to as examples: the Rev Donald Caske, the “Tartan Pimpernel” of the Scots Kirk in Paris in 1940, who operated an escape route for service personnel, and who was caught and interned in France and Italy; the Rev Murdo Ewen MacDonald, who was another Church of Scotland minister who volunteered to serve in North Africa, was wounded and captured, sent to Stalag Luft III, and there cared for American prisoners of war and played a part in the great escape; or even a previous moderator of the General Assembly of the Church of Scotland, the Very Rev J Fraser McLuskey MC, who was deployed from Scotland in 1944 to parachute behind enemy lines in France with the Special Air Service, as their chaplain.

What was it about those Scots that enabled them to endure under interrogation, to live in appalling conditions, and to serve behind enemy lines facing threat and constant danger that called them to risk all in service, alongside countless thousands from Scotland and beyond? I believe that it is the same thing that keeps the armed forces serving now—hope. It is hope that we will, when called upon, make a difference for the better. Those chaplains dared to hope in

darkness, because they, and I, believe in God, who offers hope in Jesus Christ, and a life that can be deeper, richer and full of a freedom that has little to do with circumstance and everything to do with community.

We stand on the shoulders of those who have gone before us, daring to build on their example of faith, and engendering hope that strives for a better future. *[Applause.]*

Business Motion

14:03

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-19729, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out a revision to today's business.

Motion moved,

That the Parliament agrees to the following revision to the programme of business for Tuesday 5 November 2019—

delete

5.00 pm Decision Time

and insert

4.35 pm Decision Time—[*Graeme Dey.*]

Motion agreed to.

The Presiding Officer: The motion brings forward today's decision time to 25 to 5.

Topical Question Time

14:04

Supervised Drug Consumption Facility

1. **Tom Arthur (Renfrewshire South) (SNP):** To ask the Scottish Government what its response is to the Scottish Affairs Committee's report recommendation to introduce legislation to lawfully pilot a supervised drug consumption facility in Scotland. (S5T-01874)

The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick): The Scottish Affairs Committee inquiry into problem drug use in Scotland supports our view that what we face in terms of drug deaths is an emergency, and that the Misuse of Drugs Act 1971 should be amended to allow a range of responses focused on public health. The need for that type of service, and the evidence that supports it, was further reinforced during the inquiry. Such facilities can save lives, so I urge the United Kingdom Government to take the necessary steps either to support a pilot facility or to devolve the powers to Scotland so that this Parliament can take action to save lives.

Tom Arthur: The minister and other members will know that the report criticises the Tory UK Government, saying that it

"routinely ignores the evidence on what would be the most effective approach to reducing problem drug use",

as well as blocking proposals to introduce drug consumption rooms in Scotland, despite witnesses saying that

"the case for such a facility in Glasgow is amongst the most compelling in Europe."

Does the minister agree that that is a shameful approach?

Joe FitzPatrick: Yes, I strongly agree. I just do not understand how the UK Government, which has acknowledged the benefits of such facilities, can stand in the way of saving lives. There is a strong body of evidence from a number of countries that such facilities prevent fatal overdoses and encourage engagement with services.

Furthermore, a range of health professionals and experts from across the UK gave evidence saying that such facilities are the most important thing that Glasgow could do. The UK Government's own advisory group, the Advisory Council on the Misuse of Drugs, supports their introduction, and in recent weeks two UK Parliament committees have strongly recommended that they be introduced.

Tom Arthur: There are more than 20,000 people in Scotland with hepatitis C, with 10,000, we believe, having not been diagnosed. HIV also remains a public health challenge. We know that drug consumption facilities can help us to tackle those public health challenges and that they can, ultimately—as the minister said—save lives.

Does the minister therefore agree with me that, whatever Government we end up with at Westminster in December, it must either treat the issue with the urgency that it warrants or, better still, devolve the necessary powers to this Parliament?

Joe FitzPatrick: I absolutely agree. I call on the incoming UK Government to amend the Misuse of Drugs Act 1971 or to devolve the powers that will allow this Parliament to take a range of initiatives that are focused on public health, which will save lives.

The proposals could save lives across the United Kingdom. I think that the UK Government should be taking a public health approach to drugs everywhere in the UK, but if it will not do that, I ask it, please, to devolve the powers so that this Parliament can make the decisions.

Liam Kerr (North East Scotland) (Con): What research has been done to assess the impact on delivery of alcohol and drug partnerships of the Scottish National Party's decision four years ago to cut £15 million from those services?

Joe FitzPatrick: Liam Kerr will be well aware that, in 2018, the Government increased that budget by £20 million and that, just this year, in the programme for government, the First Minister agreed that we will increase it for the next two years by an additional £20 million.

Monica Lennon (Central Scotland) (Lab): The Scottish Affairs Committee report noted the benefits of de facto decriminalisation programmes that exist elsewhere in the UK. The Lord Advocate has acknowledged that he has the power to extend the scope of Police Scotland's current de facto decriminalisation policy to drugs other than cannabis. Given that committee's endorsement of such programmes, is the minister supportive of an extension, and will he commit to working with the Lord Advocate to make it a reality?

Joe FitzPatrick: That is one of the areas of work that the drug deaths task force is addressing. The Crown Office and Procurator Fiscal Service is part of it, so that we can consider what more we can do within the powers that we have. It is important that we look further afield, too. What more could we do? We should use every possible lever, either within the powers of this Parliament or under the powers of Westminster, to save lives.

Liam McArthur (Orkney Islands) (LD): I will follow on from Monica Lennon's question. It was not just the Lord Advocate who made the case: Assistant Chief Constable Steve Johnson said that Police Scotland could consider a diversion scheme that is wider than the system of recorded police warnings. Such schemes are currently applied by Thames Valley Police and Durham Police. Can the minister make a commitment to Parliament to the Government taking specific action to pursue that option?

Joe FitzPatrick: It is always important to remember the differing responsibilities of the Parliament, the Government and the Crown Office in such matters. As I said to Monica Lennon, it is important that the Crown Office is part of the drug deaths task force so that we can consider how we can make a difference.

There is also a wider question of whether we can examine models of decriminalisation from other parts of the world. It is appropriate that this Parliament can have such discussions, when we consider what has happened in Portugal, for example, when it comes to saving lives. There has been a massive turnaround of the situation there.

I assure Liam McArthur that the Crown Office is part of the drug deaths task force because it wants to help to determine the solutions.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): When I last met the minister, with the Rev Brian Casey in Springburn, to discuss the drug deaths crisis, Mr Casey and I expressed our deep concern about the relative ease and affordability of purchasing a pill press to mass produce potentially lethal so-called street Valium. We hope that there can be action in that area. Will the minister update me on action that the Scottish Government can take on that?

Joe FitzPatrick: We know that criminal gangs in Scotland are using such machines to produce vast quantities of the street benzodiazepines that are having a devastating effect on communities across Scotland. I am fully committed to taking any possible action that might help to save the lives of those who are most at risk through their drug use. I have instructed my officials to explore what options are available under current devolved powers to tackle the sale and regulation of the machines, for which I hope that I have support from across the chamber.

Prison Officers (Stress-related Sickness Absence)

2. Alexander Stewart (Mid Scotland and Fife) (Con): To ask the Scottish Government what urgent action it plans in response to recent reports of a rise in stress-related sickness absences among prison officers. (S5T-01858)

The Cabinet Secretary for Justice (Humza Yousaf): The Scottish Government recognises the importance of providing a safe environment for those living and working in our prisons. Prison officers work in a difficult and intensive environment that can, at times, be dangerous. The Scottish Prison Service provides a range of measures and interventions to those who require them, including occupational health support and access to counselling services.

Absence at the SPS was increasing month on month for more than two years. There are now positive signs that that trend may be reversing, with slight reductions at the end of August and September.

Scotland's prisons are stable, safe and well run. That is very much to the credit of prison officers and staff across the country, and I am very grateful for their unwavering dedication and commitment. I was pleased that agreement was reached on Scottish Prison Service pay for 2019 to 2022. The agreement reflects the important contribution that is made by all staff in our prisons and rightly sees the lowest-paid staff in our prisons receive a pay increase of up to 6 per cent in the first year and up to 15 per cent over three years. As part of that pay deal, agreement was reached on wider reforms, including the introduction of a new attendance management policy, which should directly help to tackle the very issue that the member has raised.

Alexander Stewart: Overcrowding in prisons, combined with an increase in violence, mental health issues and the use of psychoactive substances have all been raised as key factors in sickness levels. Some staff feel inadequately skilled or trained to deal with some of the issues that they are confronted with. It is obvious that the issue urgently requires to be given priority. Will the cabinet secretary agree to do that?

Humza Yousaf: I thank Alexander Stewart for asking the question. I know that, in his time as a councillor, he took a real interest in prison-related issues. If there was one factor that could be dealt with, and one silver bullet or panacea, we would have found it, but clearly there is not. As Alexander Stewart says, there are a range of factors. The SPS is doing important work to try to tackle the issue, including the provision of telephone and face-to-face counselling to staff. There has also been a pilot of a variety of occupational health interventions, which are being evaluated to see whether they can be rolled out across the prison estate.

As well as the mental health issues, on which the member is right to focus, it is worth mentioning the physical demands of such a job. We know that approximately 15,000 days per annum are lost to musculoskeletal conditions. The SPS has

therefore introduced free physiotherapy services for staff in HMP Edinburgh and HM YOI Polmont; that has been very positive, and consideration will be given to rolling it out further.

I agree with Alexander Stewart that there is urgency about this issue, which is why work is already taking place. In the past couple of months, we have seen a more positive trend, but clearly there is still a lot more for us to do collectively.

Alexander Stewart: The fact is that, in the past year alone, stress-related sickness has gone up by nearly one third and prison officers are quitting altogether because, for some of them, the thought of going back to work is too much to bear. Will the cabinet secretary guarantee that staff will get the vital resources, support and training that they need to ensure that they can fulfil their duties?

Humza Yousaf: We have invested when the Prison Service has told us that it needs more financial resource. This year alone, we have invested an additional £24 million in the Prison Service. It told us that it needed that additional funding because of the pressures that it faced as a result of the overcrowding problem.

I can give an absolute assurance to Alexander Stewart and, indeed, to all members that, when the Prison Service tells me that it has an issue that needs to be dealt with urgently, this Government will listen to it. That is demonstrated by the historic pay deal of 15 per cent over three years for prison officers, who do an excellent job and one that—as I am sure that all of us, including those of us in the Government, recognise—is becoming increasingly difficult.

Shona Robison (Dundee City East) (SNP): Does the cabinet secretary agree that prison officers do an incredible job and should be recognised for the important work that they do in what are often difficult circumstances? I saw that for myself when I visited Barlinnie this morning with the Justice Committee.

The Scottish Government is committed to reducing the prison population by introducing a presumption against short sentences. What impact would the Conservative Party's policies on justice have on our prison capacity?

Humza Yousaf: That is a fair point. Alexander Stewart acknowledged that overcrowding is one of the factors that are involved in the staff sickness and absence rate. The Government and I, as justice secretary, are absolutely committed to reducing prisoner numbers. The recent Conservative justice policies of ending automatic early release for prisoners on short sentences and supporting whole-life sentences, along with the Conservatives' opposition to a presumption against short sentences, would increase the prison population by about 40 per cent to about 11,500.

As far as I am aware—Conservative members can tell me otherwise if this is not the case—the Conservatives have never announced a policy of building additional prisons. Therefore, that 40 per cent increase would have to be managed within our current prisons. At least three new Barlinnies would have to be built to cope with that level of demand.

Conservative members might think that staff are being affected by the overcrowding position at the moment, but the problem would not only be exacerbated by their policies; frankly, our prison staff would be at breaking point.

Deaths Abroad (Support for Families)

3. Angela Constance (Almond Valley) (SNP): To ask the Scottish Government what its response is to the report by the all-party parliamentary group on deaths abroad, consular services and assistance, “Why families in the UK deserve better and what can be done”. (S5T-01860)

The Minister for Europe, Migration and International Development (Ben Macpherson): The Scottish Government recognises the difficulties that are faced by Scottish families who suffer the death of a loved one abroad, and ministers have met a number of families to discuss their experiences.

We are grateful to the all-party parliamentary group for its serious work on a serious and emotive issue. Although it is the role of the Foreign and Commonwealth Office to provide consular support, the Scottish Government is committed to exploring the issue further and identifying where support can be improved. We will therefore carefully consider the report’s findings and how we can work alongside United Kingdom Government departments and other key agencies and stakeholders to improve how victims and their families are supported following the death of a relative overseas.

I am sure that I speak for the whole chamber when I say that our thoughts remain with the many families who have lost a loved one in such circumstances.

Angela Constance: The all-party parliamentary group’s report is based on the lived experience of 60 families who have suffered the trauma of a loved one dying abroad. As it is crucial that we all move from expressing our condolences to taking action, will the minister commit to fully informing Parliament of his consideration of all the germane recommendations, including the recommendation that the Pearson-Maxwell protocol be adopted to help with the costs of translation, emergency travel and repatriation when those are not covered by travel insurance?

Ben Macpherson: The all-party parliamentary group’s report is detailed and comprehensive and, as Angela Constance said, it sets out the experience of many families. I am sure that she will appreciate that the Government as a whole will want to take time to properly consider the report’s various recommendations.

That said, I make it clear that we are open minded about looking at various ways of supporting families who have lost a loved one abroad. Complications with repatriation and the costs involved are a common issue for many families. The victim surcharge fund might be able to assist with that although, given the fund’s legal focus on supporting families who have been victims of crime, it might be difficult to use it to support families who are involved in cases in which there has been an accidental death.

We will look at the report recommendation that Angela Constance referred to in detail as part of a wider evaluation and consideration of the report’s full recommendations and respond as appropriate.

Angela Constance: Both the Cabinet Secretary for Justice and the First Minister were kind enough to meet my constituents, the family of Kirsty Maxwell, so they know how abandoned this family feels. Will the minister therefore agree to extend the families bereaved by crime service to include those who have lost a loved one abroad due to murder, manslaughter, or indeed suspicious circumstances, as that would help to create a more comprehensive and trauma-informed service for families such as Kirsty’s?

Ben Macpherson: The Victim Support Scotland service for families who have been bereaved by crime provides dedicated and continuous support for families who have been bereaved by murder or culpable homicide. At present, cases involving a death abroad are outwith the scope of that service, as the report notes.

The service is in its first year of operation and it has already expanded its scope to ensure the availability of support for families where the death may have occurred some time ago but there is on-going interaction with the justice system—for example, in relation to temporary release or parole.

We are open minded about recommendation 5e. We are keen to ensure that the impact of any further changes to the scope of the fund would be well understood and adequately resourced. We will consider recommendation 5e as part of our serious analysis of the recommendations as a whole.

The justice secretary and the external affairs secretary will meet soon to discuss the report’s recommendations and they will look to engage with the new United Kingdom Government, when it

is established, on those issues. Officials here are already engaged with Foreign and Commonwealth Office officials on the report's recommendations, and the justice secretary has just informed me that he would be happy to meet Angela Constance to discuss the report at an appropriate point in the near future.

UEFA European Championship (Scotland) Bill: Stage 1

The Presiding Officer (Ken Macintosh): The next item of business is a stage 1 debate on motion S5M-19701, in the name of Ben Macpherson, on the UEFA European Championship (Scotland) Bill.

14:23

The Minister for Europe, Migration and International Development (Ben Macpherson): I am glad to open this debate on stage 1 of the UEFA European Championship (Scotland) Bill and to seek Parliament's backing for the general principles of the bill.

The UEFA championship is a remarkable sporting event that attracts global audiences, and in June and July next year—2020—we look forward to seeing the best of football at Hampden park as part of one of the biggest sporting events in the world. The Scottish Government and our partners in the local organising committee for the event are delighted to be involved in the 60th anniversary of the event, which will provide a “Euro for Europe”, with 12 cities across the continent hosting matches, including Glasgow. We look forward to welcoming others from across Europe to our shores and to enjoying the tournament together.

Glasgow and Scotland have a strong track record of successfully delivering major global sporting events, which bring significant benefits not just for our economy but for our international reputation. Importantly, we expect that the excitement and memories that are created by the championship will be on a par with those surrounding other famous football matches that have taken place in Glasgow. The impact will be magnified if, as we hope, Scotland manage to qualify through the nations league play-offs.

Hosting a major event often involves meeting certain requirements of the rights holder. The bill that we are debating today seeks to ensure the successful delivery of Euro 2020 in line with the requirements of the Union of European Football Associations for all 12 host cities. The bill will protect commercial rights in relation to ticket touting, street trading and advertising. It also contains measures in relation to enforcement.

The bill provides for three event zones in Glasgow where fans can enjoy the occasion and where the street trading and advertising restrictions will apply. I recognise that a key area of interest for Parliament and those who are affected by the bill will be where the zones are. For that reason, during stage 1, I shared with the

committee draft maps of the proposed Hampden park, George Square and merchant city event zones. I have also shared illustrative regulations to indicate how the Scottish Government expects to use the powers that are included in the bill, and I welcome any feedback on those.

I turn to the scrutiny of the bill. The timescales for consideration are shorter than usual, which I appreciate has made scrutiny more challenging. I therefore commend and thank the Culture, Tourism, Europe and External Affairs Committee for the diligent way in which it has undertaken stage 1 consideration. The committee heard from a range of stakeholders, and I also thank those organisations for contributing to the process. I thank the Delegated Powers and Law Reform Committee and the Finance and Constitution Committee for their consideration of the bill.

We now have the stage 1 report. I welcome the lead committee's unanimous support for the general principles of the bill. I think that we all have the same aim, which is to ensure that the bill plays its part in delivering a fantastic event. In that spirit, I will now say more about the Government's thinking on some of the matters that are raised in the report. I particularly want to focus on the timescales and plans for evaluation of the bill, the enforcement powers and our proposals for ticket touting. Finally, I will talk briefly about engagement on the bill.

On timescales and evaluation, members may be aware that the Scottish Government and its partners had worked to establish whether it would be possible to meet UEFA's requirements without the need for additional primary legislation. However, after that was explored in detail with UEFA, it was confirmed in only April 2019 that a bill would be necessary to provide the level of protection that UEFA requires to host the event. Since then, the Scottish Government has been working swiftly to develop the bill. In doing so, we have sought to learn from the Glasgow Commonwealth Games Act 2008, which is the most recent piece of legislation in Scotland for a major event. Subject to parliamentary approval, the Scottish Government proposes that the bill completes its parliamentary process more quickly than usual so that the secondary legislation can be laid early in 2020 in order to give those affected as much time as possible to prepare. Thinking forward, I have committed to evaluate after the event how the legislation for Euro 2020 worked in practice, which could help to inform the consideration of legislative requirements for future events in Scotland.

The enforcement provisions have been a key area of scrutiny during stage 1. The consideration included the range of powers that enforcement officers should have, who should be able to be

appointed as an enforcement officer and who should be able to assist an enforcement officer. I welcome the feedback from the committee on those points in the stage 1 report and when I appeared in front of the committee.

The enforcement provisions are almost identical to those in the Glasgow Commonwealth Games Act 2008 and are similar to enforcement powers in other pieces of Scottish and United Kingdom legislation. The provisions are also supported by Police Scotland. Nevertheless, following the committee's scrutiny and my deliberations, I recognise that it is possible to make the provisions clearer and that it may be helpful to strengthen protections in some areas. As a result, the Scottish Government will lodge amendments at stage 2 to respond to a number of the points that have been raised by the Culture, Tourism, Europe and External Affairs Committee. I have set out my evaluation of those points in more detail in my response to the committee's stage 1 report. The proposed amendments include adding criteria to limit the appointment of enforcement officers to people who are employed by Glasgow City Council or other local authorities in Scotland.

I turn to ticket touting. Sadly, as members will know, many major events are blighted by the presence of ticket touts. The Scottish Government, working in partnership with UEFA, wants to prevent that from happening for the Euro 2020 championship. The bill will help to ensure fair access to tickets by creating a new criminal offence, carrying a maximum fine of £5,000, which will act as a deterrent and allow action to be taken to address ticket touting that is carried out either in person or—crucially—electronically.

Mike Rumbles (North East Scotland) (LD):

The minister's comments are welcome and I fully support them. However, I want to ask about another matter that was raised in the committee's discussions. Will he consider coming back to Parliament at a future date to put into the general law on ticket touting the measures that he now proposes for this event?

Ben Macpherson: As I expressed when I appeared before the committee a number of weeks ago, assuming that the bill is approved by Parliament, the Scottish Government intends to learn from its successful delivery and operation and to consider how a framework bill on major events might work in future. Considerations on ticket touting will undoubtedly be part of that process.

Our proposals to ban touting of championship tickets have been broadly supported, including by football fans. The Association of Tartan Army Clubs wrote to the Culture, Tourism, Europe and External Affairs Committee in October to convey its firm support for such measures. Of course, it is

not my intention to criminalise charity auctions of tickets, and I have committed to lodge an amendment at stage 2 to make it clear that such auctions will be permitted. However, any form of charity sale, auction or promotional giveaway of a Euro 2020 ticket should be discussed with UEFA to ensure that the ultimate holder of the ticket is not at risk of being refused entry to the stadium as a consequence of breaching UEFA's terms and conditions of sale. The Scottish Government is working to raise awareness of the new offence so that fans will understand how it works and feel able to report touting activity to Police Scotland and enforcement officers.

Finally, it is important that we undertake further engagement to raise awareness of the other provisions in the bill, as we are doing for those on ticket touting. Prior to the bill's introduction, the Scottish Government carried out targeted engagement with street traders and other businesses that might be affected, as it is essential that they understand what is being proposed and have an opportunity to provide their views. Since the bill was introduced, further engagement has taken place to help us to understand the views of other groups. Importantly, that has included discussions with the Association of Tartan Army Clubs, Supporters Direct Scotland and the Scottish Football Supporters Association, as we wanted to hear from football fans as widely as we could on relevant matters. Further engagement with residents around Hampden park is planned for later this month on the preparations for the event, not just the possible implications of the bill. The Scottish Government, together with Glasgow City Council and other partners, intends to continue to publicise the restrictions on advertising, street trading and ticket touting in the run-up to the championship, to raise awareness among businesses and the public.

I hope that members will appreciate that, despite the expedited timetable for this bill, a good deal of consideration and due care has gone into its drafting. The proposals on ticket touting have been broadly supported, and those on street trading and advertising have been welcomed in the stage 1 report on the bill. I view parliamentary scrutiny as a vital way to improve the bill and have responded positively to the majority of the committee's recommendations on areas for possible amendment.

I look forward to engaging with members in a productive exchange of views today and, subject to parliamentary approval, taking forward improvements to the bill at stage 2. It is an exciting opportunity for Glasgow to be one of the 12 host cities for the championship, with huge benefits for the local economy, Scotland's economy and our reputation as an excellent nation to host world-class sporting events. With regard to that

opportunity, the aspiration to deliver the tournament well and the things that we need to undertake to do that, I move the motion.

I move,

That the Parliament agrees to the general principles of the UEFA European Championship (Scotland) Bill.

The Presiding Officer: I call Joan McAlpine, convener of the Culture, Tourism, Europe and External Affairs Committee, to open on behalf of the committee.

14:35

Joan McAlpine (South Scotland) (SNP): It is a pleasure to speak in this debate on behalf of the Culture, Tourism, Europe and External Affairs Committee. My committee unanimously agreed our report on the UEFA European Championship (Scotland) Bill last Thursday, and it is symptomatic of the compressed timetable for the bill that this debate is taking place today. In that regard, I am reminded of the words of Leonard Bernstein, who said:

"To achieve great things, two things are needed: a plan and not quite enough time."

I thank all the members of the committee and those who provided evidence for their support for our scrutinising the bill within a constrained timetable. As always, I also thank our clerks, who worked so hard to get the report out on time. The compressed timetable has affected me personally because I have a long-standing appointment to support some of my constituents from Langholm, who have travelled to meet the transport minister today. I have alerted you to this, Presiding Officer, but I apologise to members who will speak in the open part of the debate that I will have to step out. My constituents have travelled a long way and I am keen to support them.

The committee recognises the significant culture, tourism and social opportunities that hosting the matches at Hampden park represents for Scotland. Nevertheless, the committee, as one would expect, raises a range of issues with the bill in its stage 1 report. I want to explore those this afternoon, and I am sure that my fellow committee members will want to expand on them.

Euro 2020 will be hosted by 12 member associations of UEFA to mark the 60th anniversary of the European championships, and four matches will take place in Glasgow. To date, five countries are using primary legislation to meet UEFA's requirements for hosting Euro 2020 matches, while other jurisdictions, such as England, are using secondary legislation. The governance for hosting the Euro 2020 matches is being undertaken by a local organising committee that comprises representatives of the Scottish

Football Association, the Scottish Government, Glasgow City Council, Hampden Park Ltd, VisitScotland and Police Scotland.

While considering the bill, the committee became aware that the need for primary legislation became evident only in April this year despite individual members of the local organising committee, such as Glasgow City Council, having been aware that existing legislation would not be sufficient to meet UEFA's requirements. In contrast, the legislation for the 2014 Commonwealth games was passed in 2008. The committee considers it regrettable that the local organising committee, which includes the Scottish Government, did not anticipate the need for legislation far sooner, given that the Euro 2020 matches were awarded in 2014. However, I welcome the minister's commitment in his response to the committee's stage 1 report

"to learn from this experience".

I am aware that the delay was certainly not connected to the minister, who came into post only recently.

The bill contains a range of measures that seek to protect the commercial rights of UEFA and event sponsors. Specifically, it contains provisions that will put in place restrictions on ticket touting, street trading and advertising, as well as a range of provisions relating to the enforcement of those offences. The provisions replicate equivalent measures in the Glasgow Commonwealth Games Act 2008.

The measures in the bill with regard to ticket touting were supported in the evidence that the committee received. However, the committee has sought to understand why the bill provides an exemption for UEFA, particularly as it was clear when it provided evidence to the committee that it has absolutely no intention of engaging in ticket touting. I am sure that we all welcome that.

The committee recognises that the minister considers that the provision is necessary to protect UEFA when reselling tickets on an online platform. Nevertheless, the committee recommends that the Scottish Government reflects on whether the policy intention of the legislation can be made clearer via an amendment at stage 2.

The committee also welcomes commitments that the Scottish Government has made to ensure that 2020 tickets that are sold at above face value for charitable purposes are exempted from the ticket touting provisions.

The street trading and advertising provisions, which seek to prohibit unauthorised street trading in the Euro 2020 event zones in Glasgow, were generally supported. The committee expressed concern that the activities of buskers and charity

collectors could be impacted by the street trading measures. Presiding Officer, as you will be aware, Glasgow boasts some of the finest street performers to be found anywhere in Europe and I am therefore delighted that the minister has committed to making busking and charity collections exceptions to the street trading offence. That can only help to add to the atmosphere that travelling fans will experience in the Euro 2020 event zones.

A substantial proportion of the bill deals with the enforcement mechanisms that are designed to underpin the advertising, ticket touting and street trading offences. The bill proposes that enforcement officers are designated to enforce those offences as a practical measure to reduce the resource implications for Police Scotland during the championships. Concerns were expressed by some stakeholders regarding that approach, which replicates the approach that was taken for the 2014 Commonwealth games. For example, the Scottish Police Federation considered that enforcement officers could blur the distinction between police officers and others who are exercising powers that resemble police powers.

Enforcement officers will be local authority officers who deal with trading standards and consumer protection and will be drawn primarily from Glasgow City Council in the first instance. The minister recognised that that is not evident from the bill as currently drafted and he has offered to make the position more explicit in the bill. The committee recommends that the minister lodges such amendments at stage 2.

In addition, the bill proposes that an enforcement officer should be able to seek assistance from another person to assist them in their role, without defining who those other persons may be. The committee considers that to be a potentially wide-ranging power. We therefore recommended that an enforcement officer, when seeking external expert assistance, should notify the police in advance of seeking such assistance.

I recognise that, in his response to the committee's stage 1 report, the minister has committed to lodge amendments at stage 2 to make the enforcement provisions clearer and

"to strengthen protections in some areas."

Presiding Officer, I know that public engagement is an issue to which you attach great importance. The Scottish Government recognises that, due to the late recognition of the need for primary legislation, there had not been sufficient time for a full public consultation prior to the introduction of the bill. Similarly, due to the constraints on the time available for scrutiny of the bill, there was limited scope for stakeholders to

engage with the parliamentary process. The committee therefore welcomes the on-going efforts of Glasgow City Council and the Scottish Government to undertake public engagement. The committee also welcomes the information distribution programme that UEFA intends to implement. However, the committee is unaware of any public engagement that has taken place to date with local community groups, residents or organisations that represent football fans. Accordingly, the committee recommends that the Scottish Government and Glasgow City Council consult such groups.

I will briefly consider the approach that is taken to legislating for major events. The committee welcomes the success that Scotland has had in recent years in attracting major events, and it recognises that doing so remains an on-going objective for the Scottish Government. The minister has referred to the Glasgow Commonwealth Games Act 2008 as the “gold standard” for such legislation. However, the committee is aware that no formal evaluation of the operation of the 2008 act has been undertaken. The committee has recommended that there should be

“a formal evaluation of the operation of the legislation”

following next summer’s Euro 2020 tournament.

The use of individual pieces of legislation in order to host major events was questioned in evidence to the committee. For example, the Scottish Police Federation said:

“If we have weaknesses, we should address them in a substantive way rather than in a way that involves periodically coming up with sticking plasters—if that is an appropriate descriptor—when large-scale events come around”.—[*Official Report, Culture, Tourism, Europe and External Affairs Committee*, 3 October 2019; c 26.]

The committee considers that if there are weaknesses in devolved legislation, those should be addressed in a substantive manner, rather than in a piecemeal fashion. Accordingly, the committee has recommended that the Scottish Government should give serious consideration to developing an events framework bill following formal evaluation of the operation of the UEFA European Championship (Scotland) Bill. I acknowledge that the minister has already addressed that point.

The committee recognises the significant cultural, economic and social opportunities that hosting Euro 2020 matches represents for Scotland. The committee hopes that our scrutiny of the bill will improve the approach taken to legislating for hosting major events in the future.

For some of my fellow committee members, football is—to quote that doyen of Scottish football managers, Tommy Docherty—a “lovely, incurable

disease”. I know that Glasgow will make a huge success of hosting Euro 2020—the only thing that will enhance the experience of hosting the tournament in Glasgow will be for Scotland to qualify for the tournament. Unfortunately, Presiding Officer, that is an issue over which the committee has no influence—you may consider that that is probably just as well. However, the committee supports the general principles of the bill.

14:46

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): The 16th UEFA European championship is an exciting opportunity for Scotland. To celebrate the tournament’s 60th birthday, 12 cities across Europe have been selected as hosts, from Amsterdam to Munich.

As we have heard, Hampden park won the bid to host matches during the 2020 European championships, so I am, as the Scottish Conservatives’ tourism spokesperson, delighted that Glasgow will be able to take advantage of the opportunities that will come from fans visiting Glasgow and the surrounding area, which will bring in much-needed tourism and contribute to the local economy.

Today we address the bill that will allow that to happen. It addresses areas of Scots law that do not meet UEFA’s standards for protecting sponsors’ commercial interests. It also covers restrictions on ticket touting, street trading and advertising in relation to the UEFA European championship 2020. Crucially, the bill must be enacted to ensure successful delivery of the championship by meeting commitments that are required by UEFA on commercial rights for event sponsors during the period of the event.

The Scottish Conservatives support the bill. We are grateful to the members of the Culture, Tourism, Europe and External Affairs Committee for their hard work. However, we have some concerns about the bill’s potential impact. We would like clarification from the Scottish Government on the hours of operation and the precise geographical limits of the event zones, and we would like a response on concerns around the European convention on human rights.

I will address issues that were raised in Culture, Tourism, Europe and External Affairs Committee evidence sessions, and in submissions, on the impacts on local businesses and residents and on enforcement of legislation.

We are already familiar with the process of introducing legislation in relation to hosting major sporting and cultural events. The successful Glasgow Commonwealth games back in 2014, for example, saw the Scottish Parliament pass

legislation in the build up to hosting that event. That legislation was prepared much further in advance of the event than the bill that we are debating, and an extensive public consultation was carried out.

That approach would have been beneficial for Glasgow residents by enabling them to prepare and feed their input into the conversation surrounding event zones and trading licences. First and foremost, the people who live in the vicinity of Hampden and near other event zones must be given priority. Conservative councillors on Glasgow City Council have raised the issue and believe that there should have been better public consultation. We must take note of likely disruptions and changes to services for residents in such areas. The challenge is to minimise the impact of road closures and to deliver a safe and secure event.

Members of the Mount Florida community council have been instrumental in providing evidence to the committee and have made their views clear. They raised a number of points, the most important of which was that the economic benefits of Hampden events have previously been gained elsewhere—for example, by hotels in Glasgow city centre—rather than in the local area.

As with any area around a major venue, issues spill out on to the local streets. Major events also increase the impact on everyday life for residents—a point that the Conservative group on Glasgow City Council has also brought up with me. When rugby is on at Murrayfield, residents endure similar traffic chaos and parking restrictions, and due to the trains not running on time—or at all in some cases—they suffer the double impact of bad parking and increased traffic flow on the roads.

In the run-up to matches, there must be better engagement with the local community to ensure that everybody is on board. Residents also raised concerns that the powers that are being granted to enforcement officers to enter and search private property could breach the European convention on human rights, because the powers would affect individuals' right to respect for private life and family life. Perhaps the minister will address that matter, which will also be dealt with as we progress with the bill.

It is clear that the bill has raised the local issues that I have just discussed, especially those concerning event zones and the impact on local businesses. There has been stakeholder engagement on that front, and there has been the establishment in Glasgow of a local organising committee to deliver the event, so we must see their advice taken on board.

As well as Hampden, two other event zones are being created: George Square and the merchant city. No street trading licences are issued for the merchant city or George Square event zones. However, 113 street trader licences will be impacted on by the proposed Hampden park event zone. I am glad that Glasgow City Council will, as per section 9 of the bill, have to work with traders who will be affected by the championship. That is action that Glasgow Conservative councillors have put pressure on the administration to take. Glasgow City Council has said that it will allow alternative trading arrangements in the Hampden park event zone, and traders will be obligated to comply with the licensing application process, should they want to trade in alternative locations.

I will return to the European convention on human rights. Restrictions on street trading and advertising could inhibit businesses' peaceful enjoyment of their possessions and their ability to thrive, rather than to suffer, as a result of the increased footfall. The championship is a not-to-be-missed opportunity for them. The committee considered how the bill could avoid preventing established local businesses from advertising products or services in their windows, or immediately outside their premises. In the past, small retailers have gone out of business due to cordons and zones that were applied during the Olympics and other major events, and which led to temporary inaccessibility for deliveries and customers.

We must not allow that to happen in Glasgow. The issue should be taken seriously in the making of regulations and in defining the geographical limits of event zones. It is incumbent on the people who make the regulations to ensure that all those factors are taken into consideration.

Prevention of ticket touting is a very important subject that has been touched on and in respect of which—I am glad to hear—the Government is on board. We do not want ticket touting to spoil the experience of people attending the UEFA matches, so I am thankful that the bill seeks to address the matter. Scots law already includes restrictions around ticket touting, but they relate only to causing a public annoyance to persons who are approached to purchase tickets, or to others who have reasonable grounds to be annoyed by the sale of tickets. As discussed, the provisions do not meet UEFA's requirements, so through discussion with UEFA the Scottish National Party Government determined that primary legislation is necessary in order to meet fully the requirements for hosting games in the 2020 championship.

Demand for tickets is expected to exceed supply, so the bill aims to provide a deterrent to anyone who would seek to make a profit from

resale of tickets, and to provide a basis for preventative actions and punitive actions, in the event of breaches. Conservative members support fair access to tickets so that as many people as possible can enjoy the matches, so making touting a criminal offence for the event will ensure that it is successful and that the ticket touts who sell at overinflated prices, either privately or through secondary sites, will be committing a criminal offence. However, there should be a clear distinction between well-meaning individuals and ticket touts. That will perhaps be looked at. The question remains: how can the ticket touts be ousted?

Conservative members support the bill in principle, but want the Scottish Government to look closely at the impact of event zones on local residents and businesses. We have heard the comments of Mount Florida community council, Police Scotland and others about how the bill could be strengthened to ensure that businesses and communities around Hampden are comfortable with the legislation and its implications for them.

We want the championships to bring the best possible opportunities and economic benefits, and to put Glasgow on the map. At the same time, the bill must allow local people's needs to be taken on board. The bill must not contravene the European convention on human rights, so clarification must be provided on that.

We will vote tonight to ensure that the bill moves on to stage 2. All we need now is for the Scotland team to qualify.

14:55

Claire Baker (Mid Scotland and Fife) (Lab): I am sorry; I have a bad cold. I hope that members will be able to hear what I say.

I am pleased to open this afternoon's debate for the Labour Party and I am happy to confirm that we will support the UEFA European Championship (Scotland) Bill at stage 1.

Next year is the 60th anniversary of the European championship, and to mark that landmark, the championship will take part across 12 countries. It is a testament to Glasgow that it has been chosen as one of the host cities, with four fixtures due to take place at the national team's park at Hampden. This is one of the largest sporting events in the world, and the announcement that Glasgow had been selected to be part of this special year for the tournament was very positive.

The city's selection was also well deserved. Scotland showed itself to be a perfect venue for major sporting events during the 2014

Commonwealth games. Our infrastructure was good, our welcome was warm and even the weather co-operated. The previous Scottish Executive and the Scottish Government, along with their partner, Glasgow City Council, demonstrated vision and ambition for Scotland's role on the world's sporting stage, and the games' success helped to secure our position as a competitive location.

The UEFA Euro 2020 championship will provide an economic boost to Glasgow and to Scotland. Accommodation and hospitality sectors will benefit and there will be opportunities to persuade people to stay longer in Scotland and take advantage of all that we have to offer. We can anticipate cultural and social benefits.

The Culture, Tourism, Europe and External Affairs Committee welcomed assurances that busking will be admissible in the event zones. There will be an opportunity to share all the cultural activities and night-time economy that Glasgow offers.

I have had a look at the UEFA website, on which there are promotional videos for each city. I note that it mentions that Edinburgh is only 70km—the distance is given in kilometres, because the site is aimed at a European market—from Glasgow. The benefits will extend across Scotland.

It seems that no debate can avoid Brexit. International events such as the championship, which bring together people through social interaction, are important for fostering co-operation and understanding. They enable us to recognise our place in Europe, whatever the future holds.

Games will take place in Glasgow and London, with the semi-finals and the final taking place at Wembley. We must show ourselves to be a welcoming and inclusive country, here in Scotland and across the United Kingdom, so that we can all enjoy this celebration of world-class football. There have been ugly scenes in European football in recent months and we must make clear—as must UEFA—that racism and antisocial behaviour have no place in the game or the festivities that surround it.

As a member of the committee, I understand and share some of the concerns that the convener expressed. I will focus on a few of the issues that she raised and on the responses that we have received from the Government.

As the minister acknowledged, the timescale for consultation and scrutiny has been challenging. I thank the people who submitted written evidence and who were able to attend committee meetings at short notice. It is disappointing that there is not more time to consider the bill. Every piece of legislation should have adequate time for

consideration. Although there are occasions on which it is necessary to fast track a bill—it is argued that this is one such occasion—such an approach should be avoided. The current state of affairs is unfortunate, albeit that the minister has provided an explanation for it, and the committee is not convinced that it was unavoidable.

Although the legislation is similar to the bill that was introduced for similar reasons in relation to the Commonwealth games, it is unfortunate that the Government was unable to provide much analysis of how the legislation operated during the Commonwealth games. That might be because there appear to have been no significant issues. However, only in recent months has there been any attempt to review the Glasgow Commonwealth Games Act 2008 and the letter from the Crown Office that said that there were four reported cases of ticket touting during the games. If there had been an evaluation of the 2008 act, it might have been easier to make the argument to the committee that this bill is a fairly straightforward piece of legislation that provides for an approach that has been tested and was effective. I welcome the Government's stated intention to learn from this experience.

It could be that the lack of time has caused some of those issues of concern. The Law Society of Scotland highlighted that it would have been helpful to include in the initial bill documentation comparative details of similar measures that are being taken in England or other European countries. Scotland is not unique in having to introduce primary legislation, but it suggests a weakness in our legislation on ticket touting that needs to be addressed. Ticket touting has had a high profile in recent years, particularly with regard to music events and the growth of online sales.

I welcome the Government's response to the committee's questions about online ticket touting, which sets out that someone could be refused entry unless their ticket has been purchased through a UEFA resale platform. Awareness of that will need to be raised, so that fans will be aware of the risks if they purchase a ticket in that way. It may be an effective way to deter online ticket touting, which is difficult to police, but I recognise that the enforcement of existing consumer rights has seen an improvement in recent months. That approach should be applied to all ticket touting, which is simply exploitation of fans.

The area that generated the most discussion is the roles and responsibilities of enforcement officers and the enforcement powers, on which the committee suggested a number of amendments. Although the need for enforcement officers during the tournament is recognised, concerns have been expressed about whether the powers are

appropriate and the measures proportionate to the potential issues that may arise during the tournament, particularly with regard to entering domestic and non-domestic properties. Policing the event and ensuring the safety of those who attend will be the role of Police Scotland, and the tournament will require intensive policing resource. The role of enforcement officers should complement that of police officers, so the legislation must be clear on the division of responsibilities.

There are several areas on which the committee sought assurances from the minister, and the amendments that he has proposed are welcome. I am keen for the legislation to have the confidence of Parliament, so that we can focus on the positive opportunities that the tournament will bring. There are lots of positive opportunities for the city, for tourism and, I hope, for Scotland's national team, but we should recognise that, for people who live within the event zones or their close vicinity, assurances will need to be provided and appreciation given for any concerns that they raise. It is welcome that an engagement session with residents around Hampden park will be held next week, and efforts must be made to keep those residents and other interested parties informed of the impacts of everything that will be in place during the tournament.

The Law Society of Scotland's briefing for today's debate raised questions about the seemingly piecemeal approach to hosting individual major events. That issue was also raised by the committee, which questioned whether a more strategic approach could be adopted that would cover any future events. It is anticipated and hoped that Scotland will be in a good position to attract more international events—I understand that there have been positive announcements on that subject this afternoon—and the same issues will need to be addressed in a temporary manner unless legislation could be introduced to apply in all circumstances.

The minister said at a committee meeting that he would consider the need for an events framework bill; I would be interested in more detail on that. When I have asked the cabinet secretary previously whether we could have a Scottish solution to ticket touting, it has been clear that there are issues with reserved powers, including consumer protection, and that is reflected in the Government's response to the stage 1 report. However, if there is a way to avoid introducing legislation for individual events, it would be worth exploring whether the powers that we are using could be made permanent or, at the least, whether there could be a system by which they could be triggered when necessary.

I look forward to this afternoon's debate, and I welcome the Government's response so far to the issues that the committee raised.

The Deputy Presiding Officer (Christine Grahame): Thank you very much. I call Ross Greer to open for the Greens. You have a generous six minutes, Mr Greer.

15:03

Ross Greer (West Scotland) (Green): Thank you, Presiding Officer. We all welcome the opportunity for Scotland to host international sporting events. Our history in international football goes as far back as it is possible to go; the first-ever international fixture was between Scotland and England and it was hosted in Glasgow. More recently, there was much to celebrate about the success of the Commonwealth games, although I do not think that they had the overwhelmingly positive effect on the local community in the east end and on children and families' participation in sport that some have claimed; the Parliament should come back to that point and explore it further.

I hope that hosting the UEFA matches will benefit the local economy in Glasgow and grass-roots football on the south side, across the city and across Scotland. International tournaments are special because they can play a key role in developing the sport, driving new people to get involved and drawing more attention to the positives that the sport can provide—we need only look at the long-overdue boom in interest in women's football after Scotland qualified for the world cup in France this year. However, in seeking to host international events, we need to ensure that they are conducted fairly.

Stuart McMillan (Greenock and Inverclyde) (SNP): I am sure that Ross Greer will agree that interest in women's football was very much increased as a consequence of the Scotland women's team qualifying for the European championships two years ago.

Ross Greer: Absolutely; Stuart McMillan is correct. After a long period of women's football being, frankly, undervalued, particularly by our media, the past few years' successes in multiple tournaments have had an exponential impact not just on women's football at the adult level, but on getting young women and girls involved in women's football at school level.

To return to the bill, the Greens have serious concerns, which are covered in the committee report, about the bill's provisions. First, I reiterate the point that the committee did not have enough time to scrutinise the bill properly. We held only two evidence sessions and took limited written evidence. It is to our clerks' credit that we did so

much in so little time and that such a useful report was the result. That rushed timescale was avoidable and a disservice to the Parliament. It was known on winning the bid in 2014 to host the championship that legislation might be required. That was five years ago, but it was confirmed with UEFA only in April this year that primary legislation would definitely be required. It then took a further six months for the bill to be drafted and introduced to Parliament.

That is not an acceptable way to go about legislating and it is certainly not good practice. When the Parliament does not have sufficient time to scrutinise, it is far more likely that a mistake will be made and that a piece of legislation will not be up to standard. Mistakes have been made with legislation previously that have led to good policies being scuppered. That undermines not only those policies but the reputation of the Parliament. It is vital that we do not set a precedent whereby rushing legislation through Parliament becomes acceptable; I welcome the minister's comments on that.

Some aspects of the bill, such as the provision for a ban on ticket touting, are welcome. However, there are also serious concerns about the bill because it is not a simple and uncontroversial piece of legislation. International sporting events inevitably bring with them corporate sponsors in the form of multinational, multibillion-pound companies seeking to make as much money as they can from association with the event. Companies such as Coca-Cola, Heineken, Mastercard and Gazprom want to use events such as UEFA 2020 to advertise their products and brands.

To protect corporate sponsors from non-official advertisers or other brands, the bill sets out a range of specific offences and enforcement powers. New criminal offences on trading and advertising are to be introduced, along with fines of up to £20,000. The enforcement powers for those are potentially excessive and without appropriate oversight mechanisms. The powers are to be granted to council officials, but they go beyond those that are currently afforded to the police. That is a concerning move, given that the police have clear lines of accountability and oversight mechanisms in place. Although those mechanisms do not function perfectly, giving police-like powers to non-police officials who do not have equivalent oversight mechanisms provides scope for abuse.

The enforcement powers include the power to seize and destroy property and to enter and search premises, which can be undertaken on the low threshold of an enforcement officer acting on their own judgment if they think that the action is appropriate. That would allow local authority

officials to search premises, a vehicle or a container without a police officer being present and even without a warrant, acting only on suspicion that a corporate brand was being ripped off. Those are broad and invasive powers, which the Scottish Police Federation has explicitly criticised, stating that they are “extraordinary” and “in stark contrast” with the very limited circumstances in which the police can usually enter and search without a warrant.

For those broad powers to be enacted for the protection of commercial rights is excessive and unjustified. It prioritises the protection of multibillion-pound corporations over the rights of citizens. There is a particular contrast between the oversight of police officers acting on the basis of their personal judgment and the lack of oversight for enforcement officers acting on their personal judgment as empowered by the bill. I am still not convinced of the necessity for those powers. After all, UEFA confirmed to me at the committee that it did not ask for them and made it clear that enforcement powers can remain with the police. Given that, it is clear that the judgment on the powers was motivated by issues of resource and proportionality.

The provisions therefore require a nuanced debate, but we did not have time to explore them properly in the few weeks that we had, given that we were not exactly lacking in other pressing issues to occupy our time. At least the Government has recognised those concerns and has said that it will lodge amendments at stage 2 to rectify some of the problems that have been raised. That is welcome, although the Government has simultaneously defended the provisions by stating that similar provisions were used for the Commonwealth games.

None of us wants to vote against the bill and the Greens will vote for the general principles at stage 1, but I urge the Government to engage with members immediately on the intended amendments. We all want to end up in the same place on the UEFA bill, but the Greens will not be able to support the bill at stage 3 unless meaningful changes are made to protect civil liberties and to retain appropriate policing responsibilities with the police. We all look forward to hosting the UEFA event—even those of us who never thought that we would manage a six-minute speech about a football tournament. I hope that we can reach that point in a spirit of consensus, maximising the good that hosting the event will do for Glasgow and Scotland while doing everything appropriate within our powers to ensure that our constituents’ rights are not undermined for the benefit of corporate sponsors.

The Deputy Presiding Officer: I call Mike Rumbles to open for the Liberal Democrats. Mr

Rumbles, you will be pleased to hear that I can give you a generous six minutes.

15:10

Mike Rumbles (North East Scotland) (LD): Thank you very much indeed, Presiding Officer.

Everyone on the committee and, I hope, everyone in the chamber supports the Scottish Government’s bill for the successful delivery of Euro 2020. It is important that the bill paves the way for a successful tournament. I want to see a successful tournament, and our job in the Parliament is to ensure that a successful bill is passed through all three stages, so that we do our bit to aid a successful tournament.

I come to the detail of the bill. When I looked at the bill prior to the committee taking evidence on it, I was surprised by a couple of issues, which have already been addressed to some extent. First, I commend the Government for section 2, which deals with a ban on ticket touting for the event. Ticket touts have been making a pretty penny out of people for far too long. The activity routinely fleeces people, and much more needs to be done to promote fair access to events and to protect people. People will wonder why the approach that will be taken to the Euros next year should not be the norm, and we need to update our legislation to reflect that. I am pleased that consideration is being given to doing that, so I say, “Well done, the Scottish Government”—members do not often hear me say that, but I am saying it today.

However, there are some issues with section 2(4), which says:

“The touting offence does not apply in relation to acts done by UEFA.”

As far as we can see, that is an unnecessary subsection. When giving evidence, UEFA insisted that it would not engage in ticket touting, yet there is a glaring exception for ticket touting by UEFA in the bill. In our report, the committee asked that the Government

“reflects on whether amendments at Stage 2 ... are necessary.”

I am glad that, in the minister’s written response, which was received yesterday, he said that he will look at the issue again, and I urge him to lodge an amendment at stage 2 to remove that unnecessary provision, because the section looks so bad as it stands.

Secondly, concerns have been raised about the wide-ranging powers that the bill gives to enforcement officers. I hear what the Greens have said in that regard. In particular, section 19(2) says:

“An enforcement officer may take to a place entered by virtue of this section any other person, or any equipment, as may be reasonably required for the purposes of assisting the officer.”

There was a view that, if that provision was used, a police officer should be present. However, the committee decided to recommend that

“the police should be notified in advance”

if the provision was to be used. The committee's view was that that would be sufficient. In its response, the Government has interpreted that recommendation as meaning that Police Scotland should be informed in advance. That is not what committee members intended; there has been a slight misunderstanding. If Police Scotland had to be informed, there could obviously be an unreasonable delay. I do not want to speak for the rest of the committee, but I interpreted our recommendation as meaning that the police on the ground should be informed, so that they could decide whether to attend. I ask the minister to reflect again and to lodge an amendment at stage 2 to reflect the committee's recommendation, so that this really important point, which the Greens made, too, can be addressed.

My next point is a simple one. It seems to me that, in introducing the bill, the Government has, to some extent, cut and pasted the details from previous legislation. The minister's response to the committee shows that that is the case as it says:

“the powers in the Bill ... are almost identical to the Glasgow Commonwealth Games Act 2008”.

That is quite so, but that bill went through the Parliament with even less notice than there was for the UEFA European Championship (Scotland) Bill, and I am led to believe that oral evidence was not taken in the process. The fact that no untoward events happened as a result was fortunate, but that is not to say that we will necessarily be so fortunate this time and that some unfortunate event could not happen as a result of the bill. Our job as MSPs is to interrogate the bill and to make suggestions to improve it, in order to ensure that there are no unforeseen consequences as a result of it.

This is a good bill, and I am glad that the minister is taking a reasonable approach to it, realising that the Government does not have a monopoly of wisdom. I look forward to the minister lodging amendments at stage 2 to address the issues that we have highlighted today.

The Deputy Presiding Officer: We move to the open debate, for which we have some time in hand for interventions.

15:15

Annabelle Ewing (Cowdenbeath) (SNP): As a member of the Culture, Tourism, Europe and External Affairs Committee, I am pleased to have been called to speak in this afternoon's stage 1 debate on the UEFA European Championship (Scotland) Bill.

As we have heard, the bill is intended to meet the requirements of UEFA in relation to the protection of commercial rights for event sponsors, and to prohibit ticket touting during the forthcoming European football championship in 2020. Unusually, the 60th anniversary of the championships will be held across 12 cities in Europe. To show what a tremendous honour it is to have Glasgow included in that illustrious list, it is important to name all the other cities: Amsterdam, Baku, Bilbao, Bucharest, Budapest, Copenhagen, Dublin, London, Munich, Rome and St Petersburg. The championship will take place from 12 June to 12 July 2020, and Hampden park in Glasgow will host three group matches on 15, 19 and 23 June and, I believe, one round of quarter finals on 30 June.

As has been recognised, that presents a significant opportunity for Glasgow, as the host city—and, indeed, for Scotland—to welcome all those football fans from across Europe to our country and largest city, and, hopefully, to maximise the benefits, economic, social and otherwise, that will accrue. I am sure that we all wish to see that happen.

The bill was introduced to the Parliament on 24 September 2019. Taking into account the October recess, there has indeed been limited time to scrutinise it. I, too, thank the committee clerks who have carried out a power of work to ensure that we are at the stage 1 part of the process today. Given that the committee made its views on that issue known in its report, and that the matter has been raised this afternoon, I will not belabour that particular point. However, I will say that we are where we are now, and that the key objective going forward must be to get the job done, so that we get the bill passed in due course, and enjoy the benefits of the European championship being held in Glasgow.

A number of issues were raised by the committee, and I am pleased to note that there has already been a positive reaction to a number of the points that were raised by committee members, both from the Scottish Government and from Glasgow City Council. Indeed, it should be welcomed that Glasgow City Council has signalled its intention to consult widely in the three event zones of Hampden park, the merchant city and George Square.

When I was looking at my Twitter feed during last week's committee meeting—for some factual reference for the committee deliberations, of course—I noted that a specific event that involves the local community has been set up in Mount Florida. Of course, Mount Florida community council had been a bit aggrieved that, in its view, there had not been sufficient consultation. Glasgow City Council has taken that on board, which I am pleased to note; local dialogue is always important, and there are no shortcuts in that regard.

There has also been helpful clarification from the Scottish Government about the scope of the provisions that deal with unauthorised street trading and unauthorised advertising in the event zones—when, of course, they are in operation. As we have heard, it is not the intention for there to be any impact on charity collectors or buskers, which, given Glasgow's great busking tradition, is very welcome news indeed. It is excellent that we will find a space for buskers, so that they can add colour to the events for the enjoyment of all. Another welcome clarification from the Scottish Government is its commitment to make an exception to the ticket touting offence for the charitable auction of tickets.

However, as has been referred to this afternoon, committee members had most concerns about the issue of enforcement powers.

Concerns have been expressed by bodies such as the Scottish Police Federation that the powers to be conferred on council trading standards officers are too wide in their scope and that they fail to appropriately reflect the unique role of police officers and the standards by which they are held to account. At the same time, however, the Scottish Government stressed—as did Police Scotland—that the powers concerned reflected the powers granted to trading standards officers under the essentially similar arrangements for the 2014 Commonwealth games.

Given the very serious considerations at issue, the committee unanimously agreed in its report to highlight those concerns, calling on the Scottish Government to consider whether amendments will be necessary at stage 2 to allay them. I was pleased to hear the minister say in his opening speech that the Scottish Government will indeed lodge amendments at stage 2 on the issue.

I declare an interest, in that I am a member of the Law Society of Scotland, although I am not currently practising. In its submission, the Law Society made the important point that publicity of the forthcoming legislation should be factored in, because it is essential that everybody involved, including people working and making their livelihoods in the city centre and in all the event zones, is well aware of what the law is going to be

and how it will impact on them. That was an excellent point from the Law Society, which I hope the minister will duly bear in mind.

We are all keen to see the European championship matches come to Glasgow next year, and we on the Culture, Tourism, Europe and External Affairs Committee will continue to do our job in scrutinising the bill according to the accelerated timescale that has been set. We will also seek to ensure that the reasonable concerns that have been raised are appropriately addressed.

I echo the hopes of the tartan army members in my constituency and in every constituency in Scotland that, in the long tradition of our national team's dramatic performances at the 11th hour, we will see Scotland succeed in the play-offs in March next year.

The Deputy Presiding Officer: I did not see a section on that in the bill, but perhaps somebody will amend it.

15:22

Brian Whittle (South Scotland) (Con): I am delighted to have the opportunity to speak on the bill. As has been mentioned a few times, Scotland has been fortunate enough to host a number of major sporting events in recent years. Glasgow, in particular, has a strong international reputation for delivering on these international occasions.

The 2014 Commonwealth games brought athletes and sports fans to Scotland from all around the world, and they showed Glasgow and Scotland at their very best. The investment for that event and its infrastructure is still paying dividends today, opening up more opportunities to attract other major events and giving local residents access to world-class facilities—which I utilise myself for the athletes that I coach.

Since the Commonwealth games, Glasgow has played host to several major sporting events, including the 2018 European championships, along with the host city Berlin, and the 2019 European athletics indoor championships. Later this year, the European short course swimming championships will be coming to the Tollcross international swimming centre.

There is no question but that those major events come with real prestige and bring economic benefit for Glasgow and Scotland more widely, and I am delighted that Scotland will play a role in Euro 2020. It is not always acknowledged that hosting events such as the Olympics, the Commonwealth games or Euro 2020 will almost always require action in a country's Parliament. There will always be some people who question the appropriateness of passing legislation that is

primarily intended to secure mainly large commercial interests.

Our consideration of the bill and the wider issues around hosting such an event is a game of two halves. Apologies for that, Presiding Officer—I could not resist it. There is a clear need to ensure that ticket touts do not rip off football fans—and I was interested to hear Mike Rumbles raise with the minister the matter of how the eventual legislation might frame a more permanent solution to ticket touting further down the line.

We need to ensure that UEFA's brand is protected and undamaged by vendors selling inferior-quality or counterfeit goods and that event sponsors have confidence that paying for advertising space is worth it—thereby reducing the need for the public to subsidise such events. Against that, we have to balance the legitimate rights of street traders and others who are simply going about their normal business, and the potential impact on the local communities surrounding the event zones.

As other members have mentioned, there are concerns about whether the event zone restrictions could have European convention on human rights implications, particularly relating to the right to the enjoyment of property and the significant powers being handed to enforcement officers for the duration of the event. Some effort appears to be being made to address those issues in the bill, such as through the requirement that entering and searching private property needs owner consent, police attendance or a sheriff's warrant. I hope that there will be greater clarity on those issues as the bill progresses. Similarly, until Parliament and those affected by the event zone legislation know the precise extent of event zones, and their timings of operation, it will be difficult to judge their potential impact.

As an aside, I noticed that Joe FitzPatrick was in the chamber for the earlier speeches. I would say to him that although the Scottish Government has shown a willingness in this case to create zones restricting trading, it has failed to support my proposal to create similar restriction zones for junk food sales around schools. That issue will be discussed another time.

Many members have mentioned the fact that the relatively short timescale for the passage of the bill has raised its own issues, particularly in relation to ensuring public awareness and thorough engagement with traders and local residents who could potentially be affected. That is a particularly crucial issue, as it speaks to one of the most important aspects of holding an event such as the UEFA Euro championships, which is public engagement. As someone who has been fortunate enough to experience a number of major international sports events up close, I recognise

the huge amount of work that goes into making them happen. With that work can often come temporary disruption for people living near the event sites. Euro 2020 is a global event, but I believe that it also has to be a local event for Scotland, for Glasgow and for those communities in or near the event zones. We are asking those communities to put up with a reasonable amount of disruption, and it is important that UEFA, the Scottish FA and Glasgow City Council all work to give local residents an experience that they will remember and not one that they will want to forget. I hope that the minister will be able to provide some details of what work is being done to engage with all those affected by the proposed measures and the wider event.

As I said at the beginning of my speech, Scotland has an impressive history and reputation when it comes to hosting international sporting events. The events themselves are often a source of inspiration to the next generation of young sportspeople, many of whom go on to train in the place where they saw their heroes win. Although many of Glasgow's most impressive sports facilities were created in the run-up to the Commonwealth games, Hampden park is a notable exception. It is the oldest international football stadium in the world, and although, admittedly, there are times when we go there and can tell that it has been around for a while, it has not lost its power to put on a show.

Next year's Euro 2020 matches in Glasgow are a welcome sign of Scotland's continuing popularity as a venue for international sport. It is a real honour and a privilege to be selected to host events such as this, and it is something that we should all take great pride in.

As a Parliament, it is now our responsibility to deliver a bill that ensures that the event takes place successfully. However, we also have a responsibility to ensure that we make the most of the event to the benefit of the communities and businesses that will be impacted by it.

15:28

Stuart McMillan (Greenock and Inverclyde) (SNP): I support the bill and agree that Glasgow is one of the world's greatest cities for major sporting events. Euro 2020 will build on the outstanding success of the 2014 Commonwealth games and last year's European championships. We must also remember a few of the events that have taken place not just in Glasgow but across Scotland. The UEFA champions league final took place in 2002 and the Europa league final in 2007. At Murrayfield, we had the Heineken cup for rugby in 2009 and the champions cup in 2017. This year, the PRO14 grand final took place at Celtic park.

There was also the Ryder cup in 2014 and the Solheim cup this year.

It is clear that Scotland organises, hosts and delivers successful championships and sporting events. Our reputation is high and that is something that we should be proud of. That success is hard won, but it is even more challenging to maintain it. Next year is a huge opportunity for us to shine once again and show the world that Scotland delivers. Four matches are being played at the national stadium in Glasgow—that is four occasions when Scotland as a nation has an opportunity to prove once again that we are a world-class location, and four occasions when the festival of football comes to Scotland. Those matches will be sell-outs and the atmosphere will be electric; hopefully, Scotland will get through via the nations league play-off next spring so that we can participate on the pitch as well.

Today, it was announced that Glasgow has been named as the European capital of sport for 2023. It is the second time that the city has achieved the title, the first being in 2003. That will build on Glasgow's place among the world's sporting elite cities, whereby it was ranked the fifth-best sporting city in the world at the SportBusiness ultimate sports cities awards.

I know what it is like to follow the men's team at a major championship, because I went to see the Scotland v Norway game at the world cup in France in 1998. Little did I think that that might be the last time that we would participate in a major championship.

The bill will play an important role in maintaining the highest levels of delivery. As we know, it is relatively short and is based on the Glasgow Commonwealth Games Act 2008. As colleagues have mentioned, it covers four main areas: ticket touting, street trading, advertising and enforcement. Each of those areas is important in its own right, and it is vital that they are properly considered; I believe that they have been, thus far.

At any sporting event, one of the main causes of frustration for legitimate sporting fans is the issue of ticket touting. When I was at the world cup in France in 1998, I bumped into quite a few ticket touts. I do not say this lightly: I genuinely believe that ticket touts are among the scum of the earth. They seek to profit at the expense of real sporting fans and their greed has absolutely no limit. The only thing that is important to them is the size of their wallet or their purse. It was important that the committee looked at the issue. In the limited time that was available to us, the committee scrutinised the bill thoroughly, and the recommendations that we made in that area in our stage 1 report were unanimous.

Regardless of which team someone supports in one of the four matches in Glasgow—many people will simply go along as neutrals—if they encounter ticket touts, it will annoy them deeply. In addition, the last thing that we want to see at major championships is empty seats. Unfortunately, ticket touts lead to that happening, because they charge so much money that people cannot afford a ticket and real fans are priced out of going to games. Therefore, I genuinely welcome the measures in the bill to tackle such scum, and I welcome the minister's reply to the committee on the issue.

The Scottish Government has made it clear from the outset that it wants the bill not simply to protect the integrity of the championships, but to be practical and deliverable. I know that colleagues are sceptical about the involvement of big multinational companies, but their sponsorship of sporting events is just a fact of life. I mentioned some of the sporting events that have taken place in Scotland. They would not have happened without major multinationals putting in the money to bring them to Scotland. That is just a fact of life, whether people want to accept it or not.

I also welcome the Scottish Government's approach to street trading, including the exemptions for buskers and charity collections. On the face of it, busking might appear to be a low-level issue, but it helps to bring the festival of sport to the wider world. We cannot put a value on that, albeit that an individual busker might try to.

I welcome what the Scottish Government said in its response about advertising and the issue of enforcement officers and the associated powers. Colleagues across the chamber have raised the matter already, but I welcome the fact that the Government is prepared to lodge amendments in this area at stage 2.

When it comes to the delegated powers in the bill, we must consider the impact of Brexit. I highlight the fact that, whatever the outcome of the Brexit chaos is, it is crucial that the Scottish Government acts as quickly as possible to introduce the relevant regulations, so that the whole event can take place in the way that we want it to. Clearly, Brexit will have a negative effect on our economy, so let us do whatever we can to ensure that these championships are successful in continuing Glasgow and Scotland's great reputation.

I whole-heartedly agree with other members' comments regarding consideration of a framework bill in the future. Also, there is the issue of engagement with the local community around Mount Florida in particular; it is important to make sure that they feel part of the festival of football rather than feeling that it is something that is happening to them.

Members should make no mistake: next year will be a huge festival of football. The sporting, cultural and economic effects will last for many years to come, and the memories will never die—they will last forever. I fully support the bill and I look forward to its parliamentary progress.

15:35

James Kelly (Glasgow) (Lab): I welcome the opportunity to take part in this debate on the bill in support of next year's European championship matches at Hampden. First and foremost, the hosting of the games by Glasgow and Scotland next year is a great opportunity. The way that UEFA has organised the tournament is different from previous tournaments in that, as Annabelle Ewing pointed out, it will take place across 12 cities, and that has given Glasgow the chance to host these four games. It is a great opportunity for football fans in Scotland to see some great matches up close.

I recently attended the Belgium v Scotland game at Hampden and, although the outcome was disappointing for Scotland, as we lost 4-0, it was great to see the Belgium team up close, and to see how good and skilful players such as Kevin De Bruyne are. I am quite sure that, come the championships next year, Belgium will be one of the teams competing to win the overall title.

Hosting the games is a great opportunity for football fans in Scotland; it will also be of great advantage to the Glasgow and Scottish economies. People will travel here from outside Scotland and outside the UK, which will boost the tourism trade not just in Glasgow but, as Claire Baker pointed out, in cities around Scotland.

It will also give us the opportunity to showcase Scotland as a country and Glasgow as a city that can hold such events successfully. We have seen that with the Commonwealth games and with the European championships last year.

We need proper legislation that supports all of that, because we need to ensure that the events run smoothly and efficiently so that people can enjoy them to the full and so that we can showcase the benefits of a major city for future events. From that point of view, the legislation is very necessary and, clearly, Scottish Labour supports it.

Some concerns have been expressed about the speed at which the legislation is being put through. Listening to Joan McAlpine talking about how the committee signed off the report just last Thursday, I was struck that it was only last week that we were debating the same committee's report on the Glasgow School of Art fires. That inquiry took place earlier this year, before the summer recess. That shows the speed at which the committee has

had to work on the bill. It is somewhat surprising that the Government was not proactive enough to realise that, along with working with UEFA, legislation was required for the championships.

Having said that, I think that the job of everyone—including the Government and Opposition parliamentarians—is to scrutinise the legislation and to make sure that it is fit for purpose.

Obviously, one of the main areas that the bill covers is tackling ticket touts. That is very welcome. I was interested in Stuart McMillan's comments about ticket touts. He is right—ticket touts are scurrilous individuals who stop at nothing to profit from the great desire of sports fans, music fans and so on to get to events.

During the summer, I went to London with my wife and daughters, who were attending a pop concert in Hyde park—it was Stevie Wonder and Lionel Richie. I was not at the concert; I was outside.

Richard Lyle (Uddingston and Bellshill) (SNP): Did you not buy a ticket?

James Kelly: My wife and daughters did not buy me a ticket. They took me down to escort them to the venue and look after them.

Richard Lyle: I know the feeling.

James Kelly: Yes.

Anyway, I spent a bit of time outside the venue just looking at how everything operated, which was interesting. I looked closely at the activities of the ticket touts and saw the way that they hassled people who had turned up at the venue with extra tickets to try to get them to sell those tickets at a reduced value. Quite honestly, there was a lot of bullying and intimidation going on. I also saw the way that the touts tried to sell on the tickets at a much higher price to exploit people and get a profit. I saw that in action, and it really was despicable.

The Government and UEFA are right to take tough action on ticket touts. I welcome the comments of other members that we should take the opportunity to extend current legislation or to introduce new legislation to cover other events that are held throughout Scotland so that we can stop people exploiting fans who go to such events.

Another issue that has been examined is enforcement and the use of enforcement officers. Members are right to highlight some of the concerns of the local community about the powers of enforcement officers. The Government must be clear, in the legislation and the guidelines, on what the roles of the enforcement officers are. There will be a lot of disruption to the local community who live around Hampden and there are

understandable concerns about the powers of enforcement officers to search households in the area. That must be done in a proportionate and fair manner.

Do I need to wind up, Presiding Officer?

The Deputy Presiding Officer: You can take up to seven minutes. I have time in hand.

James Kelly: Another important issue is engagement and consultation with local communities. If that is done properly, that will address some of the concerns that have been raised and will ensure that the provisions are implemented in a way that takes local communities with us.

It is important to get the legislation in place to support the event. The contest presents a tremendous opportunity. Like others, I only hope that Scotland can be successful in the play-offs so that we can enjoy seeing Scotland in an international tournament for the first time since Stuart McMillan went to France in 1998.

15:43

Richard Lyle (Uddingston and Bellshill) (SNP): I welcome the opportunity to contribute to the stage 1 debate on the UEFA European Championship (Scotland) Bill.

I have a confession to make. As many colleagues throughout the chamber know, I am not a football follower. Indeed, when I am asked who I support, I answer, "The players," because for me it is about the sport and not the teams. I am speaking in the debate because I support the sport and I support Scotland.

I recall vividly, probably because it was my first football match and I was 12 years of age, a time when I attended a football match with my father. It was Rangers v Real Madrid. The memory that strikes me most is that of being separated from my father in a sea of people—in those days, there were very few seats at football stadiums—and the feeling that that left me with.

Stadiums have changed since then, and my experience is a far cry from the experience that many people enjoy today. In fact, football is now an opportunity to bring people together. Although there are well-known and much-discussed issues, there is now much that is good in Scottish football. Families can enjoy matches together and sit in stadiums while they cheer on their favourite team. Indeed, the Scotland women's team's recent matches—especially the Hampden park game before the team's departure for the world cup—were fantastic family-friendly experiences.

Glasgow is set to host UEFA matches: I know that our venues will give visitors a very warm

welcome. Glasgow has become one of the world's top cities for major sporting events, and Euro 2020 will build on its successful hosting of the Commonwealth games in 2014 and the European championships last year. We have seen the benefit of those events. Hosting of the 2014 Commonwealth games was estimated to have added about £740 million gross to the Scottish economy, and the 2007 UEFA cup final at Hampden resulted in estimated gross expenditure by visitors of more than £16.3 million.

As well as bringing thousands of people into the city and increasing trade for shops, restaurants and hotels, such tournaments help to showcase Scotland as the outward-looking and welcoming nation that it is. It is therefore very much to be welcomed that Glasgow is one of the 12 host cities for Euro 2020, with an estimated 200,000 people expected to visit the city during the tournament.

I turn to the substance of the bill, the purpose of which is to help to ensure successful delivery of the championships by meeting commitments that are required by UEFA on protection of commercial rights for event sponsors during the period of the event, and by prohibiting ticket touting. The bill covers four main areas: ticket touting, street trading, advertising and enforcement. Four new offences will be introduced. They are, largely, modelled on similar offences that were introduced for the Commonwealth games in 2014. That action underpins the Scottish Government's determination to support fair access to tickets so that as many fans as possible can enjoy the games.

I listened with interest to James Kelly's point about ticket touts, who force people to sell their tickets to them and then sell them on at inflated prices. That is a sad reflection of the kind of behaviour that goes on today, so we should try to solve that problem. It is therefore to be welcomed that there will be a new offence of selling a ticket for above face value or with a view to making a profit, which will be committed whether the transaction takes place in person or electronically and will be punishable by a fine of up to £5,000.

It will also be an offence to trade in one of the three event zones without appropriate authorisation. The aim of that offence is to protect UEFA-approved vendors during the hours of operation of the event zones. Committing that offence will be punishable by a fine of up to £20,000.

Furthermore, it will be an offence to advertise in one of the three event zones without appropriate authorisation. The aim of that provision is to protect UEFA-approved sponsors during the hours of operation of the event zones. That offence will also be punishable by a fine of up to £20,000.

During the committee's evidence-taking sessions, it was asked whether buskers and charity collectors will be allowed to operate in the designated fan zones. The Scottish Government has committed to creating exemptions to allow such activities to continue during the competition. That is to be welcomed, because it will allow our incredibly talented individuals to continue to share their talents with visitors.

Some people might wonder why we are required to introduce legislation for such an event. However, it is not unusual for the organisers of major sporting events to require host cities to introduce specific legislative protections. The last piece of major events legislation in Scotland was prepared for the Commonwealth games in 2014—and we all know how fantastic they were. Therefore the bill is not unusual; it is designed to ensure that the championship events run smoothly, and that we deliver an excellent experience for the people who come to enjoy the beautiful game.

I wish the organisers the best of success in the coming days, and I hope that all our visitors enjoy their time in Scotland.

The Deputy Presiding Officer: Members will have noticed that, so far, I have allowed a little leeway in the time that has elapsed before members have reached the point of talking about the bill, because I appreciate that it is sometimes difficult to say what other members have already said. However, members should not stretch that too far. Nearly three minutes passed before you got round to the bill, Mr Lyle. *[Interruption.]* Thank you, Mr Lyle.

15:49

Miles Briggs (Lothian) (Con): I cannot be the only member who, on seeing that we were going to debate the UEFA European Championship (Scotland) Bill, tried to think of an amendment to ensure that Scotland would automatically be accepted into the championships. I say to the minister that I do not know whether our lawyers can see whether that is still possible, but I am sure that we all hope to achieve it at stage 2 or 3.

As has been outlined, Glasgow has an outstanding track record of hosting sporting events including, this year, the European athletics indoor championships and the Guinness PRO14 final. As one of the 12 cities across Europe that will host the 2020 UEFA European championship, Glasgow will be on show to the rest of Europe again, and I am confident that the city will do a brilliant job.

As has been stated, the bill has been introduced in order to meet UEFA's requirements on ticket touting, and will prevent people from profiting at the expense of fans, with a fine of up to £5,000.

Demand for tickets to the games at Hampden is expected to exceed supply significantly, so the bill seeks to prevent people from bulk-buying tickets in an attempt to make profits. The four games that are to be played in Glasgow will clearly have economic benefits for businesses in the surrounding areas, but the event is primarily for the fans. As a number of colleagues have said, it would not be right for fans to be unable to get tickets at face value because others have bought them with the sole aim of making money on the event.

However, football matches are not the only events at which ticket touting takes place. For other sporting events, as well as music festivals and gigs, tickets are bought in bulk and resold at more than face value in an attempt to make profit. With our consideration of the bill, we have an opportunity to look into the matter further and to consider how, when we have large-scale events, we can look to trigger legislation, as Claire Baker outlined, to ensure that ticket touting is limited.

In the time that I have available to me, I want to outline a number of concerns about the bill. As Rachael Hamilton said, we have concerns about street trading being restricted to UEFA-approved vendors in the three event zones during the zones' hours of operation. I understand that that is a requirement of UEFA, but it is important that the legislation be implemented sensibly. Given that 113 street-vending licenses will be impacted on by the proposed Hampden park event zone, it is important that event organisers work closely with street traders so that that does not cause problems. A proper information campaign will be key, so that everyone knows about the impact of the legislation on the rights of traders in the area and across the city.

Restrictions on advertising, including traditional forms of advertising such as billboards and more novel approaches such as handing out free T-shirts, must also be well managed so that businesses in fan zones, such as restaurants and bars, are not caught out by the legislation. The local organising committee must have clear conversations with local businesses about the regulations on advertising in event zones. One of the main benefits of hosting the European championship games in Glasgow will be the boost to local businesses and the local economy. We must strike the right balance between the benefits that the games will bring and the impact that enforcement will have on local businesses.

We need more clarity and adequate consultation on exemptions from the restrictions that will be made through the bill, and they need to be agreed as soon as possible. That includes provisions for news media, which I do not think has been discussed so far today, and out-of-home display

advertising on transport including buses and taxis. There is still work to be done on that—in particular, to clarify the exemptions for media outlets in the event zones. I am pleased that the phrase “in the vicinity of”, which was used with regard to the event zones, has been removed in order to remove confusion for advertisers and media outlets and owners. The industry has said that the legislation needs to be clear and logical so that businesses in Glasgow can follow it easily.

On enforcement, as has been outlined the Scottish Police Federation still has some concerns and is calling for clarity. The general secretary of the Scottish Parliament, Calum Steele, has said that

“If the intent of the bill is to limit commercial activities in designated areas to those vendors or sponsors approved by UEFA, it ought to be much simpler to state that and the powers required to enforce it.”

I share that opinion. The legislation should be absolutely straightforward: if it is not clear, there will be confusion about which commercial activities are allowed, and there will be difficulties with enforcement.

As has already been said, the Scottish Conservatives support the bill in principle. We believe that it is crucial that we get the legislation right as it passes through Parliament, so that all four games can be enjoyed by fans in Glasgow and by the people who will travel from further afield in Scotland and abroad.

Clarification around the hours of operation and the precise geographical limits of the event zones is welcome, and officials working with Glasgow City Council in the coming months to draw up additional guidance will have an important role in making sure that we deal with issues that have been highlighted today.

All of us have clearly outlined that we want a really successful hosting of the UEFA European championships in Glasgow. I believe that the bill can help to achieve just that.

15:55

James Dornan (Glasgow Cathcart) (SNP): I am delighted to speak in the debate, particularly as I have the great honour of having Hampden park situated in my Glasgow Cathcart constituency.

I was delighted to hear the minister talk earlier about the fact that local residents have been, and will continue to be, informed and updated, although I take on board some of the complaints that were referred to by Rachael Hamilton and Miles Briggs. There was some talk of there being issues for local traders. As Miles Briggs said, local traders tend to do quite well out of events at

Hampden. I speak to them regularly, and when Hampden was under threat, their big concern was that, if they were to lose those half a dozen special days that they get in a year, that would impact hugely on their livelihoods, to the extent that they may not even stay open.

It is a major coup for Glasgow to be one of 12 host cities, and I congratulate Glasgow City Council and all the other parties that were involved in the successful bid. As other members have said, Glasgow will be hosting alongside other top footballing cities such as London, Rome, Munich and Amsterdam. With an estimated 200,000 people being expected to visit the city during the tournament, Scotland can be showcased once more as an outward-looking, welcoming nation, which will boost our local economy at the same time.

With terrific venues such as Celtic park, Ibrox, the Sir Chris Hoy velodrome and, of course, Hampden, Glasgow has rightfully achieved the title of one of the top five sporting cities in the world by consistently punching above our weight in the sporting world. We have done so without having had a decent football team for decades.

In fact, only today, Glasgow was—

Annabelle Ewing: I think that the member probably meant to say that there had been no success in the male national team, not the female national team.

James Dornan: My colleague has made a very good point, and I apologise profusely because some of the female players play for Glasgow City and often train in my constituency. I thank Annabelle Ewing for allowing me to put on record the magnificent record of the Scottish women football players.

Only today, Glasgow was named European capital of sport for 2023, which is the first time that any city has won the coveted title twice. I therefore also congratulate all who were involved in that bid.

As members may recall, last year, I led a debate in Parliament on the save the Hampden roar campaign. Despite what I know were difficult negotiations, I am pleased that the SFA has since committed its long-term future to the stadium. Hampden has been an integral part of our day-to-day life in Scotland since its construction in 1903 and, as the sports journalist Bob Brown once said, it stands

“foursquare with Bannockburn in the Scottish psyche.”

To be fair, unlike Bannockburn, Hampden has had its fair share of glorious defeats to go alongside our stirring victories.

During my members’ business debate, I recalled that my first memory of Hampden was of Celtic

playing Dunfermline in the 61—I clarify that I mean 1961, in case anyone thinks it was 1861—Scottish cup final first leg, which was attended by more than 113,000 people. I was also there for the Celtic v Leeds match in 1970, and for the Scotland match against Czechoslovakia in 1973, which were attended by around 130,000 and 100,000 people respectively. It is widely accepted that those spectator estimates were a bit on the low side and, over the years, such incredible attendances have dropped considerably, primarily due to the requirement to have all-seated arenas. With Hampden now having a capacity of a little over 50,000, tickets for the big events are now in far greater demand.

I therefore welcome the provisions of the UEFA European Championship (Scotland) Bill to prohibit ticket touting at the competition. Although the bill covers four areas—including street trading, advertising and enforcement—I will focus the rest of my speech on ticket touting.

Football is supposed to be—and once truly was—the working-class game. However, many would argue against giving the sport such a title now as ticket prices are already expensive enough. The most expensive tickets for the Euro 2020 finals matches at Hampden park cost £165, while the other two pricing categories are £111 and £45. I make it clear that the same three prices will also be charged for the group stage and last 16 games at Wembley.

The bill will establish an offence of selling a ticket above face value or with a view to making a profit. The offence will be committed whether the transaction takes place in person or electronically—that is most important. The offence will be punishable with a fine of up to £5,000.

There is an important point to mention in relation to the sales process for Euro 2020 tickets. Prior to buying the tickets, people initially applied for them during an application window. People were therefore able to apply for tickets for all games, or just individual matches, and tickets were then allocated through a lottery system. If a person was successful in the lottery, they had to take all the tickets offered to them. Many people hedged their bets and applied for several tickets for all four matches. Some of those people were successful and got them all, leaving them with ticket bills running to hundreds or even thousands of pounds. As a result of that system, some people sell tickets on, sometimes using secondary ticket sites.

As we have heard, the problem around ticket touts is very well known—the practice of buying and reselling tickets for profit has always existed, but the scale of touting has increased substantially in the digital era, and for a variety of reasons. Touts look to acquire or harvest tickets in several ways, for example by using multiple identities or

credit cards. Others may use specialised software or bots to scoop up tickets the second that they are made available. Then there are websites that allow people to sell tickets to others—often at massively inflated prices.

I will give a current example. In November, Elton John will be playing at the SSE Hydro in Glasgow for two nights. The face value of tickets ranges from £51.10 to £170.25. On a well-known secondary ticketing site, individual tickets are currently for sale for between £227 and £1,358, depending on how good the seats are. Thankfully, at the moment, there are no football tickets for sale for matches at Hampden, Celtic park, Ibrox, or Firhill—amazingly—on that particular site. However, it is absolutely staggering that that is allowed.

The Euro 2020 championships are for the football fan to enjoy, not for the ticket tout to make money by ripping them off. As the constituency MSP for the Hampden area, I sincerely hope that the residents and businesses around Kings Park and Mount Florida will benefit from Glasgow's hosting of some of the tournament—as they have benefited from tournaments in the past.

Euro 2020 will be one of the decade's defining sporting tournaments—whether economically or culturally—and it will be exciting to be a part of it. The UEFA European Championship (Scotland) Bill will allow us to ensure that as many people as possible can get to the four Euro 2020 matches at Hampden, and without overpaying touts who are attempting to gain from reselling tickets. Of course, although the Scottish Government is making it easier for true fans to get to Euro 2020, the national side is not guaranteed to get there. With automatic qualification now impossible, we are reliant on Steve Clarke's side being successful in the Euro 2020 play-offs in March next year. I am glad to hear that, just as the whole Parliament will support Scotland's attempt to reach the tournament, the whole Parliament supports the bill.

The Deputy Presiding Officer (Linda Fabiani): The last of the open debate speakers is Bill Kidd.

16:03

Bill Kidd (Glasgow Anniesland) (SNP): You have saved the best until last, Presiding Officer. To kick off my contribution to the debate—

Richard Lyle: Oh!

Bill Kidd: Thank you. I highlight that 2020 marks 60 years of the European football championships. Consequently, UEFA has spread hosting responsibility across 12 cities and, as we all know, Glasgow has been selected as one of

them. I was going to spring something on members, by letting everyone know that Glasgow has just been selected as European city of sport for 2023, but as other members have already mentioned it—

Richard Lyle: That was wasted.

Bill Kidd: It was outrageous. However, it just shows that Glasgow has reached the world stage as an important centre for sport. As the MSP for Glasgow Anniesland, I am delighted to hear the news that Glasgow has received that fantastic award from UEFA. I commend UEFA for making such a fine choice.

I thank our Scottish Parliament committee and the clerking team for working to deliver a deserved success with the UEFA European Championship (Scotland) Bill.

Glasgow has a lot to offer. We are equipped with a multitude of venues that can host high-volume and high-quality events—whether those involve music, sports or the wider arts. Glasgow has growing cultural significance and events such as this present an opportunity for our cultural contribution—because sport is culture—to be shared with people from all over the world. Our delivery of the Commonwealth games in 2014 and the European championships in 2018 evidence that.

Not only does Glasgow have a wealth of cultural assets; we also have our people. In September, a survey released by the global travel site Big7 Media listed Glasgow as the fifth-friendliest city in Europe and the 10th-friendliest in the world. Other cities must be going some if they are better than Glasgow. We should certainly be proud of Glasgow, the largest city in Scotland, and of what we have to offer and how willing we are to share it.

The UEFA 2020 football championship presents a fantastic tourism opportunity, and it is evident how beneficial it will be for our economy. Previous large-scale international events have brought in millions to the Scottish economy. The 2007 UEFA cup final, which was also at Hampden, brought over £16.3 million gross expenditure into the local economy and, as Richard Lyle mentioned, the 2014 Commonwealth games were estimated to have added £740 million in gross terms to the Scottish economy.

I am confident that the selection of Glasgow as the co-host for the 2020 football championships will bring money into local businesses, providing an economic boost for the people of Glasgow, as well as the wider Scottish economy. That can happen only if the bill that we are discussing covers all the aspects relating to commercial activities.

The sale of tickets by touts should be stamped on and stamped out. Beyond those benefits to our nation, we also want Scots to be able to go to the games, to be able to afford to do so and to join in the excitement and fun that they will bring.

As we debate this legislation, which is tied to the upcoming championship, we want to work to ensure that the ticketing process is in line with international best practice, and that means protecting customers from the inflated prices of ticket touting through the provisions in the bill. I am sure that that can be achieved.

Research shows that 90 per cent of tickets on resale platforms are listed by traders rather than individuals who have a genuine need to resell. “Traders”, as they are called, are identified as those who sell more than 100 tickets per year, and the FanFair Alliance explains that

“touts look to acquire or “harvest“ tickets by a variety of means—for instance, by use of multiple identities or multiple credit cards ... Others may use specialised software ... to scoop up tickets the instant they are made available. These are then listed and sold for profit on secondary ticketing websites.”

It is clear that prohibiting ticket touting online and outside events will give our constituents and others, including visitors, a fair opportunity to buy tickets and to be able to participate in this international event. The change to our legislation is appropriate. It will bring a higher standard to the process of ticket buying—something that is integral to events—putting it in line with our country’s level of excellence as a host and vendor of international events.

Following the Commonwealth games and last year’s European championships, which covered many sports, the UEFA European football championships of 2020 will continue to build our profile as a country that is proficient and successful in hosting international events.

The Deputy Presiding Officer: We now move to the closing speeches.

16:08

Claire Baker: This has been an interesting debate. Although there has been criticism of the timescale that we have faced with the bill, we have had the opportunity to give a good airing to the issues. Members have identified the key issues. In closing, I will consider where we have reached consensus.

We should not lose sight of the excitement, anticipation and drama that Glasgow’s involvement in such a special tournament will bring. The bill is necessary for our successful involvement in it. Once we have the measures in place, we can focus on the preparations and the possibilities that the events will bring.

The Law Society of Scotland has provided a good description of what we are seeking to achieve with the legislation. It says that

“It is important that the measures in the Bill are commensurate, transparent and appropriate.”

As members recognise, UEFA’s requirements mean that there will be an impact on street traders whose regular business—enabled by having a trade licence—will be affected during the tournament because UEFA is strict about the need to protect its sponsors. That will impact on traders’ incomes, so the Government might want to say more about what it anticipates the impact will be. Rachael Hamilton talked about measures that have been announced by Glasgow City Council, so perhaps the minister can also say more about that in his closing remarks.

Members raised a number of issues about boundaries for event zones. Clarity on that matter as soon as possible would be welcome. Annabelle Ewing highlighted the impact on street traders and the Law Society’s comments on the need for awareness raising when we know what the boundaries of the event zones will be.

Enforcement powers are a key issue for the committee. As the minister said, the relationship between the police and enforcement officers is supported by Police Scotland, which assured the committee of police and enforcement officers’ ability to work together. Police Scotland said that it

“is confident that there is nothing outlined in the provisions of the proposed Bill that would negatively impact upon that positive working relationship.”

However, a number of members expressed concern about enforcement officers. Ross Greer, I think, described the powers in the bill as being too “broad and invasive”. There is a need for clarity on who can be an enforcement officer. The minister’s comment about local authority employees was welcome.

There is also a need to clarify the limits on the use of

“any other person as may be reasonably required”.

Mike Rumbles mentioned the committee’s recommendation that the police be notified in such circumstances. Having looked again at our report, I accept that the committee needed to be clearer. It would be helpful if the minister would respond in his closing speech to Mike Rumbles’s comments.

I also ask the minister to reflect on the apparent tension between the role of the enforcement officer and that of the police officer. As I understand it, an enforcement officer’s responsibilities are similar to those of a trading standards officer. However, evidence from Calum Steele, from the Scottish Police Federation, suggests that there is an on-going debate about

the appropriate balance of power between police officers and trading standards officers. Will the minister say whether that is to do with the bill or is part of a broader debate?

Ross Greer talked about the legacy and how we sustain the interest that major events and sporting successes generate. As he said, there has been disappointment about the extent to which the benefits of the Commonwealth games cascaded down to communities to provide longer-lasting benefits. We need to consider that.

Brian Whittle focused on public engagement and pointed out that not just the scrutiny time is short, but the implementation period is, too, in the lead-up to the tournament. There is a lot of work for everyone to do.

Stuart McMillan pointed out that the bill is similar to elements of the bill that became the Glasgow Commonwealth Games Act 2008. However, that bill was more extensive. Although the committee had more time to consider it, it took less evidence and concentrated on hearing from ministers and officials—although that might have been to do with attitudes to the Commonwealth games sometimes being warmer than attitudes to UEFA.

The timescale has been challenging for the committee. Issues were raised in the request for responses, which it was important for the committee to have the opportunity to scrutinise.

James Kelly and Stuart McMillan talked about the prevalence of ticket touts at big venues and events, as well as online. Ticket touting across sectors has been difficult to tackle. Resale of football tickets has been banned since 1994, but it is not illegal to resell for profit a ticket for a music event. The minister might want to clarify why the Criminal Justice and Public Order Act 1994 does not apply to the UEFA European championship.

The introduction of a voluntary code of conduct changed the behaviour of Ticketmaster and raised standards across the industry. The Competition and Markets Authority’s work to enforce the existing legislation has been important. The CMA agreed to legal undertakings by StubHub and Ticketmaster last year, but was forced to serve Viagogo with a court order.

When I was checking facts for today’s debate, I put “UEFA Euro 2020” into a search engine. Members will imagine my horror when the first link that came up was “Europe 2020 tickets on sale” from the Viagogo site. It was only when I clicked on the link that it became clear that the tickets are for soft rock group Europe, which is touring with Whitesnake and Foreigner. The point of that story is that the first link to come up was not about football or the tournament but about Viagogo’s attempts to sell secondary tickets. The bill and enforcement of the existing legislation must be

robust enough to prevent ticket touting during the tournament.

The confirmation that it will be possible to auction tickets for charity is welcome. A number of members talked about the importance of striking a balance.

Members also talked about the concerns of residents in and around the event zones. Miles Briggs highlighted restrictions on businesses. He called for the regulations to be clear and for businesses to be supported to comply.

This is an important stage of the bill. I look forward to the amendments that the minister is expected to lodge. The issues that MSPs have raised in this afternoon's debate need to be addressed. We all want the tournament in Glasgow to be a positive experience for everyone who is involved.

16:15

Alexander Stewart (Mid Scotland and Fife)
(Con): I am pleased to close the Culture, Tourism, Europe and External Affairs Committee's debate on the UEFA European Championship (Scotland) Bill for the Scottish Conservatives. As a member of the committee, I am delighted by contributions from members from across the chamber, and by the consensus that has developed.

Scotland's hosting of matches at Hampden park during the 2020 European championship is fantastic news for Glasgow and Scotland. We recognise the importance of Euro 2020 and the economic benefits that the tournament will bring to the communities around the stadium.

The bill addresses areas of Scots law that do not meet UEFA's standards on protection of sponsors' commercial interests. The Scottish Conservatives support the bill in principle, but we will seek clarification around event zone requirements and the on-going concerns related to the European convention on human rights, which are to do with restrictions on street trading and advertising, which could inhibit businesses. We want to ensure that business is not inhibited.

The powers that are granted to enforcement officers to enter and search private property also need to be looked at. We have discussed at some length the restrictions and the issues around enforcement officers. The possibility that businesses' peaceful enjoyment of their properties could be affected will, of course, be limited to the times when the event zones are in place during the tournament.

The bill proposes safeguards in relation to enforcement officers' exercising their powers to enter and search private property. That will occur only if the enforcement officer is accompanied by

a police officer or if a warrant has been issued by a sheriff.

The Culture, Tourism, Europe and External Affairs Committee gave its backing to the UEFA European Championship (Scotland) Bill last week. We looked at, and continue to take, evidence and briefings from a number of organisations. I pay tribute to the organisations and individuals who came and gave of their time to talk about their concerns.

In summary, the range of provisions that the bill seeks to introduce include ticket touting, street trading and designing fan zones. Questions were raised during the committee's evidence sessions about ensuring that buskers and charity collections would be allowed in the designated fan zones. I am delighted that the Scottish Government has looked at the issue and has created exemptions to ensure that such activities will be allowed during the competition.

I reiterate that the bill consists of five components: prohibition of unauthorised sale of championship tickets for in excess of face value or with a view to making profit; prohibition of unauthorised street trading in event zones while they are in operation; prohibition of unauthorised advertising in event zones; creation of criminal offences for touting, unauthorised street trading and advertising; and designation of enforcement officers and their powers.

We have had a lot of good contributions from across the chamber; I will draw on many of them. Many members spoke about engagement and the opportunity that that engagement has brought, and about ensuring that priority is given to it during the bill's process.

The minister spoke about Scotland's track record and the event zones. Committee members were delighted to receive maps that gave us an idea of where the zones will be placed. We were also happy to hear that the Government is listening and will lodge amendments in the next stages.

The committee convener, Joan McAlpine, spoke about the briefing note that we received from the Law Society for Scotland that gave its recommendations. Those recommendations must be listened to and acted on, because they give us real clarity.

Rachael Hamilton spoke about consultation of residents and the business community, which is key to ensuring success. We want a safe, secure and successful event on match days, and in the run-up to them. That is vitally important.

Ross Greer and others highlighted the rushed timescale, about which many of us on the committee had some anxiety. The point was well

made: it is important to ensure proper scrutiny in the bill process.

Mike Rumbles talked about the powers that will be given to enforcement officers. There is some dubiety about those officers' role and responsibilities, so it is important that we look at that. The bill process will give us the opportunity to do so. Brian Whittle talked about Glasgow's record of hosting international events and said that such events can require appropriate legislation. He also spoke about enforcement and timescales, which are important matters.

The Scottish Conservatives support the bill's principles, but we will seek clarity from the Government about the hours of operation and precise geographical limits of the proposed event zones. I am sure that the minister will give us some clarity on that in his summing-up speech.

Like the Commonwealth games that Glasgow hosted in 2014, the UEFA championship is an outstanding opportunity for Scotland. Our national stadium will take centre stage, but we must ensure that lessons are learned from the Commonwealth games. We will seek clarity on that as the bill progresses through stage 2 to stage 3.

We welcome the opportunity that the UEFA championship brings to put Scotland on the map, and we welcome the possibilities and opportunities that it will bring for Glasgow and the whole country.

16:21

Ben Macpherson: First, I thank all members for their contributions to the debate this afternoon and, like others, thank the organisations that gave evidence, from different perspectives, to the Culture, Tourism, Europe and External Affairs Committee in its scrutiny of the bill. I am glad that there is clearly widespread support across the chamber for the bill's general principles and for Glasgow taking its place on the world stage alongside the other 11 host cities, which Annabelle Ewing helpfully listed, as part of the UEFA European championship's 60th anniversary.

I will take away and consider all the points of constructive feedback that have been raised in the debate. As I said in my opening remarks, I will address those issues when I go to the Culture, Tourism, Europe and External Affairs Committee for stage 2 of the bill and will seek to do so in a spirit of collaboration and co-operation.

As we are all aware, official sponsors provide a vital source of funding for the championship, as Stuart McMillan mentioned, without which it would not take place or might require additional public investment. The bill not only helps to protect sponsors' investment by preventing ambush

marketing, but it will ensure a welcoming environment for spectators, protect the character of the event and help to ensure safe access to the event zones. Crucially, as other members have highlighted, the bill will criminalise ticket touting for profit, which will support the official sale of tickets and ensure fair access to football matches for fans, as James Dornan indicated.

We seek to strike the right balance in providing reassurance to UEFA that commercial rights have been protected in key areas, while minimising the impact on local businesses and allowing them to benefit from the economic opportunity that Euro 2020 represents. With 200,000 visitors expected in Glasgow and Scotland more widely during the championship, there will be an increase in trade for local hotels but also, importantly, for shops and restaurants in and around the event zones. We believe that the championship as a whole presents a significant economic opportunity for Scotland and for Glasgow in particular.

In the time remaining to me, I will address some points that members raised earlier. First, I thank all parties for expressing their support for the bill's principles. Mike Rumbles made the important point that, although we based the bill on the Glasgow Commonwealth Games Act 2008, we should seek to make the bill as good as possible—I share that sentiment.

To do that, we added section 9, on street traders, to the bill before it was introduced. Section 9 states:

"Glasgow City Council must offer alternative trading arrangements to existing street traders during the times when the trading offence applies."

That section was included after consideration of issues relating to the ECHR, and to ensure that the street traders who will be disrupted have some economic benefit. I am grateful to Conservative members, as well as to James Dornan and Annabelle Ewing, for raising that point.

Members raised points about the zones and engagement. I have spoken about the engagement that the Government and Glasgow City Council have previously undertaken. I note that we will have meetings with Mount Florida community council on 7 November, and a meeting with Hampden residents, the SFA, Glasgow Life and other stakeholders is planned for 14 November. That engagement will continue in order to ensure that businesses are clear on what the bill entails. That work will be done with the community council, and I look forward to clarifying some points with it.

Many of the points that the community council raised, and which members have raised in the debate, relate to the ECHR and enforcement. Quite rightly, there has been a strong focus on civil

liberties and on how we get the balance right. When the bill was being drafted, ensuring compliance with articles 5, 6 and 8 in relation to the enforcement of offences was considered. Sections 20 and 21 were included in the bill to protect compliance with the ECHR.

The committee, including Ross Greer and Mike Rumbles, focused on enforcement in relation to section 19, which is on the power to enter and search. The SPF also mentioned enforcement in its written and oral evidence to the committee. I draw members' attention to the third bullet point in my response to the committee's report, at which I say that we will clarify

"that the power to enter and search a place without a warrant in section 19 can only apply where permission to enter and search is given by a person who is able to grant that permission in relation to the property, by explicitly stating this on the face of the Bill."

I will look to do that at stage 2. I hope that, when that is done, some of the concerns that have been raised with start to fall away.

Ross Greer: I very much welcome the minister's commitment to lodge appropriate amendments at stage 2. The concerns that were raised relate not only to the moment at which an enforcement officer might decide that entry and a search are warranted, but to accountability. When a police officer makes such a decision, there is a clear accountability mechanism to which they are held. There is a concern that there is no appropriate and equivalent accountability mechanism for when enforcement officers make decisions on the basis of their personal judgment.

Ben Macpherson: I thank Mr Greer for his point, which I will come to when I speak about wider considerations of enforcement.

Use of force is encapsulated in section 20, which requires a sheriff to grant a warrant or for the officer to be "accompanied by a constable". Therefore, robust protections have been included.

Conservative members and the community council, in its evidence, raised points about residential property. I underline the fact that section 21 states:

"An enforcement officer may take action under section 17 or 19 in relation to a house or a place that can be entered only through a house only if—

- (a) an individual who habitually resides in the house permits the enforcement officer to do so, or
- (b) the sheriff grants a warrant for such an action."

The section goes on to state:

"an enforcement officer may enter a house only—

- (a) at reasonable times, and
- (b) if accompanied by a constable.

Therefore, section 21 already includes robust safeguards in relation to residential property.

On the committee's suggestion relating to police powers, it is important to emphasise that Police Scotland has indicated to us that details of any expert assistance for enforcement officers would be relayed to the multi-agency co-ordination centre and that incidents would be noted via existing channels, so there would already be a record of external assistance that was used by enforcement officers.

However, the issue remains that insisting that the police are notified in advance of action being taken could create delay or confusion. Nonetheless, we will continue to consider the point that the committee raised. Obviously, I referred to that in my written response to the committee and made a commitment that the current test of reasonableness for taking a person to a place will be increased to a test of necessity.

Mike Rumbles: We, too, do not want to delay any action that the enforcement officers may take. However, we discussed in committee the important point that, under those powers, a police officer must either oversee or agree that it is not a problem for another person to be involved. Although the minister just said that details go to the communication centre anyway, it does not say that in the bill or, indeed, in the regulations. Will the minister put that in the regulations as they are brought forward? [*Interruption.*]

The Presiding Officer (Ken Macintosh): Could members keep the background chat down, please?

Ben Macpherson: We will consider those points as we go into stage 2. There are practical considerations around police officers on the ground and the allocation of resources. Nonetheless, because of the accountability points that have been raised, we will continue to consider the issue. We look forward to engagement on that as we progress, Parliament permitting, towards stage 2.

With regard to ticket touting, I take Mike Rumbles's point on section 2(4) of the bill, which we will consider ahead of stage 2. We need to be absolutely clear that we do not create a loophole that could be exploited by ticket touts; we will analyse that.

I thank members for the points that they raised about advertising. Miles Briggs raised an important point on exemptions in relation to transport. The draft regulations, which we have already provided, mean that advertisements on, or in, moving vehicles—such as buses, vans or trucks—will be exempt. However, as one would expect, there will not be an exemption for vehicles—such as mobile advertising boards—that are used primarily to

display adverts. I hope that that clears up that point for Miles Briggs, but if it does not, he should feel free to get in touch.

There has been wide discussion around a framework bill. As I said, we will undertake to formally review this legislation—should it pass, and should we be successful in delivering the tournament. As a Parliament, we all have an ambition to create an environment in which, if it is possible within devolved powers, we will continue to tackle ticket touting and have a more strategic, rather than a piecemeal, approach. I look forward to engaging on those points and on how we think about the success of the legislation—Parliament permitting—in the future.

In closing, I thank members of the committee, and of the Parliament as a whole, for their contributions. Reasonable concerns have been raised, which will be considered. I underline that I am very happy to meet individual members on a one-to-one basis, if they wish to discuss any matters in further detail. In addition, to demonstrate that I am open to further conversations, I commit, as Ross Greer requested, to engage early.

As we go into stage 2, there will undoubtedly be areas on which we disagree. Nonetheless, I am certain that we can reach consensus on many of the issues that are raised and produce a piece of legislation that will not only be fit for purpose but will allow us, once again, to deliver a gold-standard major event here in Scotland.

Scottish Parliamentary Corporate Body

16:34

The Presiding Officer (Ken Macintosh): The next item of business is the election of a member for appointment to the Scottish Parliamentary Corporate Body. I have received one valid nomination for appointment. The nomination is David Stewart.

The question is, that David Stewart be selected for appointment to the Scottish Parliamentary Corporate Body. We need to have a formal division, so members should press their yes, no or abstain buttons now.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr 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)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Cunningham, Roseanna (Perthshire South and Kinrossshire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 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)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)

Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (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)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 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)
 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)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the vote on the appointment of David Stewart to the Scottish Parliamentary Corporate Body is: For 90, Against 0, Abstentions 0.

As a majority of members have voted in favour, David Stewart is duly elected for appointment to the SPCB. I congratulate David Stewart on his appointment. [*Applause.*]

Decision Time

16:35

The Presiding Officer (Ken Macintosh): There is only one question today. The question is, that motion S5M-19701, in the name of Ben Macpherson, on the UEFA European Championship (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament agrees to the general principles of the UEFA European Championship (Scotland) Bill.

Loch Lomond

The Deputy Presiding Officer (Christine Grahame): The final item of business today is a members' business debate on motion S5M-19581, in the name of Ross Greer, on save Loch Lomond.

Motion debated,

That the Parliament welcomes the recent withdrawal of a planning application by Flamingo Land and Scottish Enterprise for a large tourist development on the shores of Loch Lomond at Balloch; understands that this application had a Scottish record of over 57,000 objections, had been opposed by West Dunbartonshire Council, the Woodland Trust, Ramblers Scotland and many other organisations, and had been recommended for refusal by Loch Lomond and The Trossachs National Park planning officers; congratulates the community's Save Loch Lomond campaign on its success; considers that, while it understands that the developers are considering resubmitting an application and have an exclusivity agreement until December 2020, there is a clear appetite locally for a community buyout and to explore alternative visions for the area, and further considers that the future of the site would be best determined by the local community.

16:36

Ross Greer (West Scotland) (Green): I thank members from across the Parliament for supporting my motion and helping to secure the debate. This planning application has attracted more discussion and interest than any other local issue in the west of Scotland in the three years for which I have been an MSP. It is clear to me that it is so deeply emotive to people because of the importance of Loch Lomond to Scotland, and because Balloch is the gateway to Loch Lomond for so many of us.

Back in September 2016, Scottish Enterprise announced that it had struck an exclusivity agreement with Flamingo Land, giving the company first refusal to purchase the sections of the site that it owns. At that time, Flamingo Land's chief executive, Gordon Gibb, told the press that he was

"excited by the prospect of creating a resort in the national park that recognises the importance and sensitivity of the site."

As his plans emerged, however, it became increasingly clear that the

"importance and sensitivity of the site"

was not being recognised; it was being seriously undermined. A hundred and twenty-five woodland lodges were to be squeezed in, with most of them in the protected ancient woodland at Drumkinnon woods; iconic views were to be interrupted by a water park and hotel on the shoreline; and space used freely for leisure by locals and visitors alike would become part of a branded, gated development, meaning that non-paying visitors

would become second-class citizens behind those who could afford the premium to rent a lodge.

The majority of the site would be handed over from public ownership under the control of Scottish Enterprise to the ownership of a private company based hundreds of miles away.

For many people, it was the details in the developer's own environmental impact assessment that drove home just how unacceptable the plans were. The assessment warned of damage to ancient woodland, pollution of standing and running water, red squirrel and otter fatalities and a host of other environmental concerns.

Although Flamingo Land initially promised 300 new jobs for the area, that number plummeted as time went on. The eventual impact assessment stated that the equivalent of just 28 net jobs would be created in the region, in comparison with the situation if Flamingo Land did not go ahead. Many of the promised jobs were seasonal, and the developers seemed to drop their initial promise to rule out the use of zero-hours contracts.

We can add to that a list of concerns over a range of issues, such as the preservation of the listed Woodbank house and uncertainty over the riverside leased by boat clubs on the west bank of the Leven, and it becomes clear why the application drew massive and unprecedented opposition. We lodged more than 57,000 objections, making Flamingo Land's the most unpopular planning application in Scottish history. I wish to thank every one of those who objected for making their views known.

I also thank organisations including the Woodland Trust and Ramblers Scotland for their opposition to the plans, as well as West Dunbartonshire Council, which unanimously backed a motion from council leader Jonathan McColl calling on the Loch Lomond and the Trossachs National Park Authority to refuse the application.

I particularly applaud those in the local community who led the campaign so well, especially Sam, Alannah, Rory and the save Loch Lomond campaign team represented in the public gallery tonight. The campaign was run in the face of hostility and bullying behaviour by the developer. At least three local elected representatives, including me, have been threatened with defamation. In response to that threat, I pointed out that I was reading from Flamingo Land's own impact assessment, so best of luck to Flamingo Land in taking an action based on its own documents. Flamingo Land's lawyer has made particularly patronising remarks about Jackie Baillie, who I am sure will this evening share her thoughts about the company's conduct.

Flamingo Land's chief executive, Gordon Gibb, said at the start that the company would withdraw if it did not have the public's support. When it became clear that that was not the case, I wrote to Mr Gibb, reminding him of what he had said. His response was nothing short of a tantrum in written form, so let me quote a few highlights. He said:

"I won't be lectured by a very inexperienced politician."

He went on to say:

"Now I come to think of it Ross, how can you advise anyone of anything that is important in the adult world?"

That gives members an idea of the tone of the rest of the letter. Does that sound like someone whom we want owning such an important part of our world-famous national park?

When we started this campaign a few years ago, even we did not think that success was likely, but success is exactly what we have achieved. First, the national park's officers recommended rejection of the plans, and then, just a week before the public hearing, Flamingo Land and Scottish Enterprise withdrew their application. All I can say to Gordon Gibb, who I know will be watching, is that this inexperienced politician and the community campaign that I stand with have beaten him at every turn so far. Why does he not just cut his losses and jog on?

Unfortunately, Flamingo Land is considering whether to resubmit its application. We have won everything so far, but the battle to save Loch Lomond is not over. The exclusivity agreement is in place for another year, which means that Flamingo Land, and not the community, is still in control. When the application was withdrawn, I launched a campaign asking Scottish Enterprise to cancel the agreement and allow the community the opportunity to take on the land and decide its future. We are still unclear about the nature of the exclusivity agreement and the potential for it to be terminated early. I would welcome clarification from the minister on that point, if possible.

Local residents came together at a meeting two weeks ago to consider what Balloch and the wider area needs. The list of ideas suggested by residents included a municipal water sports centre, camping and motorhome facilities, a backpacker hostel, a forest school, a heritage centre, a museum and much more. There was significant interest in developments around ecotourism, which is growing year on year. Affordability, educational benefit and recognising Balloch as an accessible base for exploring both sides of the loch were also identified as priorities. The need for significant improvements in public transport across the loch was identified. A truly co-ordinated and easily accessible public transport and active travel plan is needed for all of Loch Lomond and the Trossachs national park. Now that the imminent

threat has been lifted, that travel strategy will be one of my top priorities, and I would welcome interest from the Government in a co-ordinated approach, with the national park and local councils, in developing it.

Residents are clear that they do not want a scar on the protected woodland, the river bank and the loch shore. They do not want 125 lodges providing holidays that many would struggle to afford, attracting thousands more cars and sending profits to a corporation based far from the area. Flamingo Land has repeatedly told locals, often in a patronising manner, that there is no alternative, and that its plan is the only way to prevent misery and unemployment in the Vale of Leven—that the only choice is its resort, or Balloch will forever be a neglected, derelict wasteland. The community, however, has other ideas—dozens of them. Those alternative proposals could provide sustainable and quality jobs, educational benefits and far more, while preserving the stunning natural beauty that makes Loch Lomond a global destination.

In contrast, Flamingo Land and Scottish Enterprise's plan was, frankly, boring, generic and expensive. It would not have enhanced Balloch's position as a gateway to a national park. It is not what we need to support the economy and it is certainly not what we need to tackle the climate emergency. It raises the question of what exactly Scottish Enterprise thinks that it is for. I would appreciate the minister's views on that. It seems that the only interest of Scottish Enterprise, as a Government agency, is to get shot of the land as quickly as possible, while adding a few more job figures to its annual report. No real consideration has been given to the local community or the environment. Surely Scottish Enterprise's considerations should not be so narrow.

The idea of a community buy-out to progress some of the ideas that we have been exploring in the local community is drawing wide support, but what is happening at Balloch is not isolated. I have been notified of a similar application at Tarbet, and I recently visited Portincapple, just outside the national park, where residents showed me the impact that a wildly out-of-scale proposed development would have on their small community. Whether it is rural or urban communities, in or outside national park boundaries, these aggressive applications raise fundamental questions about who owns Scotland, who our land is for and what collective rights we have to decide our land's future. Exploring those questions would fill weeks of debate. For now, I close by once again thanking members and the local community and renewing my commitment to stand with the local community to save Loch Lomond.

16:44

Jackie Baillie (Dumbarton) (Lab): I congratulate Ross Greer on securing time for the debate and was pleased to contribute to the cross-party support for his motion so that we could discuss what is an important local issue in my constituency. I, too, welcome members of save Loch Lomond to the Parliament.

I say at the outset that I am not opposed to development in general, but it is fair to say that any development needs to be considered in context. The proposal that we are discussing, which was brought forward by Iconic Leisure, which has now been renamed as Lomond Banks and is more commonly known as Flamingo Land, was for development at the Balloch end of the national park. I say as an aside that if a company needs to change its name three times in the course of one application, its public relations is not going terribly well.

Ross Greer was right to mention maturity. I hesitate to do so, but Flamingo Land's letters are not designed to win friends and influence people; it is Flamingo Land that has lacked maturity in this debate. I have been insulted by far better people.

First, there is the question of who owns the land. In this case, it is Scottish Enterprise and, by extension, the Scottish ministers—the Scottish Government. I welcome the fact that Mairi Gougeon will respond to the debate on behalf of the Government, but the issue in question is of direct interest to Derek Mackay, so I hope that she will forgive me if I ask her to convey to him in the strongest possible terms the messages that I am about to outline.

The land was purchased some 20 years ago at a cost of more than £2 million. We might have expected it to have appreciated in value, but it is now valued at £200,000. The truth is that, whatever sum of money eventually changes hands, if that is what happens, I am clear that Scottish Enterprise has already spent at least £200,000 on commissioning reports and plans to assist Flamingo Land. Scottish Enterprise is, of course, a partner of Flamingo Land in this venture. I am in no doubt that Flamingo Land will benefit from grants and loans from Scottish Enterprise, too. The fact that it is all public money means that, in effect, we are paying for Flamingo Land to come to Scotland. It strikes me as faintly ridiculous that the public are paying for something that the majority of the public do not really want.

I will set aside planning, environmental and infrastructure considerations for a moment. I have talked about the impact on ancient woodland and the lack of capacity on the A82, among other things, in my submission. Instead, I want to focus

exclusively on economic benefit and the role of Scottish Enterprise in the process.

It is the job of Scottish Enterprise to seek out economic opportunities, but I expect those opportunities to be good-quality opportunities; it should not be a case of any old thing will do. In my view, the site that is to be developed is of strategic importance to the national park and to tourism, so careful thought needs to be given to any development.

How many jobs would be generated? In this case, the number went from 300 to 200, with half being seasonal and most being likely to be lower paid. Would the employer guarantee to pay the Scottish living wage? It took a little time before Flamingo Land understood that we did not mean David Cameron's so-called living wage, which is just the national minimum wage renamed. It took a while for Flamingo Land to understand what we meant by the Scottish living wage.

What about the economic impact of all the additional visitors that it was claimed would come? The interesting thing is that Flamingo Land's business model is predicated on keeping people within its development, spending their money there and not in the wider community. Therefore, businesses in the local area would be unlikely to benefit. Even Scottish Enterprise account managed companies in the area that would be in direct competition with Flamingo Land were not told about the development. Is that any way for our national enterprise agency to behave? Would we get sufficient economic bang for our buck? I think that the answer is no.

Scottish Enterprise has extended its exclusivity agreement with Flamingo Land. There are conditions attached to it, but what those are is a state secret. We do not know what the conditions are or whether they have been breached, because Scottish Enterprise will not tell us. There is no transparency. I hope that the minister will commit to publishing the conditions in the exclusivity agreement.

There is a different way of doing this. Scottish Enterprise could engage in a community buy-out—after all, it is Scottish Government policy to encourage community buy-outs. I think that that would be a better way of securing long-term sustainability and that it would provide a better tourism offer for the national park and for Balloch.

I urge the Scottish Government to get a grip on this project and to end the absurdity of public money being used to pay Flamingo Land to come and take the land from us, which no one appears to want. After all, the community is prepared to do it for free—surely that would be a better return for our money.

16:50

Rona Mackay (Strathkelvin and Bearsden) (SNP): I thank Ross Greer for raising this very important issue in the chamber, as it is one that hits particularly close to home for me—quite literally. Being just a 30-minute drive from my constituency of Strathkelvin and Bearsden, Loch Lomond and the Trossachs national park has been a jewel in Scotland's beautiful countryside for generations of families, including my own.

Whether as a destination for a family day out, walks with the dogs along the shoreline, or indeed a trip simply to embrace and observe the beautiful surroundings and nature that many of us are so lucky to have on our doorstep, it is safe to say that Loch Lomond is revered and treasured and—crucially—it must be protected. That is why I was shocked to see these proposals to essentially commercialise and privatise a large chunk of one of our nation's greatest landmarks.

I commend Ross Greer for his work to oppose that and for getting an incredible number of signatories to his petition—57,000 within two months—and I thank the national park planning officers and West Dunbartonshire Council, among others, for their recommendation to refuse permission.

I understand that it is often the case that large-scale developments are met with an initial backlash. However, the objections of 57,000 people cannot be ignored and they serve as a testament to the fact that there is no appetite for these proposals. I believe that this sentiment is shared by the majority of people who have been able to experience the wonder of Loch Lomond.

Like Jackie Baillie, I am not someone who believes that Scotland should be preserved in aspic and that no development should ever take place. I want people to come to Scotland and to enjoy our wonderful lochs and tourist attractions with the tasteful facilities that we have all come to expect. However, there is no world where hotels, restaurants and craft breweries serve as an adequate substitute for Scottish nature, wildlife and history.

Furthermore, it is my understanding—and Ross Greer has confirmed this—that Flamingo Land's own environmental impact assessment states that there will be damage to ancient woodland, pollution of standing and running water, red squirrel and other fatalities and more. Is all that worth sacrificing for more tourist pounds? Surely the natural attraction of the area is worth far more than a rollercoaster or two.

It is imperative that this treasured public space remains just that—public space that is to be used and enjoyed by families for generations to come, as it has been enjoyed by the many generations

that came before. Loch Lomond is one of Scotland's greatest landmarks and maintaining its integrity must be of paramount importance. A community buy-out that would allow that seems eminently sensible to me.

Furthermore, our environmental heritage should not be sullied by big business intent on making a profit. I echo the points made by Ross Greer and Jackie Baillie regarding Scottish Enterprise and ownership. Rejecting these proposals—and any further proposals—sends a clear message to developers: leave our bonnie banks alone and let nature be the attraction.

16:53

Maurice Corry (West Scotland) (Con): I, too, thank Ross Greer for this timely members' business debate.

It is a privilege to represent the expansive West Scotland region. Much of its natural beauty can be found in Loch Lomond and the Trossachs national park, which boasts the attractions of wildlife and scenic views. I was born and brought up in Helensburgh in the Loch Lomond area, and have enjoyed the area many times, whether climbing Ben Lomond, swimming in the loch along with the swimming adders—as members probably know, it is the only place in the world where we have swimming adders, down by Arden—or skating on the loch at Balmaha in a couple of years when there was very heavy frost, so I know the area well.

Beside the loch, we have the most wonderful Balloch park—I do not know if members know it, but they should take a walk through it. It is fantastic; we should be looking at things there as well.

Any proposed development within such an area should, understandably, be examined carefully, and the views of the surrounding community should be considered. I have said before in the chamber that without a foundation of support, such proposals cannot progress. That is what we have seen in the case of the Lomond Banks proposals. Clearly, the developer's proposals were met with strong concern from the local area and wider Scotland.

We have already heard from Ross Greer details of the tourism plans, with features including a treetop walk, a monorail, a craft brewery, a leisure centre, an aparthotel and restaurants. Such planning applications—in this case, a joint application by Lomond Banks and Scottish Enterprise—need to address and reflect the concerns of local residents. Those concerns can be shown no more strongly than by the 57,000 signatures on the petition.

The Lomond Banks proposal promised to protect wildlife, but the plans to build a monorail and a hotel suggested otherwise. It was indicated that the development would create employment opportunities for locals. Of course, job openings are positive, but they were not enough to justify such a controversial development. Assurance that there would be long-lasting and reliable work for local residents, rather than just part-time and seasonal work, is needed.

It would be unrealistic not to recognise the benefits that tourism can bring to an area. When it is done well and, above all, considerately, tourism can be used to promote an area's natural beauty and to channel much-needed resources into communities. Opening the doors to international visitors can effectively put an area and wider Scotland on the map.

The planning for Loch Lomond Shores identified an area within a drive time of one and a half hours from the site to capture weekend local and national tourism, and the forecast was that 9 million visitors would pass or come into the area. That gives members an idea of the quantity that we are dealing with.

West Dunbartonshire Council should carry out an infrastructure review, as should Transport Scotland, at Government level. The issue needs to be looked at seriously, not just for the local area around Balloch, but along the A82 including the Vale of Leven, Alexandria, Renton and right back to Dumbarton. That infrastructure has needed to be looked at for as long as I can remember. We need to put the matter into perspective: it is one of the big crunch issues. Only this morning, I had a meeting with representatives of a business in Balloch, and one issue that they raised was the need to get the infrastructure right so that we can look at things properly.

As I have suggested in the chamber previously, tourism plans such as the one that has been withdrawn should not be implemented at the expense of local residents. Their opinions must be protected and listened to. As I said, local authorities and other public bodies need to be certain that there will be no irredeemable negative impact on what we should feel privileged to have already. We have an abundance of beauty on our doorstep—Rona Mackay rightly talked about the bonnie banks—and how it is treated is a top concern for many of my constituents, for me and for other regional members.

The exploration of the alternatives to make best use of the space needs to be done with sensitivity and understanding, and it needs to include consideration of community buy-outs. Although I believe that it is important for communities to benefit from the investment that new developments can bring, the national park

undoubtedly has a character and a feel that need to be kept in mind, whatever the next step is.

We must also bear in mind the knock-on effect of traffic, to which I have referred, which will only worsen with another tourist development in the area, unless an infrastructure review is carried out. Perhaps for now, maintaining better what we already have is the solution on which we need to focus.

Any future development must be done openly and must reflect local residents' input. When I put a question to the minister previously on the issue in the chamber, she commented on the need to accept that. Whatever option is chosen, its viability, expense and impact on the surrounding environment and local residents must be given serious consideration.

16:58

Mark Ruskell (Mid Scotland and Fife) (Green): I thank Ross Greer for securing the debate and I thank the "Save Loch Lomond" campaign for its work in securing a record-breaking level of objections to the Flamingo Land development. The number of people who have objected is nearly the same as a capacity crowd at Murrayfield. That national roar of disapproval has sent a clear message on behalf of all the communities in the national park that the integrity of our local environment must be at the heart of all development. It has also sent a clear message that publicly owned land must be managed in the democratic public interest.

At any community council meeting across Scotland, the local environment is always the top agenda item. Sometimes, the arguments around development are genuinely balanced—for example, at Balmaha, there is a balance between the need for affordable housing and the need for woodland protection

More often than not, however, developers attempt to bulldoze agreed local development plans, bypass planning policies and dazzle decision makers with glittering economic prizes, which then unravel under closer examination. The long-game tactics of developers are well understood. The tactics are to grind down the community, to lobby politicians ahead of submission of an application and then, if the application takes a battering with objections, to withdraw and resubmit again and again until the right batch of decision makers comes into office. However, I believe that in this case the Flamingo Land people have pecked off far more than they can chew.

It is also lamentable that Scottish Enterprise appears to be acting in the interests of one enterprise rather than in the wider interests of the

community and Scotland. Parts of the site clearly have the potential for development, but that should be steered by the community. A fine balance will be required in order to maintain the loch's iconic sense of place while growing genuinely accessible and sustainable tourism.

I heard that there was, at a recent public meeting on alternative plans, a lot of support for Balloch to be a hub for ecotourism, with an easy-to-use network of buses and boats to get people around. From my perspective, a shuttle bus service out to Rowardennan, with space for bikes—a little bit like the old Trossachs trundler service—would make that road safer, cut congestion and improve the environment of the west Highland way.

We need to improve the visitor experience while showcasing a pristine environment, through sensitive yet accessible gateways to the park. That is why decreasing car usage while increasing public transport and active travel is a key objective in the national park plan. It must be the objective for the other park gateways, too—especially Callander, which still desperately needs to be linked to the national cycle network through Doune to the east.

There are so many great ways in which ecotourism could integrate well with the land, but they do not include gated villages. I am sure that if the minister has not already visited Comrie Croft, it will at some point be in her tour of places to see. It has been an economic marvel for Strathearn, through hosting glamping experiences that are, largely, hidden in the woods. Walks, bike trails and facilities on the site have grown organically over the past decade. New businesses have sprung up on the back of its success, as demand for weddings, catering and bike services has grown along with visitor numbers.

Now other communities, including Clackmannan, are looking to emulate the Comrie Croft model, which shows what can be done from the bottom up in creating world-class facilities with integrity that reflects the wild and iconic nature of Scotland. For me and many thousands of people who treasure Scotland's wild environment, that is what we search for when we visit Loch Lomond.

The Deputy Presiding Officer: I call Mairi Gougeon to close the debate on behalf of the Government.

17:02

The Minister for Rural Affairs and the Natural Environment (Mairi Gougeon): I thank Ross Greer for bringing the motion to the chamber. I understand the passion behind the issue, which I have felt from all members who have spoken in the debate.

One of the many benefits of my job as the minister with responsibility for national parks is that I now get to spend a lot more of my time in such places and to appreciate them. That feeling has also been expressed by members from across the chamber—such as Rona Mackay and Maurice Corry—who have spoken about Loch Lomond and the Trossachs national park as one of our finest and most valued assets. We can see that through the numbers of people who visit the park: each year, it welcomes around 4 million visitors, which is testament to its appeal and importance to the people of Scotland and those from further afield.

Members will appreciate that it is not appropriate for me to comment on an individual application, but I recognise that there has been significant local and national interest in the West Riverside development, about which a number of issues have been raised in the debate. I realise that some of those issues might fall within my colleagues' remits, but I will commit to raising such issues with them and ensure that the relevant members get from them the responses that they need. I would also be happy to meet any member who is present in the chamber and who might wish to discuss such issues further if they feel that they still have questions after I have spoken.

First, and foremost, I would like to reflect on the important contribution that Loch Lomond and the Trossachs national park and its local communities make to the area. Balancing its different statutory aims lies at the heart of the park authority's work. Those aims are: conserving the natural and cultural heritage of the area; promoting the sustainable use of the area's natural resources; promoting understanding and recreation; and promoting the area's sustainable and economic development.

The park authority delivers those aims in a number of ways. As planning authority, it develops the local development plan for the area, in consultation with stakeholders and communities, ensuring that it is produced in an open and transparent way. The authority received recognition for its approach to community involvement in the then-current local development plan for the park in 2015 when it received the overall award at the Scottish awards for quality in planning.

The plan is the blueprint for the area, setting out policies and priorities for how land is used, and is the basis on which all applications—including West Riverside—are considered. However, the plan is only one part of the jigsaw. The park authority works hard to make sure that there is on-going, meaningful and innovative dialogue with communities about planning. For example, the charrette in Balloch identified opportunities and priorities to support the Strathard community,

which is now driving action to regenerate Aberfoyle—the area’s biggest village. That is a great example of the dual role that the park authority undertakes in providing support and enabling positive action to deliver on the local development plan and the park’s aims.

When it comes to tourism, the park is always looking to try new ideas and deliver improvements. Just last year, it hosted the open water swimming event as part of the successful 2018 European championships. The local development plan also identifies opportunities to develop tourism in the area. I was interested to hear what Mark Ruskell said about the potential to grow and ecotourism, as well as what Maurice Corry said about what that means in relation to transport.

Looking ahead, I am pleased that, at a national level, the Planning (Scotland) Act 2019 will bring about better, more meaningful and earlier engagement with local people across Scotland. That reflects the approach that the park authority has taken.

On community engagement, the park’s 2017 partnership plan was developed with and for the local community and stakeholders. It sets out the vision and priorities for how communities and partners can work together for the park. The park authority is committed to building the skills and confidence of its communities, and that has delivered a strong network of community development trusts and community action plans. Those community-led plans are well established and they have supported a range of aspirations from new village halls to community hydro schemes and path improvements.

On the specific application, members will know—it was raised in the debate—that an exclusivity agreement is in place. I understand that the agreement will be in place until December next year unless it is terminated by mutual agreement before then. If members have further questions about that or they would like to know more, I ask them to contact me, but that is the information that I have with me.

Jackie Baillie asked about the conditions. I do not know exactly what it is possible to disclose as part of the agreements but, again, I would be happy to look into that and try to establish it.

More widely, I note that encouraging community ownership is a priority for the Scottish Government. Jackie Baillie raised that, and she was absolutely right. There are now a number of routes for communities across the country to take advantage of the opportunities that ownership can bring. There are various community rights to buy, some of which are compulsory purchase routes, and there is asset transfer, which allows communities to take control of assets that are

currently owned by public bodies. The Scottish land fund, which has an annual budget of £10 million, provides communities with the financial opportunity to take ownership, no matter which of those routes they choose to take. Along with the guidance on engaging communities in decisions relating to land and the land rights and responsibilities statement, communities have more opportunities than they have ever had to take control of their futures.

Loch Lomond and the Trossachs national park is a great example of how a national park can work with its communities to deliver on their aspirations. From its role as planning authority to the delivery of projects on the ground, the park authority works tirelessly for natural heritage, cultural heritage, inclusive economic growth and the communities of the area. I encourage the park authority to continue putting its energy into that in order to deliver a first-class place for all of its communities.

Meeting closed at 17:08.

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

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