

MEETING OF THE PARLIAMENT

Wednesday 8 October 2003
(*Afternoon*)

Session 2

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Scottish Parliament

Wednesday 8 October 2003

(Afternoon)

[THE PRESIDING OFFICER *opened the meeting at 14:30*]

Time for Reflection

The Presiding Officer (Mr George Reid): The first item of business this afternoon is time for reflection. Leading time for reflection today is Ryan Singh Kohli, from Glasgow, who is the first student to be awarded the Sikh Mata Sahib Kaur scholarship to Oxford university.

Ryan Singh Kohli (Sikh Mata Sahib Kaur Scholar, Oxford University): When I went up to university, I received something of a shock. For the preceding 13 years I had been at the same school, with virtually the same pupils, who all understood what a Sikh is and why our appearance is so distinctive. However, when I made that time-honoured rite of passage to university, I was suddenly confronted with a barrage of questions from all directions. I did not mind the questions, but I could not help but feel different, strange and out of place. That set me off to read about and reflect on the nature of religion.

Many of today's conflicts appear to have at their core a conflict between religious beliefs. The phrase, "religion causes too many problems," is heard too often. Religious tensions run through the almost daily fighting in Northern Ireland, the middle east and Kashmir, but the truth of the matter is that conflict in the name of religion is self-contradictory and undermines the concepts of faith, belief and God.

The Sikh holy scripture recognises that religious conflict is one of the world's gravest problems, which is why many verses are devoted to the message of national integration and universal brotherhood. It advises that we should have no enemies; we should be opposed to no one. We are encouraged to recognise God in everyone, as we strive to make everybody our friend and our equal.

What difference does it make if one accepts Christ, Mohammed or Nanak as one's prophet or the Koran, the holy Bible or the Guru Granth Sahib as our holy text? The overriding message from each is the same. We are encouraged to recognise God in everyone, to live our lives with God in our hearts and afford everybody the highest degree of respect. When I finally turned my attention to the words of the tenth Sikh Guru, I

began to realise just how foolish it had been to feel out of place. He proclaimed that all of mankind is one race.

Members of the Scottish Parliament, as you continue your new session, and as I am about to embark on a new university session, let us make it our aim to bring that vision to the country.

Point of Order

14:34

Nicola Sturgeon (Glasgow) (SNP): On a point of order, Presiding Officer. You will be aware of previous rulings about the release to the media of information that should properly be made available to the Parliament first. You will also be aware that the Criminal Procedure (Amendment) (Scotland) Bill was introduced to the Parliament yesterday, which meant that no member was able to read a copy of it until it was published today. The first that members knew or, indeed, possibly could have known, about the detail of the bill was through what they read and heard in the media this morning. Is that in order?

The Presiding Officer (Mr George Reid): I am grateful to the member for giving me advance notice of her point of order as that enabled me to make some investigations.

The member is correct in saying that the bill was introduced yesterday, but was not published and available until this morning. It has been the Executive's stated practice not to issue any publicity relating to a bill until the day of publication, when it is widely available for members and others. In this case, however, the objectives of the bill were the subject of wide consultation before introduction and I have been assured by the Executive that the matters raised in today's media reports have been in the public domain for some considerable time. That being the case, I regard the query as closed.

Business Motion

14:35

The Presiding Officer (Mr George Reid): The next item of business is consideration of motion S2M-459, in the name of Patricia Ferguson, on behalf of the Parliamentary Bureau, setting out a revised business programme.

Motion moved,

That the Parliament agrees the following revision to the programme of business agreed on 1 October 2003—

Wednesday 8 October 2003

delete,

followed by
Ferguson.]

Ministerial

Statement.—[Patricia

Motion agreed to.

Scottish Fire and Rescue Service

The Presiding Officer (Mr George Reid): The next item of business is a debate on motion S2M-456, in the name of Cathy Jamieson, on proposals for legislation on the Scottish fire and rescue service, and three amendments to the motion.

14:36

The Minister for Justice (Cathy Jamieson): The Executive has initiated this debate to give the Parliament an early opportunity to discuss our continued commitment to the fire service in Scotland following the publication of our latest consultation paper on proposed new legislation.

In May 2002, we debated our policy consultation paper, "The Scottish Fire Service of The Future". That paper acknowledged that fires and their consequences can have a devastating impact on individuals and communities. Scotland continues to have the unenviable record of more fire-related deaths per head of population than any other country in the United Kingdom. We must do all we can to stop fires starting in the first place, as well as tackling them when they do arise.

We also recognise that the fire service's role has evolved and developed and that the time is right to give the fire service in Scotland a new vision and direction. Our earlier policy consultation paper was widely and warmly welcomed by all the respondents, including the major stakeholders, both employers and unions. We are therefore clear that there is much support for our vision for the Scottish fire service. We want a fire service that makes a full contribution to building a safer society by working with others to reduce death and injury, and damage to property and the environment, from fire and other emergencies.

We stated in May 2002 that our intention was to deliver many of the recommendations in our policy paper through the introduction of new legislation for the fire service. The new legislative proposals are the first in more than 50 years and will impact on all aspects of the fire service in Scotland. We published the proposals on 1 October, and I stress that we want an open and constructive dialogue on them. We have circulated the consultation document widely—to the main stakeholders and beyond—and have invited written responses. In addition, we will set up a series of road show meetings with each fire authority and other interested groups at which we will present the issues and the thinking behind the proposals. We look forward to a structured discussion about the issues and to hearing at first hand the views and comments of those most affected.

Preliminary discussions took place with the Convention of Scottish Local Authorities and the

Fire Brigades Union prior to the paper's publication. I was, therefore, somewhat disappointed that the Fire Brigades Union press release in response to the publication of the paper seemed to misunderstand some of our proposals. I am glad that that situation has been clarified and that the Fire Brigades Union wishes to involve itself and engage with us constructively in the process.

It was even more disturbing to see some of the press reports of the FBU's reaction, which implied that industrial action, including a strike, could be triggered by the proposals. The FBU wrote to me quickly to clarify that position. It made clear that it had made no reference to strike action and expressed surprise at the press reaction. As I have said, the FBU has also said that it intends to be fully involved in the bill's progress. It reiterated its support for a number of areas in the consultation, including the development of community fire safety, fire investigation and enforcement. I welcome that clarification and trust that we will be able to continue the consultation process constructively and openly.

I will outline our legislative intentions. Members will see that there is a common theme at the heart of our proposals: to drive down the risk from fire, wherever it may occur. It is essential that we make a significant impact on our appalling record of fire fatalities and injuries.

The independent review of the fire service was critical of central Government over the lack of a strategic direction for the service over the years. We accept that criticism, and we intend to remedy it through the introduction of a national framework, which will set out the Executive's expectations of the fire and rescue service; the standards that it expects the service to meet; and how the service should undertake specific functions where necessary for reasons of national priority.

If fire and rescue authorities are to strengthen their service delivery, they need to be clear about their priorities and objectives. The framework within which fire and rescue authorities currently operate is restrictive. Many decisions on local matters are determined by central prescription, which, I believe, does not strike the right balance between national and local responsibility. The fire and rescue service is a local service, and it should be delivered locally. The national framework will strengthen the responsibility of authorities to deliver the service in the best possible way for the local community.

Similar models, which provide a national framework on local delivery, already exist, and we know that they work well. For example, the Standards in Scotland's Schools etc (Scotland) Act 2000 provides for such a system of setting national priorities. It has resulted in a strong

national focus on outcomes for local service delivery.

I will briefly mention terrorism. National priorities will focus on areas of national resilience, including the ability to respond to the threat of terrorism, and it is vital that all fire and rescue authorities achieve what is required of them in those areas. Ministers therefore intend to take reserve powers, so that they can ensure that the delivery of national priorities in the national framework is not undermined.

In last year's consultation paper, we highlighted the deficiencies of the current advisory committee structure. The processes have been slow and bureaucratic. We therefore intend to improve the decision-making arrangements by putting in place a smaller and more dynamic advisory group. Stakeholder input to policy development will be provided through a practitioners forum, which we will look to employers and management to form. By extending the remit and membership of the existing Scottish subcommittee of the Fire Safety Advisory Board—which is a bit of a mouthful—we will provide business, community and industry interests with a platform for influencing policy development.

We are all aware of the extent to which the role of the fire service has evolved over the years. Currently, a difference exists between what brigades have a statutory duty to do and what they actually do. Our legislative proposals will provide the necessary statutory basis for the core duties of the fire and rescue service. Fighting fires will, of course, remain a core duty, but those core duties will now also embrace fire prevention, attending road traffic accidents, attending other serious non-fire emergencies and assuming an enforcement role for the proposed fire safety reforms.

Two principles will underpin these core duties. The first is the fulfilment of our aim to reduce risk through the introduction of integrated risk management plans. We are convinced that that approach will deliver the necessary balanced intervention and prevention agenda, with the focus being on the protection of people rather than on that of property. The second principle is the recognition of the new and serious threat from terrorism and the need to provide a co-ordinated national response to it. We therefore intend to put in place the necessary powers to enable fire and rescue authorities to provide mutual assistance for all their core duties. It will be important to have powers to ensure that we maintain a flexible response on a Scotland-wide level and plug any gaps in our emergency response.

Alasdair Morgan (South of Scotland) (SNP): On the division between statutory and non-statutory duties, will the minister say what thought has been given to the role of the fire service in

relation to ferry traffic? I am thinking in particular of the many ferries that sail to Northern Ireland from the south-west, and of the ferries that sail from Rosyth. Those ferries may be outwith the fire service's official remit, but the service could play a major role were an accident to occur.

Cathy Jamieson: The member raises an interesting point, which we will certainly wish to consider. We will be happy to pick up on that, and I am sure that the member, who has a particular interest in the matter, will submit his thoughts on it during the consultation.

I turn to fire safety reform. We will continue to reflect the key aim of reducing risk. Much of the existing legislation is bureaucratic, and focuses on getting people out of their workplace after a fire has started. Instead, we want to put in place a regime that is intended to reduce the chance of a fire starting in the first place. To complement those changes, we intend to ensure that fire and rescue authorities are organised in a way that maximises their freedom of operation. Our aim is to allow authorities to concentrate on the delivery of their core duties. The Local Government in Scotland Act 2003, which places a duty of best value on fire authorities, but also provides them with the power to advance well-being, goes a considerable way towards providing the statutory basis for pursuing optimum service delivery.

However, we are clear about the fact that disjointed or inefficient use of resources cannot continue. In the police and fire service structure review that was carried out in 1998, and again in our policy paper "The Scottish Fire Service of The Future", we ruled out any reduction in the number of brigades. However, the move by the Office of the Deputy Prime Minister to reduce the number of brigades in England from 47 brigades to nine regional brigades highlights the need for us to examine again whether or not our position is sustainable. I am aware that people have strong views on the issue and I stress that there will be genuine, open consultation. I look forward to hearing what people have to say. For that reason, we are actively seeking respondents' views on the best structure for the service.

Mr David Davidson (North East Scotland) (Con): The minister is giving the impression that because John Prescott's department has decided to do something, she should automatically follow. What made her change her mind from her original position?

Cathy Jamieson: It is not the case that because one department does something others should automatically follow. However, when considering how to provide the best structures for the service, we must take account of things that are happening elsewhere. It is not necessarily the case that we will take the same route as the Office of the

Deputy Prime Minister—that may not be the best approach for Scotland. However, given that the issue has been raised, it is our responsibility to address it again in the light of what is happening south of the border. I stress that this is a genuine consultation and that I have no fixed view on how we should proceed. I look forward to hearing the views of other members, in the chamber today and in future.

Tricia Marwick (Mid Scotland and Fife) (SNP): Will the minister give way?

Cathy Jamieson: I would like to move on.

We see both greater collaboration between brigades and a common approach in certain areas as having considerable benefits. Last year we established a short-term working group to examine the issues around fire service pension funding. All the fire and rescue authorities were represented on the group and there was consensus for centralising both the funding and the administration of the pension scheme. Other functions, such as human resources, training, and administrative and financial support, might benefit from a similar approach. For that reason, we propose to set up a common fire services agency under which the work could be brought together. The agency's function would be very like that of the body proposed for the police in Scotland. We would want to involve stakeholders in appropriate consultation to agree the agency's remit and responsibilities. Our aim would be to incorporate only those functions that would be carried out more efficiently and effectively on an all-Scotland basis.

Christine May (Central Fife) (Lab): Will the minister give way?

Alex Neil (Central Scotland) (SNP) rose—

Cathy Jamieson: I will give way after I have finished making this point.

Finally, we want specifically to examine whether a better, more efficient control room service could be provided by collaboration. We must ensure that we make best use of the investment required for a new national radio system for the fire service. For that reason, we intend to carry out a technical review of control room arrangements in Scotland. Based on the findings of the review, ministers will take powers to make any necessary changes.

Christine May: Does the minister agree that the input of the Fire Brigades Union will be essential in obtaining a key section of views in all the consultations?

Cathy Jamieson: I agree wholeheartedly. As I outlined earlier, in advance of issuing the consultation paper I had a very productive meeting with the Fire Brigades Union. I have given the union the commitment that it will be involved both

during and after the consultation process. It is important that people at the front line, who deliver the service, are involved in shaping proposals.

I want to say something about the work force. In our earlier policy paper, we acknowledged that the work force was the key resource in delivering the new prevention and intervention agenda. Many of our policy paper recommendations in that area—particularly those relating to training—have already been implemented because they did not require legislative change. The pay dispute and the subsequent independent review highlighted a number of issues that we must address now, given the legislative opportunity that exists.

Alex Neil: Will the minister give way?

Cathy Jamieson: I am running out of time.

We want there to be efficient and modern appointment, promotion and discipline processes for the people who work for the service. That is why we intend to repeal the current regulations and replace them with modern, fit-for-purpose arrangements, such as new recruitment processes, that will reflect the move from rank to role and will include multi-tier entry and accelerated promotion. Those processes will help to ensure that the service gets the right people with the right skills into the right role. They will also go some way towards addressing the continuing concern about the lack of women and ethnic minorities in the service.

I will conclude by commenting on the links to Westminster. The Office of the Deputy Prime Minister is proceeding with legislation for England. There are issues—such as pay and conditions—on which it is clear that we want and require a United Kingdom approach. I have already had a meeting with Nick Raynsford, who is the minister responsible for fire services in England. He shares our wish to maintain a UK approach, where that is appropriate.

I commend our consultation paper to the Parliament, as I believe that it demonstrates our commitment to modernising the fire service in Scotland. The reforms that it will introduce will lead to a service that focuses on reducing risk, as well as on responding to incidents, for the improvement of community safety. I am sure that all members share the hope that we will have a service that is improved in that way in the future.

I move,

That the Parliament welcomes the Scottish Executive's commitment to working with stakeholders to develop a fire and rescue service that is modern and effective with the principal aim of reducing risk; notes that the consultation paper *The Scottish Fire and Rescue Service: Proposals for Legislation* builds on the responses received to the first policy paper, and notes that the Executive will engage with stakeholders to modernise the service and work together to

provide greater impetus to protect the public from fire to reduce Scotland's poor record of fire fatalities.

14:51

Nicola Sturgeon (Glasgow) (SNP): I will begin by paying tribute to Scotland's firefighters, who do a tremendous job on our behalf, often in difficult circumstances and at great personal risk. I am glad that the consultation document recognises explicitly that those who work in the fire service are central to the success of any move to modernise the service.

However, in any debate on the future of the fire service, it would be wrong not to mention the damage to morale and to the good relations between firefighters, their employers and the Government that was done by the recent, protracted pay dispute. It is incumbent on the Government to take the lead in repairing that damage by stating clearly that pay and conditions will continue to be a matter of negotiation, not of imposition, and by listening to and acting on what those at the front line have to say about the proposals in its consultation. I am happy to take the minister at her word when she says that she wants an open and meaningful dialogue. I hope that the minister will also give an unequivocal commitment that, through their trade union, firefighters will have a statutory right to representation on the new advisory group that is being proposed.

The general thrust of the consultation document is welcome and it should be supported. The job of a firefighter has changed dramatically during the past 50 years. The fire service is now in the front line in dealing not just with fires, but with road accidents, floods and a whole range of rescue efforts. As the tragic events of 9/11 demonstrated, it is to the fire service that we will look in what is, I hope, the remote possibility of a terrorist attack on this country.

It is right that all those duties are recognised and, for the first time, given clear statutory underpinning. It is appropriate, too, that the true nature of a firefighter's job is reflected in the change of name to fire and rescue service, although that is probably the most minor point in the whole consultation. It is important to stress that a name change will mean little if the substance of the proposals paves the way for cuts in front-line services, as many fear that it might.

It is also right that greater emphasis is placed on fire safety—on preventing fires occurring in the first place—rather than being placed solely on fighting fires when they occur. Of course, the fire service already engages in that work. It engages daily with communities in schools and workplaces to reduce the risk of fire. If more can be done in that area, it should be done, because the death

rate from fires in Scotland is twice that in the rest of the UK. That appalling statistic should make us all stop and think; tackling it will mean focusing on prevention as much as on intervention.

Behind the statistics are real people and real lives. We should never forget that the fire service is fundamentally about saving lives, preferably by preventing fires in the first place, but also, ultimately, by responding quickly when fires start. After a fire has started, the window of opportunity for effective rescue is very small. That is why the speed of response of fire crews is so important. All the proposals in the consultation paper, from the most minor to the most substantial, should be judged against that standard of safety—the safety both of the public and of our firefighters.

Many proposals in the consultation paper are uncontroversial and nobody will have any difficulty in supporting them. A common services agency, the simplification of fire safety legislation and new training arrangements for those who work in the service are just a few of those proposals. However, other proposals will—rightly or wrongly—arouse suspicion and concern. The suspicion is that the real agenda is cost cutting, leading to cuts in services, fewer fire stations, fewer firefighters and fewer fire engines. The concern is that public safety will be compromised as a result.

Much of that fear stems from the Bain report, which was published at the end of last year. That report talked explicitly of

“fewer stations, lower staffing or shorter shifts”.

Bain said that it was unsustainable to have the same level of fire cover 24 hours a day. As three quarters of all calls to the fire service are received during the day, he said that there should be reduced levels of cover at night. Of course, that totally ignores the fact that 75 per cent of fire deaths occur during the hours of darkness. The Bain approach, with its shift from the present approach based on planning for the worst case scenario, to one based on the assessed likelihood of fires occurring, seems to have infected some of the proposals in the consultation document.

Take risk management as an example. The idea is that fire cover in an area at any given time should be determined on the basis of assessed risk. There is nothing wrong with a risk management approach, either intrinsically or in principle, especially if it deals in an integrated way with reducing the risk of fire as well as ensuring that people are adequately prepared when fires occur. Nevertheless, there are real concerns about the consultation paper's proposal, not least because the integrated risk management approach has not yet been tested or evaluated. To some extent, it will be a leap in the dark. In those circumstances, some of the concerns are justified.

Such an approach would also remove the safety net of national standards of fire cover. As the minister outlined, the current national standard for attendance at fires lays down the number of appliances that should attend fires in different risk categories and the time within which they are expected to respond. Incidentally, the fire service performs very well against those standards. I agree that the current system probably needs to be reformed and that the minister was absolutely right to say that it is more concerned with property than with people. However, the fundamental point is that any system that replaces the current one must also operate in the context of basic national standards for fire cover. The fact that the likelihood of a fire occurring in an area at a particular time is low does not detract from the need for a speedy response to any fire that occurs in that area at that time. Every member of the public has a right to know how long they should expect to wait for a fire engine to turn up if they happen to be trapped in a burning building in any part of Scotland at any given time.

It is probably right to leave local brigades to determine, based on local circumstances, how they should best configure resources to meet those standards, but the standards themselves must be national. They must be consistent and well understood. I would genuinely appreciate it if the minister could, in summing up, provide us with more detail on the exact content of the national framework that is proposed in the consultation paper.

The proposed repeal of section 19 of the Fire Services Act 1947 also gives rise to concern. That section gives ministers a role in decisions about staffing and the location of fire stations and equipment. The Executive should remember that the Parliament has already rejected that proposed repeal—although I accept that, for some of those who voted, the objection was about process rather than principle.

The argument for repeal is that decisions about fire cover are best taken locally and that it is not for ministers to interfere. I agree with that view in principle. However, section 19 of the 1947 act is not a licence to interfere and it has never been used in that way. It is a safeguard; an assurance that, in the unlikely event that a local fire authority proposes to make cuts in cover that would or could endanger public safety, there is some right of appeal and another stage in the process at which reason can prevail. Such safeguards exist in other areas. The minister drew an analogy with the Standards in Scotland's Schools etc Act 2000, where school closures require that level of ministerial involvement. My argument is that if it is good enough for schools, it should be good enough for fire cover where public safety is so important.

Taken together, the move to risk management and the repeal of section 19 give rise to fears that cost saving will take precedence over public safety. The minister must listen to those concerns.

In the previous consultation document, the Executive committed itself to a distinctive fire service for Scotland, and that is something to which we can all sign up. However, much of the new document smacks of emulating the stance taken south of the border. One example is the proposal that there is to be a review of the decision to maintain eight brigades in Scotland. Why is that the case? It is not because it might be right for Scotland, but because there has been a reduction in England. I do not believe that that is a good enough reason.

We need a fire service that meets Scotland's needs and puts the safety of the public and the firefighters above absolutely everything else.

The Deputy Minister for Justice (Hugh Henry): Will the member take an intervention?

Nicola Sturgeon: I am in my final few seconds.

To the extent that the proposals contribute to that aim, they will have the support of the SNP. However, if they do not, we will not support them.

I move amendment S2M-456.2, to insert at end:

"and, however, expresses concern about certain detailed proposals contained in the consultation paper including, for example, the move from existing minimum standards of fire cover to an as yet untested risk management system and the removal of the safeguard of ministerial involvement in decisions about staffing and the location of fire stations and equipment."

15:02

Miss Annabel Goldie (West of Scotland) (Con): I welcome the opportunity to debate the provision of a Scottish fire and rescue service, about which I am sure that there will be areas of common accord, not just in the chamber but in the service and among the public.

It is the legitimate expectation of the public to have a well-manned, well-resourced and professionally operated fire service. Conversely, it is an obligation on the public never to take that service for granted, nor to underestimate the bravery, dedication and professionalism that is daily represented by the men and women in our fire brigades. Having experienced a serious fire, I have seen those attributes at first hand.

It is an equally legitimate expectation of those men and women to work in an efficiently structured organisation that offers satisfying and worthwhile career opportunities. Again, however, the men and women in the fire service have an obligation to acknowledge that, in a changing world with challenging demands and constant

technological innovation, the fire service is no more immune than any sector, private or public, to the need for vision, change and flexibility in how its service is provided.

Of course, as countless people in other sectors have found, those demands bring uncertainties, turbulence and disquiet. If there is to be positive progress with reorganisation, it is vital that the proposals are proffered in a rational and constructive manner, and that reaction and response to such proposals are delivered sensibly and objectively. I am sure that we are all agreed that there is no place for stridency, posturing or prejudice in that process. I accept that the minister is offering a genuine opportunity for debate on the issue.

At first sight, the Executive's proposals seem to offer a constructive way forward. For example, the five core duties that have been identified seem to form a sensible acknowledgement of the undoubted changes to society and our environment that have taken place since the Fire Services Act 1947. However, lurking within the proposals are express or implied arrangements that merit careful examination.

I will examine some of the express arrangements to which reference has already been made during the debate—the introduction of a national framework to provide strategic national direction, the establishment of a common fire services agency and the replacement of the current Scottish Central Fire Brigades Advisory Council with a strategic advisory group. By their nature, those proposals are heavily flavoured with centralised control and potential ministerial interference, which, to my party, is a retrograde step. I detect from what Nicola Sturgeon said that she favours the ministerial mantle of control, but that may be regressive.

When the Executive sought covertly and at the last minute to repeal section 19 of the Fire Services Act 1947 with an amendment to the Local Government in Scotland Bill, my party voted against the amendment and the repeal on the sole basis of the ill-judged way in which the Executive introduced the matter. On the merits of the issue, it is our view that the repeal of section 19 of the 1947 act is to be welcomed, because it will end the process of bringing ministers into local decision making. It is about devolving power down to the front line and to those who deal with the hazards of the service, which is a principle that my party supports.

Cathy Jamieson: I welcome Annabel Goldie's comments. Does she accept that what I tried to lay out in the document and in my speech today is the need to get the right balance between setting a national framework and having some areas where ministers have reserve powers to intervene to

ensure that the national framework is not undermined? I made a clear commitment to delivery at a local level, which is important.

Miss Goldie: Yes, and I was comforted by the observations in that connection. I do not think that there is any objection to the need for the Executive to have a strategic overview of what it thinks is necessary for the domestic provision of fire services and, as has already been alluded to, for the possible implications of terrorist activity or, as Mr Morgan suggested, of activity on ferries. I accept that at some point there has to be a co-ordinating strategy to cope with that, but it remains to be seen exactly how the balance falls in relation to the details of those proposals.

Sensible progress can be made—indeed, I think it is already being made—with a fully co-operative approach in partnership with all the stakeholders. Rather than be in any sense prescriptive, that may be a more constructive way forward. It is paradoxical that the Executive's proposals to which I have referred go against the grain of decentralisation and more local control by local fire service authorities. There are implied concerns in the proposals. For example, the integrated risk management plan reeks of centralisation but also presents an untested, and therefore unquantifiable, operational strategy for fire authorities. Frankly, far from managing risk, such a plan seems to me fraught with risk. It is essential that such a radical change to operational activity is piloted.

By their nature, the proposals are heavily flavoured with centralised—[*Interruption.*] I am sorry, Presiding Officer—I have gone backwards in my speech. I am pleased to say that it made as much sense the second time as it did the first time.

On the centralised nature of the proposals, my party's overriding concern is with the whole thrust of what is being contemplated. If one examines the practical framework within which the fire service in Scotland has to operate, a markedly diverse pattern emerges, which is partially attributable to the geography of Scotland and partially attributable to varying population densities. The 2001-02 report from Her Majesty's chief inspector of fire services for Scotland graphically illustrates that diversity. Of the eight brigade areas, geographical extent varies from Fife, with 1,323km², to the Highlands and Islands with 31,348km². After Fife, the second smallest geographical area is Central Scotland with 2,652km², but while Fife serves 350,400 people and Central Scotland serves 278,000, the vast area of the Highlands and Islands serves 277,700 people.

Within that configuration, local decision making, local operational autonomy and flexibility are absolutely vital, which is why my party has a

sense of suspicion and opposition to any framework that includes top-down targets and performance indicators and which interferes with the local autonomy of our fire services. That gets to the nub of the matter.

I listened to what the minister said about the possible situation in respect of the number of fire brigades in Scotland.

Christine May: Will the member give way?

Miss Goldie: I am short of time. I am sorry.

If one examines the pattern that I have described, it can be seen that any reduction in the number of brigades could reduce the link between brigades and local communities, as well as allow for more control from the centre. That is worrying and explains why I lodged my amendment. I noted the minister's comments about that, but I repeat that Scotland's geography and its disparate population patterns militate against any cut in the number of brigades.

As we take steps to modernise the fire service with improved working conditions, work satisfaction levels and career opportunities—all of which are vital—the time has also come for fire brigades to be recognised as the essential service providers that they are, like the police, the armed forces and prison officers. Our view is that strike action is no longer an option. A no-strike agreement should be an essential part of a modernised fire service in Scotland.

I move amendment S2M-456.1, to leave out from “welcomes” to end and insert:

“notes that the consultation paper *The Scottish Fire and Rescue Service: Proposals for Legislation* builds on the responses received to the Scottish Executive's first policy paper; is concerned, while commending the engagement of the Executive with stakeholders to modernise the service and work together to provide greater impetus to protect the public from fire to reduce Scotland's poor record of fire fatalities, that the new National Framework, which includes centrally-driven top down targets, performance indicators, monitoring and guidance, will prejudice local operational flexibility, and calls on the Executive to confirm that it will not cut the number of fire brigades.”

15:10

Frances Curran (West of Scotland) (SSP): I am aware that a consultation process is beginning, but I always ask what a consultation is on. Is it on modernising the fire service? When I hear the word “modernising” from ministers' mouths, I—like many people—usually assume that it is a euphemism for cuts in services and jobs. In this case, the cuts relate to fire stations.

Dr Sylvia Jackson (Stirling) (Lab): The member seems totally adverse to modernisation. Does she not accept that, after 11 September, terrorism and decontamination issues mean that the fire service must move on, like everybody else?

Frances Curran: It is the word “modernising” that I have a problem with. Account can be taken of those issues and investment can be made to deal with them, as the pathfinder report suggested. The problem here is with the word “modernising”.

I will give the member a better example of modernisation: the new maternity services in Glasgow. After modernisation and the creation of the Princess Royal maternity hospital, the ratio of midwives has been lower, and now maternity services across Glasgow face closure. That is what modernisation means to me. How long has the member got? The list of such examples is long.

As I am an individual who represents constituents and who is concerned about firefighters' safety, the proposals really worry me. The fire service has already modernised—I hope that Sylvia Jackson accepts that. Firefighters have changed their working conditions, working practices and training over time. The service is considered efficient and has been given commendations through best value. However, despite that, Strathclyde has the worst record of fire deaths in Britain and the third-worst record in Europe.

I am concerned because I live on the top floor—the fourth floor—of an old-fashioned tenement. If I rang 999 and asked for the fire brigade, current safety standards would guarantee me two fire engines, two pumps and an aerial ladder platform. That would be considered necessary to rescue me and my family. I am concerned about who will review those standards and about the direction in which the review will go. The consultation proposes that the decisions about cover and safety standards will be taken by chief fire officers and the local fire boards—the same people who are responsible for budgets and for so-called savings in the service. Perhaps I am just a little suspicious, but I am concerned that those two debates will go together and that decisions will be based not on the safety of me and my family—or members and their families—but on cost and the aim of having an affordable fire service, rather than a safe one.

We have postcode prescribing in the national health service. If the decisions that I described are left to chief fire officers at a regional level and local fire authority boards, will we have a postcode fire service?

Hugh Henry: I do not know whether Frances Curran suggests that, following the logic of her argument, we should do away with chief fire officers and fire boards and have one decision-making body that covers the whole of Scotland, to avoid the scenario that she paints.

Frances Curran: I will come to that point. At the moment, those issues are devolved and there is no clear safeguard for national standards that involves all the participants. Nicola Sturgeon made the same point. We are asking how that safeguard will be introduced.

Karen Gillon (Clydesdale) (Lab): Will the member give way?

Frances Curran: I have taken two interventions already. As I get less time than other members, I have only two minutes of my speech left.

I ask the Deputy Minister for Justice to say in his response to the debate whether, under the Executive's proposals, we could have a postcode fire service. Will the minister guarantee that there will not be such a service? If there were such a service, I might get one pump on its own instead of two pumps and an aerial ladder platform. Who will make that decision? How will the Executive ensure that cover is the same across the board?

We have barely started discussing the matter and we have not yet started the consultation process, but safety is already being compromised in the service. At present—before we have moved to the new integrated risk management plans—there are agreed norms of safety standards, but fire pumps run from stations in Strathclyde with not enough firefighters on them. The attitude of the management is that firefighters can take it or leave it. Before we even have the debate, existing safety norms are being compromised.

The Executive proposes to abolish the Scottish Central Fire Brigades Advisory Council, on which the Fire Brigades Union Scotland is represented. What will that council be replaced with? Will there be a central body that sets minimum standards and will it be advisory, regulatory or statutory? Will the body set standards against which chief fire officers and regional fire boards will be able to measure their standards of cover? Above all, will the FBU be able to represent the work force on that body? I would welcome the minister's comments on that issue.

I move amendment S2M-456.3, to insert at end:

"and considers that safety is paramount and that during the transitional period moving from the traditional approach to standards of fire cover to Integrated Risk Management Plans (IRMPs), the IRMPs must be tested, validated and piloted to prove that they are leading to an improvement in public and firefighter safety prior to implementation."

15:18

Mrs Margaret Smith (Edinburgh West) (LD): I welcome the chance to discuss the proposals and I welcome the minister's commitment to a genuine and open consultation on the proposals. Nicola Sturgeon mentioned the proposal for a change of name to the fire and rescue service, which signals that the proposed legislation will reflect the wide range of duties that modern firefighters perform. The new core duties will rightly reflect the realities of the modern service. While the service's main role remains tackling fires, we are all aware of the many other activities that firefighters now undertake, including responding to road traffic accidents and other emergencies such as those that might arise from acts of terrorism.

The Scottish fire service has been modernising over many years and the consultation paper signals another step in that direction. I am pleased that the FBU Scotland has said that it is not opposed in principle to the document, which builds on "The Scottish Fire Service of The Future." That document was published last year and received widespread support.

This has been a difficult year for the fire service, but the FBU, the service managers and the Executive share certain visions of the fire and rescue service's future. Critical to that is the acknowledgement by all members of the excellent job that Scotland's firefighters do and of the need for them to be given the support and resources that they require to do what is, at times, a difficult and dangerous job. One of the key areas of agreement is the need to tackle Scotland's terrible record of death and injury through fire. In 2001, there were 103 deaths and a further 2,000 non-fatal casualties.

Mr Stewart Maxwell (West of Scotland) (SNP): Margaret Smith has just read out statistics on fire deaths in Scotland. Given the extremely high fire death rate in Scotland compared to the rate in the rest of the UK, does she believe that to prevent fire deaths or to lower the number of fire deaths in Scotland, we should reduce the number of firefighters and fire stations?

Mrs Smith: Nothing in the consultation document says that that is what we intend to do. It was dangerous to take an intervention from a member who has a fire service background. I will move on to the concerns that some members might have.

Despite advances in technology and improved training, the figures on death and injury through fire have not changed much in 20 years. We must target resources at prevention work in schools, work places—I welcome the input from business—and the wider community. We must also consider the extent to which particular risks can be assessed.

As I have said, the proposals build on last year's consultation. Six key drivers have been identified as a guide to future strategy: community fire safety; the need for a legislative review; a shared sense of direction in the work force; partnership with other authorities as part of community planning; the need to modernise further and deliver a service that offers value for money; and changes in the environment. The establishment of a national framework that provides strategic national direction is to be welcomed. The Bain report rightly criticised central Government for a lack of strategy and support in the past. I am pleased that the FBU Scotland has said that the picture in Scotland is different, with stakeholders working well together on a range of different issues. That spirit of partnership will be needed to make progress with the agenda.

Having met the FBU recently, I believe that it wants what we all want—zero fire deaths and a properly resourced professional fire and rescue service that is grounded in our communities. Firefighters and other key stakeholders must have a strong voice—not only throughout the coming legislative process but in the proposed practitioners forum and advisory committee.

There is potential for resources to be shared with other organisations, specifically in the development of control rooms. That idea will be further explored in a technical review. I look forward to hearing the views of all emergency services after that review, although there will be concerns and points of disagreement.

There are proposals to repeal section 19 of the Fire Services Act 1947. Previously, I voted against repeal for a number of reasons—partly on procedural grounds, partly because I thought that the middle of a dispute was the wrong time, but mainly because I thought that it was wrong to deal with the issue in a piecemeal fashion. We now have a chance to consider the service in the round, which is the right way to go about things. Rather than the final say on the closure of a station resting with an Executive minister in Edinburgh, decisions about local fire services should be taken locally. However, they should be taken properly. Decisions should be made no more on the say-so of a single chief fire officer than they should be taken on the say-so of a single minister. Any closure plans should be fully discussed, not only in the relevant local authority but with local people in the affected communities.

The work force is concerned about the removal of statutory guarantees on the minimum number of appliances that will attend incidents and on the maximum times for attending incidents. Any change in the current system will only follow from the implementation of integrated risk management planning. That should mean that communities are

assessed on their needs to a greater extent than at present. Protection should be based on the rights of people rather than on the protection of property. Risk-based fire cover must be about making the saving of life the first priority. Picking up on Mr Maxwell's intervention, I say that it will be critical to have the right number of firefighters and the right amount of capital expenditure to ensure that the necessary equipment is in the right place at the right time. We must make use of the resources of personnel and equipment that we have to do the job that has to be done.

The proposed changes will obviously lead to discussions between employees and management. Changes in shift patterns, for example, may be required to give us the service that we need. There will be no compulsory redundancies. The intention is to deliver an improved service that makes the best use of the resources available. I have a certain amount of sympathy for Annabel Goldie's point about pilots; I hope that the minister will respond to it.

A number of funding issues arise, some of which were discussed at great length at the joint meeting of the Justice 1 Committee and the Justice 2 Committee yesterday. I am sure that the minister will be at pains to say to Frances Curran and others that the changes are driven by a desire to achieve the best possible service and not by a desire to make cuts in the budget. If the minister can confirm that draft budget figures will be revisited in light of continuing budget work and the current consultation, that will go some way towards reassuring people. It must be made clear that continuing modernisation is driven by the need to provide a better service and not by a cost-cutting agenda.

We face a number of financial challenges, not least of which is the funding of firefighters' pensions. I noted the minister's comments on that. However, members should also note that, in a submission to the justice committees, chief and assistant chief fire officers have said that funding may be insufficient, in light of the pension issue, the pay package, the issue of parity for retained fire officers, and especially the need for extra training that will come with modernisation. I hope that the minister will pick up on that point.

My final point is that there is a need for the Parliament to give firefighters greater protection in law in the face of increasing incidences of wilful fire raising and attacks on crews. That is why I have supported moves to give firefighters and other front-line public sector workers greater protection from attacks and assault. I would like to hear from the minister what progress is being made to bring in a new offence to cover that. Those who make hoax calls, which account for nearly half of all call-outs should be dealt with severely in law.

I believe that the consultation gives us an opportunity to make progress on the provision of a modernised fire service that will reduce risk and support the authorities in the duties that they undertake on our behalf.

15:25

Maureen Macmillan (Highlands and Islands) (Lab): I welcome the Executive's proposals for a modern fire and rescue service, but I need the Executive to assure me that it addresses the challenges of delivering such a service in rural and remote areas.

In the delivery of the fire service—or indeed any service—where settlements are distant from one another, there has to be a judgment about what is affordable without compromising safety in the least. The auxiliary firefighters in the Highlands and Islands are crucial to providing safety and that must be recognised in the integrated risk management process and by the Executive.

In the Highlands and Islands we have only one full-time fire brigade, which is in Inverness. There are 34 retained units with just under 500 personnel—I welcome the financial commitment to them—and more than 100 auxiliary units with nearly 1,000 personnel.

There is a tremendous tradition in the Highlands of volunteering for the fire brigade. A few months ago I had a request from a group of 30 men in Conon Bridge to approach the fire chief for permission to set up a volunteer unit there. The request was turned down, because of a lack of funds. Those who volunteer as firefighters or act as retained firefighters have as strong a commitment to their community as do full-time firefighters, and their communities have a strong commitment to them.

That is why the current scrutiny of 32 of those auxiliary fire stations has caused deep anxiety in many parts of the Highlands and Islands. The issue that is seen to drive the possible closures is the health and safety of auxiliary firefighters and what many would see as the inflexibility of the Health and Safety Executive. We are in an anomalous position. The firefighters and people in communities such as Glendale on Skye, who e-mailed me this morning, are protesting that Rolls-Royce health and safety rules are inappropriate for a rural situation with few house fires and no large factories or tenements. In fact, the rules compromise safety in rural and remote areas not only for households and road traffic accident victims but in the control of forest fires or muirburn.

The health and safety rules centre on the need for breathing apparatus to be used and properly stored and maintained and for training to be given. The point about storage and maintenance is the

rub. Not all stations are able to store and maintain the equipment, and it would be expensive to bring them all up to standard. It is proposed to centralise units, which means that many firefighters would have to travel further to access a fire station that would be further from the fire outbreak.

Grave concern about that proposal has been expressed, particularly in the Badenoch and Strathspey area, and I recognise the work that Fergus Ewing has done on that. I commend the campaigners, many of whom are with us today, because they have been indefatigable in their efforts to save their local stations and have had support from councillors, MSPs and MPs. David Stewart, the local MP, has contacted 28 environmental groups and land-use groups about the impact of forest fires on the environment and wildlife and about their attitude to the contraction of the voluntary firefighting units in the Highlands.

The first point of concern is that no research has been done on the impact of global warming on the likelihood of forest fires or out-of-control muirburn. Secondly, it has been pointed out that the cut in the number of employees in Highland estates might make it more likely that muirburn will burn out of control. Thirdly, organisations such as the Macaulay Institute point out that the increasing age of our woodland and the increase in planting make the risk of fire more likely.

The Forestry and Timber Association supports fully the retention of all auxiliary fire units. It points out that the auxiliary unit is often the first to arrive and that its role in fire suppressing is crucial.

Christine May: Does the member agree that the diverse nature of Scotland's geography, which she graphically outlined, makes it essential—as the minister's statement indicates—that national frameworks be set? Does she also agree that sufficient local flexibility is required?

Maureen Macmillan: I absolutely agree and I hope that the Executive will be able to support the detail of the matter.

Auxiliary units are staffed by local people who have local knowledge of forest tracks, water points and fire breaks: we need to have those auxiliary units in place. The Forestry Commission points out that nine forest fires occurred in the Highlands in the past two years, most of which occurred this year during the spring. Highland and Islands fire brigade statistics show that there were 88 instances in February this year, 39 of which were out-of-control muirburn. The brigade says that the auxiliary fire service was crucial in dealing with those incidents.

In the area that is covered by our newest national park, four stations are under scrutiny: Nethy Bridge, Carrbridge, Newtonmore and Boat of Garten. I ask whether that is a wise approach.

Are we paying proper attention to the need to protect the natural environment? The environment is mentioned only once in the document on proposals for legislation.

The integrated risk management process is under way. We hope that it will deliver the result that we in the Highlands and Islands wish for. Surely the Executive's role is to support sensible conclusions and to recognise the true value of the auxiliary force, as it seems to do on page 30 of the document. I ask the Executive to remember that fire fighting in the Highlands and Islands is not confined to the built environment but includes the outdoor environment. Please help the Highland and Islands fire brigade to keep its auxiliary units.

15:33

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): There is a broad consensus in the chamber on where we want to go, on the need to save lives—both of victims and of firefighters—and on the need for a better, safer service than the one that we have at present. That is what we all want to achieve.

I agreed with everything that Maureen Macmillan said and I endorse her remarks. I will make my speech about the auxiliaries after 5 o'clock, not now, but Maureen Macmillan made the points well. I urge the minister, in his concluding remarks, to confirm to the fire-master and convener of the Highland and Islands fire brigade, who are here today and are listening attentively, that the 95 auxiliary units that are not under threat according to the inspectorate report will be fully funded. That is the assurance that those two gentlemen seek from the minister. I hope that he will address that point because it will ease other problems that they might face.

Hugh Henry: There seems to be some confusion in the debate about whether we should move to complete centralisation and dictation of how funds are used or whether we should have local decision making. It is not ministers' responsibility to dictate to local fire boards, conveners or fire-masters how they should spend the funds that are allocated to them. In Fergus Ewing's members' business debate later, I will talk about the significant additional moneys that we are giving to the fire service in the area that he mentions, but it is not currently, nor is it intended to be, ministers' responsibility to tell those who are responsible in a local area how they should spend their money.

Fergus Ewing: I understand the theory behind the minister's point. However, in practice, those whom I mentioned are responsible for ensuring the provision of the existing system and they need the funding to do that. To ignore responsibility and

finance and to divorce one from the other would be an abrogation of the role of a democratically elected Government. The people who are charged with running and financing the existing system are rightly looking for assurances that the existing system—which I believe we all support—will continue to be funded. I made a fair point but, as the minister says, we will debate the matter further later this afternoon.

In response to an appearance by Peter Mandelson on "Question Time", one of my constituents wrote him a letter, which he kindly copied to me. It tackled the false premise—which I think I heard the Conservatives present again today—that firefighters are somehow opposed to, and have set their faces against, any change to working practices. As the letter from my constituent demonstrates, the work force in the Highland area could hardly be more flexible. One size does not fit all and I would have thought that the working practices that have developed, with full-time, retained and auxiliary firefighters working shift patterns, and the use of resources that that demonstrates, are models of flexibility. It ill behoves members to berate firefighters for a failure to be willing to change, because they have already demonstrated a capacity to change. As Nicola Sturgeon mentioned, that was against the horrendous background of the dispute, which seemed to me to be appallingly mishandled.

Another constituent has pointed out to me the lot of a firefighter compared with that of someone who works as a police constable, over a 30-year career. Over a lifetime, the police constable would earn £171,819 more. When Mr Mandelson berated firefighters for having another job, perhaps he should have started at home, with the second jobs that some of his colleagues have, instead of lecturing firefighters for having second careers.

The work force should be the first people we look to for advice. It seems to me that, in any line of work, those who do the job know best how things could be changed, because they are not talking about the job, or producing papers or consultant's reports about it; they are doing it. I hope that the proposals, which are worthy but extremely vague, will be informed with the benefit of that advice.

I am disappointed that in point 7 of annex A to "The Scottish Fire and Rescue Service: Proposals for Legislation", the conclusion on the use of sprinklers—which we know can save lives—is that the situation will merely be reviewed. Surely we should be making further progress on that, particularly in rural areas.

I will address briefly the role of mountain rescue. The legislative proposals refer to firefighters being involved in cliff rescue. That could perhaps lead to a demarcation dispute with mountain rescue

teams; I think that they feel that that is their area. I know that Michael Matheson will deal with that point in his speech.

I hope that the Deputy Minister for Justice will spell out with some clarity in his winding-up speech whether the vague statements about structural and framework alterations and devolution to local authorities indicate that he proposes to bring back the proposal contained in amendment 59 to the Local Government in Scotland Bill, which we voted down in this Parliament on 8 January this year. That amendment would have prohibited the Parliament, following an appeal to ministers, from having the right to consider the case of any specific fire station that is proposed for closure. I hope that, as a democratic principle, we will oppose that proposal in future, as we rightly did when we voted it down on 8 January.

15:38

Mr Brian Monteith (Mid Scotland and Fife) (Con): I give my apologies for the fact that I will have to leave the debate immediately after I have spoken, due to a concurrent meeting of the Scottish Commission for Public Audit.

I welcome the opportunity to contribute to the debate. It is important to discuss the issues that have been thrown up, and it is important to pay tribute to the work of firefighters. Unlike Nicola Sturgeon, I will not limit that work only to fighting fires—that may have been a slip of the tongue. As Margaret Smith pointed out, dealing with road traffic accidents and other non-fire emergencies such as chemical emergencies and rail accidents can and does call for significant degrees of skill and bravery. That is the context in which we have this debate.

Mrs Margaret Ewing (Moray) (SNP): Will the member give way?

Mr Monteith: The intervention comes before I have said a great deal, but I will certainly give way.

Mrs Ewing: Mr Monteith has outlined some of the various responsibilities of fire brigades. A major issue that has not been brought into the debate is the amount of work that is undertaken during flooding. In a place such as Moray, where there is regular flooding, we are indebted to our fire brigade for all the emergency work that it undertakes.

Mr Monteith: That point was well made and I am happy to concede it. I presume that Margaret Ewing intervened only because she has not been called to speak. I am happy to have given her the opportunity because the service to which she referred is also provided in the area of Perthshire that I represent, where there have been significant troubles.

The Executive's consultation document throws up what appears to be—to put it kindly—a contradictory approach. Several aspects seem to jar with each other. Perhaps the contradictions will be removed once the consultation is over and the Government's position is clarified.

Like the majority of my colleagues, I previously voted against the repeal of section 19 of the Fire Services Act 1947. I believe that Conservative members did so because of the procedural background to the proposal, which meant that there was little advance notice and not enough scrutiny. We will now be able to scrutinise what the repeal of section 19, and removing the right of appeal and giving real devolution to the fire service, will mean. I do not think that the debate that we have and the decisions that we take will necessarily reflect the previous vote. That is only right and proper. It is important for us to scrutinise what the Executive proposes.

As Maureen Macmillan rightly said, the proposed devolution is intended to ensure flexibility that will take account of local standards and their application, and local conditions, distances and terrain. When those are taken into account, we will have the possibility of a national framework. If the national framework ensured a minimum national standard while retaining flexibility, I would support it. However, when we devolve power out to the fire services, we must ensure that we do not contradict that devolution by having too many targets and performance indicators and too much prescription, monitoring and guidance, because that would counter the ability to make local decisions.

Christine May: Does the member disagree with his colleague Miss Goldie, who seemed to say that there should be no national standards and that there should be a local free-for-all? Mr Monteith seems to be saying that it is advisable to have national standards.

Mr Monteith: I am in complete agreement with Annabel Goldie—as always. I did not use the word “free-for-all”, which is clearly Christine May's word. Our concern is that a national framework would be about achieving targets and certain performance levels rather than about setting benchmarks for the minimum provision of services.

We are also concerned about reducing the number of brigades. Support should be given to the common fire services agency working in the areas of pension and procurement, where it could do much good, which would suggest that there will be less need to rationalise the number of brigades. In fact, it should be possible to ensure that we keep the existing number, and I would prefer to ascertain whether it would be possible to have more brigades. In any case, the common fire services agency should be a bulwark against reducing the number of brigades.

I agree with Margaret Smith that we must do more to tackle wilful fire-raising and attacks on firefighters. The number of fire-raising incidents has increased by about 56 per cent since 1999. If that problem were tackled, there would be better standards in the fire services overall.

15:44

Dr Sylvia Jackson (Stirling) (Lab): I had hoped that Trish Godman would be in the Presiding Officer's chair because I remember that she was involved in the cut and thrust of the Local Government in Scotland Bill's passage, which many of my colleagues have mentioned in the debate with regard to the repeal of section 19 of the Fire Services Act 1947.

I find it fascinating that so many members who voted against the repeal have suddenly changed their minds today. I cannot remember who mentioned that the repeal was out of context or piecemeal—I think that it was Margaret Smith.

Mrs Smith: I had three reasons for saying that, one of which was procedural. The lack of scrutiny was the main reason for my voting against the repeal. However, I also thought that it was wrong, when we had had the consultation and knew that we were likely to move towards proper scrutiny of legislation post dispute, to go ahead and do something in a piecemeal fashion. It is right to do it in the way in which we are doing it now. I also thought that during a dispute was not the best time to undertake the repeal.

Dr Jackson: I thank Margaret Smith for that.

We must remember that the Local Government in Scotland Bill was essentially about community planning and the power of well-being. It was about enhancing local democracy and looking at further flexibility within various systems. That is exactly what we are talking about today, and everybody is saying that that is a good idea within a national framework.

Carolyn Leckie (Central Scotland) (SSP): Does Sylvia Jackson think that it was a good idea to suggest a measure of that nature during a dispute? Did she support the firefighters during the dispute, or did she not see the attempt to repeal section 19 as a deliberate undermining of the dispute?

Dr Jackson: If members had pursued the argument that they are making today on the day that we passed the Local Government in Scotland Bill, they would have voted for the repeal. It could be argued that some members—if they had been here—would have been swayed by the media or by everything else that was going on instead of trying to work out the position logically. However, most people agree that to discuss the repeal

further in that context was insensitive. Nevertheless, I find it odd that members are now coming round to the idea that the repeal of section 19 is a good idea.

The current proposals for legislation do give us a better chance to consider the fire service. I welcome the minister's comments about the open, constructive dialogue, the roadshows and the structured discussion that need to take place. I hope that, if we can continue in this atmosphere, the type of media misrepresentation that we tend to get—which can be a mischievous press reaction—should dissipate.

Nevertheless, there are some concerns. Before I turn to them, I will address a point that several members have raised, which is the importance of the community and community safety. Fergus Ewing made some good points about sprinklers and smoke alarms. I and other members have tried hard to promote the use of sprinklers in new build, and the fire service has been very positive about that suggestion. We still have a lot to do to educate people. Margaret Smith cited figures showing how many rogue calls are made to the fire service. As she said, almost 50 per cent of the calls that are received by the fire service are rogue calls. On top of that, we must consider all the fires that are started deliberately. A huge amount of important work remains to be done in our communities and our schools.

I return to the changes that are taking place. Frances Curran talked about the problems of modernisation. However, the FBU press release says:

"The FBU welcomes the recognition that the service has continued to modernize and expanded its skills and responsibilities. Therefore, it is right that the increased responsibilities are recognised on a Statutory basis."

That demonstrates a recognition of the need for modernisation.

The changing role of the fire service and the need for there to be a more co-ordinated response as a result of the increase in the number of road accidents, 11 September and so on have made modernisation essential. That is not to say that there is no perceived problem with the integrated risk management plans. It has been mentioned to me that we do not want to race such changes through too quickly. However, again, I believe that it may be possible to demonstrate that the planning process is a little slower than was anticipated.

The biggest issues in relation to the transition as the service moves forward are clarity and the representation of all the key stakeholders. Within that—

The Deputy Presiding Officer (Murray Tosh): You must close now.

Dr Jackson: I end by saying that there are concerns about how the advisory group will operate in the future.

15:51

Patrick Harvie (Glasgow) (Green): The motion invites us to welcome

"the Scottish Executive's commitment to working with stakeholders to develop a fire and rescue service that is modern and effective".

The point cannot be made too often that there is no suggestion in that statement that our fire brigades are archaic and ineffective. Ministers and members from all parties will agree that the fire service is a professional body deserving much credit for its performance.

There is much in the proposed package of legislation for the fire and rescue service that deserves similar credit. The FBU has been among the first to acknowledge that Scotland needs an updated statutory foundation for its fire service.

The placing of fire prevention on an equal footing with firefighting is to be welcomed, as is the move to recognise that the fire service has carried out many life-saving activities, such as assisting after road accidents, without statutory backing. Less clear is whether the fire and rescue services will be able to have a voice in road accident prevention or whether they will be able to pick up the pieces that our car-oriented lifestyles generate. It seems inconsistent to place prevention at the core of fire duties while, each year, three times as many people in Scotland die in road accidents as do in fires. The Executive's determination to sit back as ever more cars crowd our road flies in the face of a consistent approach. If we seek to prevent fires, why not also seek to overturn the car culture that will inevitably lead to ever more road traffic accidents and that prevents emergency vehicles from moving about our towns and cities?

Fergus Ewing: Does Patrick Harvie accept that a lot of firefighters could not get to work unless they drove by car?

Patrick Harvie: I am sure that neither the Greens nor green-minded members of other parties would seek to reduce road traffic congestion by limiting the right of those in the emergency services to get to work. We object to the unnecessary use of cars, as I am sure Mr Ewing understands.

The shift in focus from the protection of property to the protection of people and the prevention of loss of life—whether of firefighters or members of the public—is, of course, welcome. It is a sound principle but, as other members have made clear, we must be assured that the requirement to

provide best value will focus primarily on improving services, not on cutting costs. It is encouraging that best value is mentioned in the consultation document after fire prevention, reduction of loss of life, reduction of the number and severity of injuries and reduction of the risk to the environment and heritage. Corners must never be cut in the fire and rescue services.

The prospect of reduced cover at night seems dangerous. Under the proposals, in addition to fire duties, the fire and rescue services will have statutory national resilience duties, including dealing with the aftermath of terrorist attacks. Would those duties also be restricted to daylight hours? The significant additional equipment, training and infrastructure that will be required to enable the service to be prepared for the risk of terrorist incidents are noted in the proposals. As any increase in the likelihood of terrorist incidents in the United Kingdom is clearly due to the UK Government's actions, will we receive additional resources from London to ensure that Scottish services are ready for the potential consequences of UK actions in the international sphere?

15:55

Mr Stewart Maxwell (West of Scotland) (SNP):

Like many other members, I welcome the opportunity to debate the fire service and the Government's proposed reforms. The debate is merely the beginning of a lengthy process that will take many months and many debates about the future of the fire service in Scotland.

As Margaret Smith said, I speak from a unique perspective in that, before I was elected to the Parliament, I was an employee of Strathclyde fire brigade for in excess of 10 years. In fact, when I gained my heavy goods vehicle licence, I sat my test in a fire engine. I have worn breathing apparatus in the live fire training unit at Strathclyde fire brigade's training centre. Although I am neither a qualified nor operational firefighter—I worked in the non-uniformed side of the service—I gained much insight into the operational activities of the fire brigade at full-time, retained and volunteer level.

I welcome many of the changes that are proposed in the consultation paper. Statutory recognition of the core duties that are outlined in the paper is long overdue. I welcome the statutory recognition of fire prevention, RTAs, responding to flooding—which, as Margaret Ewing said, is one of the major areas of work for fire brigades—and enforcement. I am sure that the fire brigades will also welcome that.

I also welcome the proposal to introduce a common fire services agency. Like most things, the devil is in the detail. We will see what is meant

by common services. However, there is no doubt that there is opportunity for debate and a more efficient service than exists in the eight brigades.

I welcome the proposed change to the disciplinary regulations. They are long overdue an overhaul. Members of the FBU might not agree with me on this point, but the disciplinary regulations are outdated, outmoded and an anachronism. It is time that we moved to modern personnel procedures for uniformed staff in the fire service.

I also welcome the change to integrated risk management. Risk management plans are the way forward, as standards of fire cover are slightly outdated. However, I must put a caveat on those remarks: to introduce integrated risk management nationwide without piloting the project and ensuring that it works would be a mistake. Moreover, to introduce integrated risk management without national minimum standards would be a dreadful mistake. I see nowhere in the consultation paper the preservation of national standards, which we have at the moment. I am not talking only about the generality of the A, B, C and D-risk areas, but about pre-determined attendance times and crew levels. There is no doubt that certain senior officers in the fire brigades wish a reduction from crews of five, five and two on the two pumps and the special to five, four and two and even down to four, four and two. Frankly, it is unacceptable to have only four crew members on the first appliance to turn up at an incident. Nobody in an operational station would agree with that idea.

So far, no member has discussed the fact that the private finance initiative is mentioned in the consultation paper. Perhaps I was overly optimistic in thinking that the Executive would have learnt its lesson on the terrible disaster that PFI brings to the public sector. The mess that the Edinburgh royal infirmary PFI is in, for example, is clear. To introduce PFI to privatise parts of the fire service would be a terrible and dreadful mistake. The Executive has put forward proposals for the Highlands and Islands fire brigade, and I think that the amount of money involved is £300,000, which was to encourage the brigade to go down the privatisation route by privatising fire stations. That is unacceptable to me, and I am sure that my colleagues agree that we would not support such a move.

I wish to discuss one particular area of—let us say—dispute. In January this year, there was a proposal to repeal the provisions under section 19 of the Fire Services Act 1947 through an amendment to the Local Government in Scotland Bill at stage 3. The amendment was voted down for a number of reasons. The idea that the safety net of section 19 provisions might be removed is

unacceptable. We cannot allow rogue—I use the word deliberately—authorities or fire-masters to decide to cut the number of fire stations or the provision of fire services in their areas to meet financial targets as part of cost-cutting measures.

Hugh Henry rose—

The Deputy Presiding Officer (Trish Godman): The member has reached the last minute of his speech.

Mr Maxwell: Thank you very much, Presiding Officer.

If the provisions were repealed, there would be no possibility of a minister intervening on behalf of local communities to save their service. That would be unacceptable. The section 19 provisions must be reinstated in a new form.

I oppose the idea of multi-tier entry, which I do not think has anything to do with diversity, and which I think would be a mistake. One of the great strengths of the uniformed service is that single-tier entry gives firefighters a bond that unites them all. Every member of the uniformed service—from the basic operational firefighter to the chief officer—has been through the same procedures and activities: they have been to fires; they have donned breathing apparatus; and they have been to road traffic and rail accidents. They understand what every other member of the service goes through.

I am totally opposed to control room amalgamation. I spent the last two-odd years of my service with Strathclyde fire brigade working alongside control room staff. They are not call centre staff; they are emergency fire control room operators. Those control rooms are not call centres, as others have called them. Staff train for four years and become highly efficient. They take calls from members of the public in panic situations and help save lives. They are an essential part of the structure. To merge control rooms with other services and thereby dilute staff's professionalism would be a big mistake.

16:02

Karen Gillon (Clydesdale) (Lab): I welcome the opportunity to participate in the debate, and I particularly welcome the opportunity that it provides us to consider once again the type of fire service that we want to have in the 21st century.

We all need to acknowledge the role that the FBU has played in representing its members over the years and securing significant changes in working practice, which have benefited both the union's members and the wider community. The comments made by the FBU in its initial press release and in the e-mail that we received this morning are worthy of further consideration, but

the FBU has to bear in mind that it will be a key stakeholder in taking the proposals for the service forward. We need continually to ensure that the work force is involved in developments as a full and equal partner.

I welcome the move in emphasis towards fire prevention. Scotland has far too many fire deaths. In my book, one death is too many. It is easy for people to say that it is acceptable to set targets for reducing the number of fire deaths if they are not facing those deaths themselves. I am drawn towards the FBU's suggestion that we should set a target for zero fire deaths here, and I welcome the minister's comments on how we might move forward on that basis.

Firefighters will have a key role in taking forward fire prevention in Scotland, in education, community safety and particularly in fire investigation—working out why fires happen and how they might be prevented in the future. However, that role can be developed only if it is adequately funded, and we need to consider the funding issues surrounding fire prevention and how funding will be secured, given all the other demands that will be placed on the fire service budget.

I am interested in the issue of retained and volunteer staff. A particular difficulty is developing with regard to the retention of retained staff, particularly in largely rural areas such as my constituency, where people tend to work in the urban centres and are not easily available to act as firefighters locally within the required time. We need to consider how we will continue to use retained staff and how we can recruit them better. There will be greater pressure on volunteer staff in the fire service. Leadhills in my constituency has a particular problem, as it does not have an adequate fire station. I would be grateful if the minister would indicate how we can continue to develop fire services in all areas. The SSP argues that the proposals will lead to postcode fire services, but such services already exist in Scotland, whether we like it or not. The standard of fire cover is lower, response times are higher and the fire service is less well equipped in my constituency than in Glasgow. As a result, there are fire deaths that could be avoided.

We need to consider more fully issues related to section 19 of the 1947 act. I am not against local decision making—I am a member of this Parliament because I believe in devolution. However, in Strathclyde in particular, concerns have arisen—for whatever reason—about secret lists, secret agendas and station closures. After close examination, I see no circumstances in which the stations in my constituency could be closed, but an agenda of closures was associated with the debate about section 19. In an area as big

as Strathclyde, there are genuine concerns about how local boards will be able to make decisions without members being pulled one way or another by their geographical interests. Those concerns need to be considered.

There is merit in having a national safeguard. The situation is not the same as that for schools. The Executive needs to continue to consider the problem that in Scotland there are no national agreed standards for school closures. However, if local communities are to be convinced that the Executive's proposals are the way forward, they will need to be persuaded that each decision is taken within a nationally agreed set of parameters, so that they can be sure that they are not being treated differently because of the geographical area that they represent or where their councillor comes from. Those are genuine concerns that are felt locally.

What role does the minister envisage playing? The partnership agreement states that ministers will take special powers in health and education. I would like more powers to be available to them in relation to the fire service, to ensure that we have a national fire service. Where appropriate, decisions should be made locally, but we must have a national service so that everyone in Scotland can be confident that it will not be delivered in a way that is detrimental to their area. Both local decision making and a national safeguard are required. If that safeguard is not in place, I am not convinced that local communities will be persuaded to support the repeal of section 19.

16:08

John Farquhar Munro (Ross, Skye and Inverness West) (LD): In this debate we have heard a great deal about the excellence of the fire service. Every member of the Scottish Parliament would readily agree that our fire service is considered to be one of Scotland's flagship public services—one might call it the A-team.

We are extremely fortunate in having a highly motivated, dedicated fire service that is provided by a professional and highly skilled team of firefighters who ensure that their services are available 24 hours a day, 365 days a year, wherever and whenever a call is made. We must acknowledge publicly that proud and distinguished record of service.

The Liberal Democrats recognise that and accept the need for change and reform in the fire service. One of our stated manifesto pledges was to support the Scottish Executive white paper on the fire service, with particular emphasis on fire prevention and professionally based services. We also argued that it was important that the service should have a budget appropriate for it to meet the

growing demands on it and to assist with the implementation of legislative and policy changes that we understand are required of our 21st century fire service.

As we have heard today, everyone acknowledges that the role of, and the demands on, the modern fire service have increased dramatically during recent years. The traditional role of the firefighter has had to be adapted to take account of many non-fire-related incidents. Road accidents and flooding have been mentioned; firefighters must also deal with severe weather incidents and heath and forest fires, which sometimes extend over weeks. All that has a detrimental effect on the management and the budgeting of the fire service; it also means that the service must be able to provide additional skills and expertise.

I am sure that we all accept that any major reform of fire service policy must take into account the diversity of demand within Scotland. It is clear that the geographical differences that other members have mentioned, and the physical distances, demonstrate that a national policy will not be appropriate in all circumstances.

In my area, the Highlands and Islands fire brigade has a proud and distinguished record of service in the north and west Highlands. It covers an area the size of Wales—or Belgium, if I can extend the comparison further—which is quite an area for one brigade to cover. Furthermore, the Highlands and Islands fire brigade is the only brigade in Scotland that maintains an offshore firefighting capability—it has remote stations at Benbecula, Orkney, Shetland and on the mainland at Invergordon—which, again, requires additional resources and a particular skill. In spite of those demands, the Highlands and Islands fire brigade is expected to maintain and provide its service to every area, croft, hamlet and island community with limited and diminishing resources.

If we are to adopt the principle of social inclusion, about which we hear a great deal in the Parliament, we must ensure that any major policy changes in the Scottish fire service legislation are properly resourced and democratically controlled, so that our communities feel assured and comfortable with the undoubted excellence and professionalism that our fire services provide. We must give them our support, because they have a strong tradition and our communities depend on them. We must ensure that the resources and the ability to maintain the services that they provide on our behalf continue into the future.

16:13

Christine May (Central Fife) (Lab): It is quite correct that the consultation document establishes

the proper role of Government, which is to establish standards, set parameters, give local flexibility and build in safeguards. It also acknowledges the non-statutory work that fire services throughout Scotland are doing, which includes education, community safety, fire prevention and my work with the coastguard and Superfast Ferries to take account of the needs of the Rosyth ferry.

That brings me to the first key area on which the minister needs to provide assurance. I want to be sure that any proposals for changes in my area are planned and negotiated there and that they are right for Fife. If, in some cases, those changes mean moving the location of fire stations to areas of growing population, for example, there should be proposals for funding that. There will be cases where there is an overlap, as stations are moved from one location to another.

To date, I have heard and seen nothing that would justify a move to reduce the eight brigades that we currently have, but there is scope for co-operation on non-front-line services. The document recognises that and the FBU has equally welcomed that discussion.

My second point is that the time scale for the preparation of the integrated risk management plans is short. I ask the minister to be sympathetic to the efforts that will be needed if we are to ensure that all the stakeholders—who must be involved—are properly consulted. People need the opportunity to bring back local responses and to have those responses evaluated.

We currently have eight control rooms for the fire service as well as others for police and other emergency services. Speed of response, the ability to find the right location and the need for sufficient local knowledge to take account of unexpected road blocks and other circumstances must be the essential criteria in any discussion on the future of the control rooms. Unless those criteria can be guaranteed, I am not sure that we should move from the eight control rooms that we have at present.

My second-last point is about the Fire Brigades Union. In my view, the FBU must be an essential participant in all areas of change. I hope that the minister will confirm that the FBU will participate by right and that that right will be guaranteed.

Finally, on section 19, I agree that we need some sort of national safeguard to ensure that any rogue elements who might wish for whatever reason to reduce levels of cover cannot do so. It is wise to build that safeguard into any change. However, it is also right that there should be open discussion and negotiation on numbers of crew, locations of fire stations and co-operation and collaboration, where that can be achieved among

the various brigades, as happens just now. None of us would deny that, if push comes to shove, Fife will get responses from Lothian, Central Scotland and Tayside, just as crews in Highland turn out without thought for shift patterns or anything else when they are needed to help out and to save lives.

Saving life is what the discussion needs to be about. For too long, we have heard stories of how, for example, three pumps and a turntable ladder will respond to a bin fire on Princes Street. I may exaggerate slightly, but such a situation is obviously farcical. We need to move to a situation in which if, for example, Frances Curran on the fourth floor of a block requires a response from the fire service, she gets a level of response that is commensurate with her needs in that location. As Karen Gillon rightly said, the current criteria mean that, in too many parts of the country, the speed and nature of the response are not always what we need.

I welcome the document and look forward to a proper and open consultation. I will certainly ask the minister for assurances on the points that I have made and look forward to hearing from my local FBU, my local community and, indeed, the local management in the fire service.

16:19

Alex Neil (Central Scotland) (SNP): The first thing that I want to do is pay tribute to the work of the firefighters in Scotland. Far too often, we hear public service workers being castigated for being inefficient, for not caring about their job and for not doing as they are told. Some of the comments made earlier this year during the firefighters' dispute were derogatory to say the least and totally unacceptable. Today, we should make an unequivocal statement as a Parliament that we respect the work that firefighters do.

Very few people in either the private or the public sector go to work every day knowing that they may need to put their lives or their own safety at risk in order to save others. It is not just about that aspect of the job; it is about horrific scenes that have a lasting impact on many of our firefighters and that no one in the chamber will ever experience. I hope that the minister will keep all that in mind when she is preparing the legislation and that she will seriously consider Margaret Smith's proposal that we build into the proposed fire bill or the antisocial behaviour bill specific requirements for the safety of fire crews. The increasing problem of attacks on fire crews is unacceptable in any civilised society.

Many of the points in the consultation document have been welcomed in the chamber as well as by the FBU and others. However, the document

raises many questions that the minister must answer. First, there is the question of resources. If we are going to build in additional statutory duties, will there be additional statutory resources to make sure that the modernised fire service can carry out those statutory duties?

On page 22 of the document, section 4.12 refers to a consultants' report that indicates that savings of £3 million could be made in procurement. How are those savings to be achieved? If those savings are achieved, will that £3 million go back to the Treasury or will it be reinvested in front-line fire services? We need answers to those questions.

The minister referred to her desire to revisit the issue of the number of brigades in Scotland. I agree with Christine May that eight brigades in Scotland is probably the right amount. Why is the minister suddenly revisiting that question? Is it because she has been told to revisit it by the Office of the Deputy Prime Minister—because they are doing it in England, the Executive has to do what it is told in Scotland. If that is not the reason, what are the criteria—

Cathy Jamieson: Will the member give way?

Alex Neil: The minister can put her point into her speech. She would not let me in and I do not have time. She had 12 minutes and I have only six.

What criteria is the minister using? Why has the minister made such a sudden decision if she is not taking orders from down south?

The document refers to the need for new negotiating machinery.

Christine May: Will the member give way?

Alex Neil: I will take an intervention from a back bench.

Christine May: Does the member agree that his description is a gross misrepresentation of what the minister said? Does he agree that what she said in answer to specific questions, as well as in her speech, was that the idea was not being ruled out because, given what is being proposed in England and Wales, it is sensible to consider the potential impact in Scotland?

Alex Neil: No, I do not agree.

The document also raises the question of the need for new types of negotiating machinery, albeit at UK level. However, it does not give the Scottish Executive's view on the required changes to the negotiating machinery and the impact that such changes would have.

There are many unanswered questions about the integrated risk management proposals. Karen Gillon confused the difference between urban and rural quality of service with the separate issue of

the need for minimal requirement of service. Why do we not build in minimal requirement to the new risk assessments?

Karen Gillon: Will the member give way?

Alex Neil: I am in my final minute. I am sorry because Karen Gillon always asks a good question and I always give a better answer.

We are told that the closure of stations will be a local decision. Will there be a local appeals procedure? Will there be a chance to revisit any unilateral and wrong decision that has been made by a chief fire officer? Finally, no details have been provided on the charging policy; is that the thin end of the privatisation wedge? If the minister is looking for support, she should give us answers to those vital questions.

The Deputy Presiding Officer: We move to wind-up speeches.

16:25

Carolyn Leckie (Central Scotland) (SSP): Unfortunately, I have to follow Alex Neil, but I echo all the questions that he asked.

I take issue with some of Cathy Jamieson's comments in her opening speech, when she referred to the FBU press release and her apparent understanding that there is a threat of strike action. It is a bit rich of Cathy Jamieson to make any comment on the likelihood of an industrial dispute, given the Executive's shameful record in the firefighters' dispute.

Cathy Jamieson: I was clarifying what came to me in a letter from the FBU, which felt that it had been misrepresented in the media. That was the point that I was making.

Carolyn Leckie: My point is about Cathy Jamieson using that to prop up the Executive's position, when in the chamber the Executive consistently refuses to declare a position on workers in struggle, including the nursery nurses. However, I will move on.

I have had the privilege of writing my summing-up speech while I have been listening to the debate, which is what I had thought everybody did—but apparently not, because the Executive's summing-up speech is already written and I have a copy of it here. It states:

"It is not about cutting fire stations or firefighters."

It goes on to say:

"the level of fire cover provided for an office or a residential area is the same at midnight as it is at midday."

That goes to the heart of some of the concerns of the FBU and the public because, as was said earlier, 75 per cent of deaths occur at night. Rather than sniggering, maybe the Executive

could tell us exactly how many deaths are acceptable? Does the Executive agree with the FBU and us that zero deaths is the only number of deaths that is acceptable? What is the Executive doing to achieve that target?

We are suspicious. We can come back to this later and the Executive can tell us if we were wrong, in which case we will be more than happy to say so—instead of our saying, "We told you so," in a couple of years' time or however long it takes, the Executive can say, "We told you so." The Executive says that there will be no cuts in the number of fire brigades or firefighter personnel. However, that is set against the background of the situation in Lothian and Strathclyde, where the chief fire officers already think that they have carte blanche and have cut the number of appliances that visit specific incidents and, in Strathclyde, the number of personnel who attend on the first appliance from five to four. That has been resisted valiantly by the FBU.

Hugh Henry: Will the member give way?

Carolyn Leckie: I am sorry. I do not have much time and I have already taken one intervention.

That statement is also set against the background—the Executive can correct us if we are wrong—of a reduction in the number of entrants to firefighter training in the past year or so. Maybe the Executive can tell us how many entrants to training there have been and provide the comparative figures for the previous couple of years. Maybe it can also tell us how many unfilled vacancies there are, and what plans there are not to fill vacancies. If it can reassure us on those points, maybe we will not be so suspicious.

Maybe the Executive can also tell us why the Bain review, which was conducted during an industrial dispute, has suddenly gained supremacy over the pathfinder report. Could it be that the pathfinder report indicated that much greater resources were necessary and that that report does not sit conveniently with the Executive's aims?

Our amendment calls for proof of improved safety under integrated risk management plans before they are rolled out across the service. Can the minister assure us that their efficacy will be proven before they are implemented? The minister has a duty to prove that because lives are at risk.

The consultation document refers to shift pattern changes that are supposed to be family friendly. Perhaps the Executive is unaware that many NHS staff aspire to the shift patterns that the fire service works. The NHS is dominated by female staff with young families who, all the time, are moving to shift patterns that are similar to those of the fire service. Why are overtime and a change to shift patterns claimed to be family friendly? Can

ministers produce evidence of that?

The Deputy Presiding Officer: The member has one minute.

Carolyn Leckie: Will the minister rule out changing the negotiating machinery to allow terms and conditions to be imposed at any time? Will the FBU's right to representation on any advisory group be upheld? Should that not be mandatory? Why should only chief fire officers and COSLA influence Executive decisions? Why should the Executive not be held to account by a local community if a fire station is closed against its wishes? Should those decisions not be subject to direct democratic accountability? Perhaps the minister can also tell us what the role of the Health and Safety Executive is.

Much reference has been made to how the current standards are outmoded. The fire service meets those standards the vast majority of the time. They are simple measurements that are the most robust that any public service has. Instead of moving away from minimum standards that are measurable and can be implemented, we should extend that practice to the NHS and the police, so that the Scottish Ambulance Service has minimum response times for heart attacks, for example.

The Deputy Presiding Officer: You must finish now.

Carolyn Leckie: Sorry; I am on my last point. Annabel Goldie referred to dealing with hazards on the front line. In our opinion, that could mean dealing with the hazards of juggling an inadequate budget—

The Deputy Presiding Officer: You must finish now or I will put your microphone off.

Carolyn Leckie: Okay. If we are wrong, get back—

16:32

Mike Pringle (Edinburgh South) (LD): Although most agree that the Fire Services Act 1947 is outdated, it is somewhat of a surprise that it has lasted so long. It was enacted after the last war, perhaps to give focus to what had happened in the previous seven years. It is no wonder that we need new legislation.

Only the long-running fire dispute that was settled in June has brought a focus to the outdated, 56-year-old act. I agree with all the members—including Alex Neil, who put the matter in a nutshell—who paid tribute to firefighters and the fire service. I echo all those comments.

I agree with Fergus Ewing's comment that firefighters are not against change. Karen Gillon referred to an e-mail that we all received. It is interesting that the FBU's position has changed

since it spoke in *The Scotsman* earlier this week, as the e-mail says:

"The Fire Brigades Union are not opposed to the principle of this document and share a large number of visions as outlined by the Executive in the white paper and indeed the consultative document published in 2002 'The Future of Fire Service in Scotland'. We shall be responding in full to the consultation in due course."

That is positive.

After the fire dispute, it was clear that change was needed. The first consultation document, "The Scottish Fire Service of The Future", which was published in the previous session, laid the foundation for new proposals that the Executive will introduce in a bill some time next year.

Many members, including Sylvia Jackson, referred to section 19 of the 1947 act. I was not a member of the Parliament when it debated legislation on that section, but Donald Gorrie summed up my understanding of the matter when he said in that debate:

"However, if someone has a perfectly straightforward and—as I believe amendment 59 is—quite honourable proposition, they make the most awful blunder if they try to sneak it in in a way that people object strongly to. The debate is then all about the way in which that was done, rather than about the merits of a proposal ... The lodging of amendment 59 is the most extraordinary blunder."—[*Official Report*, 8 January 2003; c 16752.]

We have moved on from that, but I understand the reasons for people being unhappy with what happened.

Why do we need change? The rate of fire deaths and incidents has varied little in the past 20 years, but, given the improved technology and training, perhaps we could have expected better than that. In 2001, there were more than 59,000 fires and there were 103 deaths and 2,000 casualties from fire-related incidents. The minister and others have said that, in comparison with other UK countries, Scotland reports the highest number of fatal and non-fatal casualties from fire-related incidents per million of the population.

As other members have said, fire brigades have various roles, including fighting and preventing fires, but I was surprised—as, I suspect, were most members—that not all those duties are statutory. I bow to Stewart Maxwell's expertise in the area, but I hope that his view of senior management is wrong. From my time in local government, I have considerable experience of working on a police board, although I never sat on a fire board. My view of senior management in the police service does not reflect Stewart Maxwell's view of senior management in the fire service.

The fire service's responsibilities have grown over the years; I am sure that that played a part in causing the discontent that led to last year's dispute. Annabel Goldie's suggestion of a no-

strike agreement would lead to further anger and disputes. However, I agree with Annabel Goldie, Brian Monteith and other members that any reduction in the brigades would be a backward step. Lothian and Borders fire brigade is a good, responsible organisation that cares for the community, and I do not want that to change.

The proposed legislation will make clear the service's core duties, which will, I hope, be welcomed by firefighters. Nicola Sturgeon mentioned a reduction in the service, but I do not believe that she accepts that local authorities would allow a reduction in the service. She also mentioned communities, which are, in the first instance, the responsibility of local authorities and local councillors. I do not believe that councillors would allow a reduction in the service.

The Liberal Democrats recognise the need for reform of the fire service. Our manifesto pledged that we would

"Support the development of the Scottish Executive's White Paper on the fire service with its emphasis on fire prevention and a professionally based service."

I am therefore pleased that, after only five months, the Executive has reacted to the need for change by producing the consultation document quickly. The document, which makes some 28 recommendations, is the basis for modernising the fire service.

I am greatly encouraged by the emphasis on more involvement with communities. As Margaret Smith and Brian Monteith said—they agreed on something twice today, which must be a record—we must try to do something about fire officers coming under attack while attending fires, which happens in all communities. I hope that the proposal to open up fire station facilities for wider use by communities and community organisations will improve relations with communities.

I hope that all those who responded to the previous consultation will examine the new proposals and comment on the proposed legislation. The measures will be the first time in more than 50 years that the fire service will have been changed through legislation. I believe that the proposals are a positive way forward.

16:38

Mr David Davidson (North East Scotland) (Con): I would not say that the debate has been consensual, although it has been constructive, which must be good for the Parliament. The minister made it clear at the beginning that she wants to consult on the proposals. However, on one or two points, her mind seems marginally closed. On the number of brigades, the minister talked about new consultation; I hope that it will be a consultation. The minister heard concerns from

members from a number of parties about losing the connection with the local community.

Cathy Jamieson: I emphasise the commitment that I gave that the consultation is real and that I want to hear views. Some interesting views have been raised this afternoon. I hope that people will trust that commitment.

Mr Davidson: Another question has arisen about whether there will be joint control centres. The ambulance service has had difficulty with control centres. We seek assurances from the deputy minister, when he winds up, that no control systems will be jeopardised. We can bring in new technology and modernise, but on no account can we run any risk with the control systems.

Annabel Goldie and others have acknowledged the respect that communities have for firefighters. That respect should not be abused. If we are to give firefighters new statutory duties, we must ensure that they are resourced properly and trained correctly, and that their service is recognised. Stewart Maxwell said that he was against multi-tier entry. However, there may be people with certain specialised skills who may use multi-tier entry. That may happen in services that are not, strictly speaking, fire services but the new rescue services.

Members on all sides have spoken about the way in which the repeal of section 19 of the Fire Services Act 1947 was handled. This time round, I hope that there will be positive consultation and discussion. We must maintain, or improve, close links with local communities. As a colleague said earlier, we must have national standards—some have said that we should have minimum standards—but we must also have flexibility. Maureen Macmillan and John Farquhar Munro excellently described the problems in rural areas. I know of such problems from my own area. We must consider ways of attracting and retaining fire service personnel—be they auxiliaries or be they fully in the service.

We do not want overburdening regulations that stifle local flexibility. Proposals must be attractive and reasonable. Fergus Ewing and others have said that it is difficult to attract personnel. We do not want to create a bureaucratic nightmare and we do not want vast areas of Scotland to end up with a lack of cover. Where I live, we have had forest and heath fires. That is a recognised problem in rural areas, which has to be dealt with.

We need local autonomy in service design. We cannot cut any decision-making links with the local communities, because they know best what happens and what risks they face. Not long ago, I was in a fire scare in a hotel in Edinburgh. It was a false alarm, but the response time was still excellent. That would not happen in rural parts of

Scotland, or even in some suburban parts of Scotland. The response time and the positioning of fire stations are vital. Communities must be able to contribute to such decisions.

Margaret Smith and other members throughout the chamber agreed with Annabel Goldie on the use of pilots when we move to integrated risk management. We cannot impose something out of the blue—with all systems changing overnight—and expect continuity and sustainability of service. One cannot do that in business; one certainly cannot do it in the emergency services. We must have pilots.

Comments have been made about attacks on crews and hoax calls. In Aberdeenshire, we have an awful lot of problems with arson. Penalties are not being imposed properly on those who are found guilty of those offences. That has to be stiffened up, and there will have to be full police co-operation.

Nicola Sturgeon spoke about the apparent tension between costs and safety. When the deputy minister winds up, I would like to be assured that he regards the two as separate. An efficient service that makes good use of facilities and investment is one thing, but safety should not be compromised. If we are to focus on fire prevention and saving lives, that is excellent, but we cannot make everything run to a budget. The service design has not gone far enough for such decisions to be made.

Stewart Maxwell made a pertinent point: with the common fire services agency, the devil is in the detail. That view is held in my party, but strands of it seem to be held by others. The document that the Executive has issued will lead to a series of questions. I want the minister to give the chamber good answers in good time—before we come to some of the debates—on some of the points that will be raised.

This has been a reasonably good debate. I hope that the minister will read the *Official Report* and listen to some of the good suggestions that have been made from all round the chamber. I hope that she will perhaps publish a document as discussions continue—even if it is only a supplementary, partial report. I do not think that the document that has been issued is sufficient.

16:45

Michael Matheson (Central Scotland) (SNP): The debate has been interesting. If anything, it has illustrated to the minister that if the legislation mirrors what is in the consultation document, it could be rather controversial.

In reforming our fire service, we must always bear in mind our record of fire deaths and fire

injuries. Margaret Smith said that 103 people lost their lives to fires in 2001 and Nicola Sturgeon highlighted the fact that the rate of fire deaths in Scotland is twice that of other nations in the UK. Our record compared with western European countries is also poor. Having said that, we must bear in mind the fact that although we do not have a good record on the number of domestic fires in Scotland, that is not a reflection of a lack of professionalism within our fire service. The opposite is true; we have an extremely valuable and professional fire service. Our record has come about largely as a result of cultural matters, which are much more difficult to address; we require policies and a strategy to tackle those matters effectively.

Like members throughout the chamber, we welcome the general thrust of the consultation paper and a number of the proposals. The reform of our fire service has to reflect the changing nature of the role that firefighters undertake. We particularly welcome some of the proposals on training. Yesterday, I raised with the Minister for Justice during the joint justice committees' budget consideration the fact that over the next three years the training budget, which goes towards training firefighters, is due to decrease—and yet the Executive is making proposals that will require greater training for firefighters. I hope the minister will ensure, as Alex Neil said, that if reforms and changes are being introduced, the funding is there to allow them to be delivered.

As Stewart Maxwell said, we need to see more detail in relation to the proposed common fire services agency. I presume that the agency will operate in a similar way to how the common police services operate—the police are becoming increasingly reliant on common services in pooling their budgets. We will have to see the detail before we can judge how effective the proposal might be for our fire service.

A number of my colleagues have highlighted their concerns on the review of the eight fire brigades. It is unclear why there is a need to reform or review those brigades. I imagine that the police constabularies will be watching the debate with interest. On page 7 of the consultation document, it is made clear that the review is taking place because the Executive has noted that the brigades are being reviewed in England. Given that we have already had a review and that we have recognised that there is no need to reform the number of brigades, I do not see why we should revisit the issue. We are doing that because the Government happens to be doing it in England; as Alex Neil said, that is not an argument for changing the brigades in Scotland.

Members have highlighted concern about a proposal for an integrated risk management

approach. There is a need to consider that carefully, because the scheme is untested and, given the role that it would have in promoting fire safety in our communities, it must be tried and tested before it is introduced. Pilot projects might be a way to proceed and to ensure that the scheme delivers what it is intended to deliver.

I turn to the repeal of section 19. I was interested in the contribution that was made by Sylvia Jackson, who stated that, given the arguments that were made on that, the only logical conclusion was that section 19 should be repealed. I can only assume that those of us who chose to vote against repeal are in some way illogical. It is interesting that those members included eight of Sylvia Jackson's colleagues; another two abstained. I am sure that she is not suggesting that Kate Maclean and John Farquhar Munro are illogical.

Repeal of section 19 might be logical in Sylvia Jackson's mind. However, given that the Executive has decided that it will continue to have powers that require authorities to maintain and own equipment—to standards that the Executive sets—to deal with serious issues such as terrorist attacks, I think that it is logical that where there is a decision to close a fire station, which is a serious matter, the community should have a final right of appeal to ministers so that the decision can be overturned.

I suspect, however, that what will happen is the same as has happened over the past 20 years. The FBU has never had to make representations on matters under section 19 and ministers have never had to intervene. In my view, the present system works effectively and I do not see why ministers should seek to change it.

I am in my final minute—or rather, my final 15 seconds—so I will just say that cliff rescue, which Fergus Ewing mentioned, is an issue. I have an interest in that, as I am a member of a mountain rescue team.

I am deeply disappointed at the decision not to pursue more vigorously the issue of residential fire sprinklers. Brigades across Scotland support the introduction of such sprinklers and I hope that ministers will reflect on the matter and be more sympathetic to the member's bill that I will introduce in the next couple of weeks, which will propose the introduction of residential fire sprinklers into homes that are occupied by the most vulnerable individuals in society.

I hope that members will support the amendment in Nicola Sturgeon's name.

16:51

The Deputy Minister for Justice (Hugh Henry): Carolyn Leckie indicated that she had a

copy of the Executive's summing-up speech. It might have helped to steady the nerves of the Minister for Justice if Carolyn Leckie had shared it with her, so that Cathy Jamieson knew that my speech contained no hidden surprises.

There have been a number of good contributions to the debate this afternoon. In essence, although all parties in the chamber have welcomed the discussion, questions obviously remain to be answered. Of course, the nature of a consultation paper is such that it does not give a final answer or a conclusion but is simply the start of a process. David Davidson's suggestions were useful, although perhaps not the one about producing another paper. We need to reflect on a number of the arguments that have been made this afternoon, we need to clarify points of emphasis and we need to develop some fine points of detail. That is an inevitable part of the process of consultation. We are asking people what they think; we do not have closed minds and we will reflect on the arguments that we hear.

That approach is best summed up by the discussion about board structures and the number of brigades. Some people argue that they are utterly opposed to the centralisation of decision making and services, but their analysis implies that they are content with a situation such as the one that Karen Gillon described. The situation for her community is not satisfactory. One centralised brigade covers half the population of Scotland and a vast area of Scotland's landmass. It is hardly local decision making if decisions that are made in Glasgow are not properly reflected in Oban. There are conflicts in the analysis of those people who are opposed to centralisation and support local decision making—and vice versa.

Carolyn Leckie: Will the minister take an intervention?

Hugh Henry: Not at this stage.

I thought that Brian Monteith raised an interesting point. When we consider the number of boards—

Mr Monteith *rose*—

Hugh Henry: Great timing, Brian.

One thing that we should consider is whether there should be more boards. The Executive has an open mind and has asked whether we currently have the right number of boards. Indeed, I have heard from colleagues in local government that many would prefer to have much more influence over decisions at local authority level, rather than leave decision making to boards, which some people think are not always very accountable to local communities. That applies not just to the fire service, but to the police and other services.

Nicola Sturgeon: The review of the number of brigades is mentioned twice in the consultation document, once on page 7 and once on page 22, and on both occasions the only reason that is cited for the review is that a reduction has already taken place in England. If the minister is now saying that there are other reasons for the review, why are those not listed in the consultation document? We would then have had the opportunity to discuss them today.

Hugh Henry: Cathy Jamieson clearly outlined our approach to that. We have said that we want to hear what people think. We have no prescription. If people can come up with an idea and show that there is a better way of doing things, so be it. If the arguments indicate that the current structure is the best approach, we will clearly stick with it. It is right that we ask the question.

Similarly, we do not have a prescriptive approach that is aimed at forcing people together across services to work in control rooms, but we want to ask whether the current way of working is the correct one. There has already been a reduction in the number of fire control rooms in Strathclyde and that seems to be working effectively. The question can be asked whether that can also be done elsewhere in the country. If we cannot ask the contentious and difficult questions in a consultation, that raises the question why we should bother asking anything at all. We certainly look forward to the responses that we will get back from the consultation.

Several members raised questions about the advisory group. It is worth reflecting on the contribution that the group has made. What we do not want to do in respect of any advisory structure is to continue with a body that is not showing itself to be particularly effective, but equally we do not want to replace it with groups that are not representative and have not shown that they are functional. We will investigate whether what is proposed in the document is necessarily the best way forward. We have said clearly that we want to ensure that everyone who has a stake in the fire service and the delivery of the fire service in this country has an opportunity to contribute. The way in which the current proposals are structured in the document represents an attempt to achieve that aim but, if we can refine the proposals, we will do so.

Attacks on emergency workers have been mentioned, but I cannot understand what the debate is about. The partnership agreement clearly states that the Executive will come forward with legislative proposals to deal with attacks on emergency workers. I believe that those proposals will be brought forward in the near future and I hope that they will be given a warm welcome.

On the debate about national frameworks and risk management, I do not think that anyone could argue against having a national framework that sets out a specific idea of what a fire service should look like and what it should deliver. The question of risk management comes down to some of the fundamental issues about local decision making.

I will use that as the opportunity to refer to what I think have been some fairly bizarre contributions in relation to the provisions in section 19 of the Fire Services Act 1947. Comments have been made about rogue fire-masters making decisions that were not in tune with what was happening at a local level. It was suggested that, to introduce an element of local accountability in relation to a local decision, an intervention by a minister in Edinburgh was required. The so-called rogue fire-master that Stewart Maxwell described is responsible to a democratically elected board of democratically elected councillors, who are responsible to democratically elected councils. If local communities cannot hold their councillors and councils to account for local decisions, what chance do they have of holding a minister in Edinburgh to account for local decisions?

Mr Maxwell: Will the minister take an intervention?

The Presiding Officer (Mr George Reid): No. He is in his last minute.

Hugh Henry: A number of valid arguments have been made, but some bizarre arguments have been put forward.

This afternoon, we have started what I hope will be a challenging, productive and open debate. Some local issues clearly need to be addressed. Maureen Macmillan made a passionate speech about the problems in the Highlands and Islands and identified specific issues. Clearly, we will look at that situation. Again, the issue comes down to local communities influencing local decisions that are made by those who are responsible for the delivery of services locally.

All in all, the debate has been good and we will reflect on the interesting and useful points that were made. From what we have heard, I believe that the core of the consultation document represents the right way to go forward. Some fine definitions remain to be made, but the document has broad support and reflects the fact that we are all committed to a service from our firefighters that is capable of responding to the needs of the 21st century. Our proposals will reflect the excellent work that firefighters have done in many communities throughout Scotland over many years and will enhance and reaffirm their critical role in our local communities. Cathy Jamieson and I pledge that we will listen to the FBU, the

employers and local communities and to what members across the chamber have said in the debate.

Business Motion

17:01

The Presiding Officer (Mr George Reid): The next item of business is consideration of business motion S2M-465, in the name of Patricia Ferguson, on behalf of the Parliamentary Bureau.

Motion moved,

That the Parliament agrees the following programme of business—

Wednesday 29 October 2003

2.30 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Stage 1 Debate on the Primary Medical Services (Scotland) Bill

followed by Financial Resolution in respect of the Primary Medical Services (Scotland) Bill

followed by Business Motion

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 30 October 2003

9.30 am Committee Business

12 noon First Minister's Question Time

2.30 pm Question Time

3.10 pm Executive Debate on Building Better Cities

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 5 November 2003

2.30 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Executive Business

followed by Business Motion

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 6 November 2003

9.30 am Scottish Green Party Business

12 noon First Minister's Question Time

2.30 pm Question Time

followed by Executive Business

followed by Parliamentary Bureau Motions

5.00 pm Decision Time
 followed by Members' Business.—[Patricia
 Ferguson.]

Motion agreed to.

Parliamentary Bureau Motions

17:02

The Presiding Officer (Mr George Reid): The next item of business is consideration of five Parliamentary Bureau motions. Motion S2M-460 is on the approval of a Scottish statutory instrument.

Motion moved,

That the Parliament agrees that the draft Title Conditions (Scotland) Act 2003 (Consequential Provisions) Order 2003 be approved.—[Patricia Ferguson.]

The Presiding Officer: Motion S2M-461 is on committee substitutes.

Motion moved,

That the Parliament agrees the following changes to Scottish Conservative and Unionist Party committee substitutes—

Bill Aitken to replace David Mundell as substitute on the Education Committee;

Mr David Davidson to replace Mr Brian Monteith as substitute on the Enterprise and Culture Committee;

David Mundell to replace Mary Scanlon as substitute on the Finance Committee; and

Mr Brian Monteith to replace Mr David Davidson as substitute on the Local Government and Transport Committee.—[Patricia Ferguson.]

The Presiding Officer: Motions S2M-462 to S2M-464 are on the designation of lead committees.

Motions moved,

That the Parliament agrees that the Justice 2 Committee be designated as lead committee in consideration of the Lands Tribunal for Scotland Rules 2003 (SSI 2003/452).

That the Parliament agrees that the Justice 2 Committee be designated as lead committee in consideration of the Title Conditions (Scotland) Act 2003 (Conservation Bodies) Order 2003 (SSI 2003/453).

That the Parliament agrees that the Justice 2 Committee be designated as lead committee in consideration of the Land Tribunal for Scotland (Relevant Certificate) (Fees) Rules 2003 (SSI 2003/451).—[Patricia Ferguson.]

The Presiding Officer: The questions on the motions will be put at decision time.

Decision Time

17:02

The Presiding Officer (Mr George Reid): The first question is, that amendment S2M-456.2, in the name of Nicola Sturgeon, which seeks to amend motion S2M-456, in the name of Cathy Jamieson, on proposals for legislation on the Scottish fire and rescue service, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fox, Colin (Lothians) (SSP)
 Gibson, Mr Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Martin, Campbell (West of Scotland) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinburne, John (Central Scotland) (SSCUP)
 Swinney, Mr John (North Tayside) (SNP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)

AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)
 Baker, Mr Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)

Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tosh, Murray (West of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

The Presiding Officer: The result of the division is: For 34, Against 74, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The second question is, that amendment S2M-456.1, in the name of Annabel Goldie, which seeks to amend motion S2M-456, in the name of Cathy Jamieson, on proposals for legislation on the Scottish fire and rescue service, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
Davidson, Mr David (North East Scotland) (Con)
Douglas-Hamilton, Lord James (Lothians) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Goldie, Miss Annabel (West of Scotland) (Con)
Johnstone, Alex (North East Scotland) (Con)
Milne, Mrs Nanette (North East Scotland) (Con)
Monteith, Mr Brian (Mid Scotland and Fife) (Con)
Mundell, David (South of Scotland) (Con)
Scanlon, Mary (Highlands and Islands) (Con)
Scott, John (Ayr) (Con)
Swinburne, John (Central Scotland) (SSCUP)
Tosh, Murray (West of Scotland) (Con)
Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
Alexander, Ms Wendy (Paisley North) (Lab)
Baird, Shiona (North East Scotland) (Green)
Baker, Mr Richard (North East Scotland) (Lab)
Ballance, Chris (South of Scotland) (Green)
Ballard, Mark (Lothians) (Green)
Barrie, Scott (Dunfermline West) (Lab)
Boyack, Sarah (Edinburgh Central) (Lab)
Brankin, Rhona (Midlothian) (Lab)
Brown, Robert (Glasgow) (LD)
Butler, Bill (Glasgow Anniesland) (Lab)
Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
Crawford, Bruce (Mid Scotland and Fife) (SNP)
Cunningham, Roseanna (Perth) (SNP)
Curran, Frances (West of Scotland) (SSP)
Curran, Ms Margaret (Glasgow Baillieston) (Lab)
Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
Eadie, Helen (Dunfermline East) (Lab)
Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
Ewing, Mrs Margaret (Moray) (SNP)
Ferguson, Patricia (Glasgow Maryhill) (Lab)
Finnie, Ross (West of Scotland) (LD)
Fox, Colin (Lothians) (SSP)
Gibson, Mr Rob (Highlands and Islands) (SNP)
Gillon, Karen (Clydesdale) (Lab)
Glen, Marilyn (North East Scotland) (Lab)
Godman, Trish (West Renfrewshire) (Lab)
Gorrie, Donald (Central Scotland) (LD)
Grahame, Christine (South of Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Henry, Hugh (Paisley South) (Lab)
Home Robertson, Mr John (East Lothian) (Lab)
Hughes, Janis (Glasgow Rutherglen) (Lab)
Hyslop, Fiona (Lothians) (SNP)
Ingram, Mr Adam (South of Scotland) (SNP)
Jackson, Dr Sylvia (Stirling) (Lab)
Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
Kerr, Mr Andy (East Kilbride) (Lab)
Lamont, Johann (Glasgow Pollok) (Lab)
Leckie, Carolyn (Central Scotland) (SSP)
Lochhead, Richard (North East Scotland) (SNP)
Lyon, George (Argyll and Bute) (LD)
MacAskill, Mr Kenny (Lothians) (SNP)
Macdonald, Lewis (Aberdeen Central) (Lab)
Macintosh, Mr Kenneth (Eastwood) (Lab)
Maclean, Kate (Dundee West) (Lab)
Macmillan, Maureen (Highlands and Islands) (Lab)
Martin, Campbell (West of Scotland) (SNP)

Martin, Paul (Glasgow Springburn) (Lab)
Marwick, Tricia (Mid Scotland and Fife) (SNP)
Mather, Jim (Highlands and Islands) (SNP)
Matheson, Michael (Central Scotland) (SNP)
Maxwell, Mr Stewart (West of Scotland) (SNP)
May, Christine (Central Fife) (Lab)
McAveety, Mr Frank (Glasgow Shettleston) (Lab)
McCabe, Mr Tom (Hamilton South) (Lab)
McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
McFee, Mr Bruce (West of Scotland) (SNP)
McMahon, Michael (Hamilton North and Bellshill) (Lab)
McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
McNeill, Pauline (Glasgow Kelvin) (Lab)
McNulty, Des (Clydebank and Milngavie) (Lab)
Morgan, Alasdair (South of Scotland) (SNP)
Morrison, Mr Alasdair (Western Isles) (Lab)
Muldoon, Bristow (Livingston) (Lab)
Mulligan, Mrs Mary (Linlithgow) (Lab)
Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
Murray, Dr Elaine (Dumfries) (Lab)
Neil, Alex (Central Scotland) (SNP)
Oldfather, Irene (Cunninghame South) (Lab)
Peacock, Peter (Highlands and Islands) (Lab)
Peattie, Cathy (Falkirk East) (Lab)
Pringle, Mike (Edinburgh South) (LD)
Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
Raffan, Mr Keith (Mid Scotland and Fife) (LD)
Robison, Shona (Dundee East) (SNP)
Robson, Euan (Roxburgh and Berwickshire) (LD)
Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
Scott, Eleanor (Highlands and Islands) (Green)
Scott, Tavish (Shetland) (LD)
Smith, Elaine (Coatbridge and Chryston) (Lab)
Smith, Iain (North East Fife) (LD)
Smith, Mrs Margaret (Edinburgh West) (LD)
Stevenson, Stewart (Banff and Buchan) (SNP)
Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
Sturgeon, Nicola (Glasgow) (SNP)
Swinney, Mr John (North Tayside) (SNP)
Wallace, Mr Jim (Orkney) (LD)
Watson, Mike (Glasgow Cathcart) (Lab)
Whitefield, Karen (Airdrie and Shotts) (Lab)
Wilson, Allan (Cunninghame North) (Lab)

The Presiding Officer: The result of the division is: For 14, Against 94, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The third question is, that amendment S2M-456.3, in the name of Frances Curran, which seeks to amend motion S2M-456, in the name of Cathy Jamieson, on proposals for legislation on the Scottish fire and rescue service, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
Baird, Shiona (North East Scotland) (Green)
Ballance, Chris (South of Scotland) (Green)
Ballard, Mark (Lothians) (Green)
Crawford, Bruce (Mid Scotland and Fife) (SNP)
Cunningham, Roseanna (Perth) (SNP)
Curran, Frances (West of Scotland) (SSP)
Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)

Ewing, Mrs Margaret (Moray) (SNP)
 Fox, Colin (Lothians) (SSP)
 Gibson, Mr Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Martin, Campbell (West of Scotland) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinburne, John (Central Scotland) (SSCUP)
 Swinney, Mr John (North Tayside) (SNP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)

AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)
 Baker, Mr Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)

McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tosh, Murray (West of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

The Presiding Officer: The result of the division is: For 34, Against 74, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The fourth question is, that motion S2M-456, in the name of Cathy Jamieson, on proposals for legislation on the Scottish fire and rescue services, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Baird, Shiona (North East Scotland) (Green)
 Baker, Mr Richard (North East Scotland) (Lab)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Harvie, Patrick (Glasgow) (Green)

Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Scott, Tavish (Shetland) (LD)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Swinburne, John (Central Scotland) (SSCUP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Curran, Frances (West of Scotland) (SSP)
 Fox, Colin (Lothians) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)

ABSTENTIONS

Adam, Brian (Aberdeen North) (SNP)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Mr Rob (Highlands and Islands) (SNP)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)

Johnstone, Alex (North East Scotland) (Con)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Martin, Campbell (West of Scotland) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Mundell, David (South of Scotland) (Con)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Murray (West of Scotland) (Con)

The Presiding Officer: The result of the division is: For 70, Against 3, Abstentions 35

Motion agreed to.

That the Parliament welcomes the Scottish Executive's commitment to working with stakeholders to develop a fire and rescue service that is modern and effective with the principal aim of reducing risk; notes that the consultation paper *The Scottish Fire and Rescue Service: Proposals for Legislation* builds on the responses received to the first policy paper, and notes that the Executive will engage with stakeholders to modernise the service and work together to provide greater impetus to protect the public from fire to reduce Scotland's poor record of fire fatalities.

The Presiding Officer: The fifth question is, that motion S2M-460, in the name of Patricia Ferguson, on the approval of a Scottish statutory instrument, be agreed to.

Motion agreed to.

That the Parliament agrees that the draft Title Conditions (Scotland) Act 2003 (Consequential Provisions) Order 2003 be approved.

The Presiding Officer: The sixth question is, that motion S2M-461, in the name of Patricia Ferguson, on committee substitutes, be agreed to.

Motion agreed to.

That the Parliament agrees the following changes to Scottish Conservative and Unionist Party committee substitutes—

Bill Aitken to replace David Mundell as substitute on the Education Committee;

Mr David Davidson to replace Mr Brian Monteith as substitute on the Enterprise and Culture Committee;

David Mundell to replace Mary Scanlon as substitute on the Finance Committee; and

Mr Brian Monteith to replace Mr David Davidson as substitute on the Local Government and Transport Committee.

The Presiding Officer: The seventh question is, that motion S2M-462, in the name of Patricia Ferguson, on the designation of a lead committee, be agreed to.

Motion agreed to.

That the Parliament agrees that the Justice 2 Committee be designated as lead committee in consideration of the Lands Tribunal for Scotland Rules 2003 (SSI 2003/452).

The Presiding Officer: The eighth question is, that motion S2M-463, in the name of Patricia Ferguson, on the designation of a lead committee, be agreed to.

Motion agreed to.

That the Parliament agrees that the Justice 2 Committee be designated as lead committee in consideration of the Title Conditions (Scotland) Act 2003 (Conservation Bodies) Order 2003 (SSI 2003/453).

The Presiding Officer: The ninth question is, that motion S2M-464, in the name of Patricia Ferguson, on the designation of a lead committee, be agreed to.

Motion agreed to.

That the Parliament agrees that the Justice 2 Committee be designated as lead committee in consideration of the Land Tribunal for Scotland (Relevant Certificate) (Fees) Rules 2003 (SSI 2003/451).

The Presiding Officer: That concludes decision time. I ask members who are leaving the chamber to do so quickly and quietly.

Auxiliary Fire Units (Highlands)

The Deputy Presiding Officer (Murray Tosh):

The final item of business today is a members' business debate on motion S2M-291, in the name of Fergus Ewing, on auxiliary fire units in the Highlands. The debate will be concluded without any questions being put.

Motion debated,

That the Parliament notes that auxiliary fire units play a vital role in many rural communities in fighting fires and do so in conjunction with the retained fire brigades; notes with concern that, following a report from Her Majesty's Inspectorate of Fire Services (HMI), 32 auxiliary units face possible closure; further notes that the new approach of integrated risk assessment should permit the preservation of as many as possible of these auxiliary units; considers that the Scottish Executive should explicitly endorse the need for such units and acknowledge the essential role that they play in protecting human life and property; believes that, if the recommendations of the HMI report are not carefully considered and auxiliary units are forced to close because of the proposed introduction of compulsory access to breathing apparatus within a short timescale, then human life and property may be placed at risk; believes that all involved, including Highland Council, the Firemaster, HMI and the Health and Safety Executive, should continue to discuss the implications of the HMI report in the context of integrated risk assessment and find an outcome that prevents the closure of so many of the auxiliary units.

17:09

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): Last October, Her Majesty's fire service inspectorate for Scotland reported on Highlands and Islands fire brigade. That report recognised the excellent work that has been done by firefighters throughout the area, which is about the size of Belgium, covers 40 per cent of the land mass of Scotland and one sixth of the area of the whole of Britain.

There are three types of firefighters: full-time professionals, retained firefighters and auxiliary firefighters. I understand that there are about 150 full-time firefighters and no fewer than 1,400 retained or auxiliary firefighters in the Highlands and Islands. There are presently about 128 fire units in the Highlands and Islands, which covers the four council areas of Highland, Western Isles, Orkney and Shetland.

Auxiliaries work mostly from small communities such as Ardgour, Carrbridge, Eriskay, Glenborrodale, Knoydart, Nethy Bridge, Hamnavoe and Kyleakin. They are all volunteers who have other jobs and responsibilities—they are not in it for the money. Their pay is restricted to the work that they do and the time that they spend in training. The volunteer ethos of the people of rural Scotland is something that we should cherish.

The Highland brigade said to the Scottish Executive more than a year ago that auxiliaries should be upgraded to retained status. While that would obviously impact on other areas in Scotland, I would like the minister to tell us what his answer is to that request. That measure would go a long way towards mitigating the difficulties and financial constraints that are faced.

The inspectorate report considered the role of auxiliaries. It divided the units into two groups: the 95 strategic emergency cover locations that are to be kept; and the 32 stations that are said to be under further scrutiny, which has been widely interpreted as meaning that they are possibly for the chop.

What role do auxiliaries play? They ensure that in rural and remote parts of Scotland, there is a professional group of men and women who are trained to a high standard and who can attend and tackle certain types of fires. They are not permitted to tackle fires that occur indoors, but they tackle forest fires, muirburn and road-traffic incidents. They are an integral part of their communities but attend other communities when requested to do so.

The number of incidents that they have attended has increased in recent years; this summer has seen some of the most ferocious forest and moor fires ever, such as those in Glenborrodale, Knoydart, Lochindorb, and Strathspey. Some fires raged for days and were tackled not only by auxiliaries but by estate workers and visitors.

I have written to a number of individuals and groups to canvass their views, including the Badenoch and Strathspey fire protection group, various estates, Scottish Environment LINK, forestry interests and the interim convener of the Cairngorms national park. I add that my Westminster counterpart, David Stewart, has also canvassed opinion. The responses that he and I have received have, but for one, been wholly supportive of the role that auxiliaries play.

I will read a few of the comments. Jamie Williamson, of the Badenoch and Strathspey fire protection group, said that more than £1 million-worth of damage was caused to a moor in the Lochindorb area and that

"the knowledge that auxiliaries have of a local area can be vital—and unique. There is no way that such a wealth of knowledge can be had by wholtime officers covering such a huge area."

An auxiliary firefighter wrote:

"in responding to a fire, every minute can be vital to save life or limit the damage to property and we are often first on the scene"

Another auxiliary wrote:

"I attended a fatal road accident and helped shield a child

from the sight of her parents who were fatally injured trapped in their car."

What auxiliaries do is not always appreciated, even by the inspectorate and the Health and Safety Executive. Their role is much wider than we might expect when we think about the matter in conventional terms.

A trade association that represents the forestry industry has argued that Government policy to encourage reductions in grazing on hill farms through having fewer sheep, cattle and deer might be contributing to the ferocity of fires because fire spreads more quickly and burns with more intense heat on ground that has not been grazed.

It was disappointing that the response from Scottish Natural Heritage said that it could not lend its explicit and whole-hearted support to the issue. Its response, however, contrasted with the excellent response from Councillor Stuart Black, a member of the Cairngorms national park board, who said:

"There is not much point in encouraging regeneration of moorland and the Caledonian Pine forest if it's all going to go up in flames."

Why are the men and women who help to provide a fire service in the north of Scotland now under threat? That the inspectorate report fails to give specific reasons is unacceptable. In each case, the reasons why each particular unit should not continue must be spelled out.

The crux of the issue relates to the provision of breathing apparatus. That is what is driving the report and is what has been focused on by the Health and Safety Executive. Some people argue that the capital costs of £400,000 for building a new model station are necessary, but I do not share that view. A solution can be found; not a Rolls-Royce solution, but a practical and commonsense solution that takes account of local needs and provides access to breathing apparatus, perhaps in the nearest retained unit. We do not need a Rolls-Royce—a family saloon would do just fine.

Breathing apparatus is essential for fighting fires indoors, but not always—usually not—outdoors. One auxiliary, Rod Coltart, has said that, 99 times out of 100, his unit does not need breathing apparatus. It attends 18 incidents a year. Therefore, only once in five years might the unit be in a situation where BA is required. Surely we are not going to threaten 32 auxiliary fire services in the most remote areas of Scotland because of a one-in-100 risk, especially bearing it in mind that auxiliaries are legally prohibited from fighting fires indoors. The argument against their doing so is that those who fight fires do so from an heroic impulse—the desire to save lives—and would put their own lives at risk by entering a building, even

though they were breaking the rules. That has happened on at least one occasion, but if that is the Executive's view—it is a legalistic view—surely such people would do exactly the same thing even if they were no longer working as auxiliaries. They do it because they are human beings, not because they happen to be officially called auxiliary firefighters.

I see that I am getting the eye from the Presiding Officer.

The Deputy Presiding Officer: You are getting it all the time.

Fergus Ewing: I will therefore move swiftly on and cut out vast thickets of prose that I had composed earlier.

Mr Brian Monteith (Mid Scotland and Fife) (Con): It is spontaneous combustion.

Fergus Ewing: My speeches are never inflammatory, as Mr Monteith knows.

The purpose of the debate is to win cross-party support for the auxiliaries, many of whom have come to Parliament this evening, as have the local fire-master and Councillor Drew Slack of the Highlands and Islands fire board. I welcome that and I hope that all the parties can give support. I welcome the support of 32 members from the Conservatives, the Scottish National Party, the Scottish Socialist Party and the Greens. I am sorry that the Labour and Liberal Democrat members have not signed my motion, but I look forward with interest to hearing why that is the case. I hope that they will lend support to the motion this evening.

17:17

Maureen Macmillan (Highlands and Islands) (Lab): I apologise to Fergus Ewing for not signing his motion. I dithered about whether to lodge an amendment that mentioned the dangers of forest fires and muirburn. I am afraid that I took so long to make up my mind whether to do that that the motion came up for debate before I had got round to signing it. However, I support what he says and welcome the debate on auxiliary fire units in the Highlands.

Members made good speeches in the earlier Executive debate. I wanted to speak about the auxiliary fire service in that debate to mainstream it within the proposed legislation.

I will not go over everything that Fergus Ewing has said. Instead, I will concentrate on what has been missed out of the Executive's proposals, which is the role of the auxiliary fire service—and, indeed, of the retained and full-time fire service—in the Highlands in dealing with environmental fires, such as forest fires and muirburn. It seems that such fires are on the increase, but I do not think that that has been taken into consideration.

The Macaulay Institute has pointed out that the likely reasons for the greater incidence of fire are the changes in land use and management practices and the fact that fewer people are working on the estates, which means that it is easier for muirburn to get out of control. It is therefore crucial that the auxiliary fire services be there to lend a hand when disaster threatens.

The changes in burning management over the past two decades have been well documented. SNH has carried out research work on that. The results of that research should perhaps be looked into with regard to fire prevention. There is a predicted increase in the level of access to the countryside, which will inevitably lead to people starting fires through carelessness. As I said during the debate earlier today, the Forestry and Timber Association supports the retention of auxiliary fire units because when a large wildfire develops in a rugged and remote area, it is often impossible or too dangerous for a unit to use its vehicles, even specialised all-terrain vehicles—ATVs. The only tools that are left are therefore helicopters and people using traditional fire beaters. Often, helicopters are not available, so the auxiliary units are first on the scene.

Most wildfires are caused by humans, although lightning does sometimes cause fires. Some wildfires are caused by muirburn fires escaping; some are caused by wilful and malicious fire-raising, discarded cigarettes, sparks from trains, bonfires or campfires. One possible key to prevention is, I believe, a new fire-danger rating service for the United Kingdom, which would be based on data. The Met Office is contracted by the Countryside Agency to carry out evaluation of some systems in England. Without basic research, however, any system will have problems. We need such a system to be extended to Scotland.

There are significant conservation interests in Badenoch and Strathspey, with native pine woods and substantial areas of grass and heather. There is a greater need for a robust fire-danger rating system there than there is in many other parts of the UK; I would like that need to be addressed.

The Forestry Commission's expert group on research and development is currently researching the effects of global warming on forest ecology and on timber production; further research needs to be done as soon as possible on the impact of global warming.

The Deputy Presiding Officer: I have to hurry you, as you are a minute over your time.

Maureen Macmillan: My goodness—I have pages and pages of my speech to go. I end by urging the Executive to acknowledge the vital role of the auxiliary fire service and ensure that research is done on the possibly increasing

incidence of forest and muirburn fires, so that the fire service can be matched to need.

17:22

Mrs Margaret Ewing (Moray) (SNP): I rise with some trepidation, as a member whose constituency is in the Highlands, but which is not served by the Highlands and Islands fire brigade—we are served by Grampian fire brigade.

The principles of the debate are important. The role of the auxiliary fire service throughout the Highlands is well known, and has been well described in the first two speeches. All of us who have stayed behind for the debate or who have signed the motion support the principle that the auxiliary fire stations should be kept open. Some of them might operate from garden sheds, but they are vital in fire protection and fire prevention, which we have been discussing all day.

The principle that is embodied in the motion is that we should recognise that volunteers in the Highlands and Islands bring with them a sense of commitment and dedication that cannot always be fully appreciated by ministers. In the debate earlier today, much reference was rightly made to the geographical diversity of Scotland. Other factors include transport and auxiliaries' local knowledge. It is often thanks to that knowledge that they are first on the scene during a crisis—they know the highways and byways of their areas and it might sometimes be difficult to relay information from a central control system to people who do not have that local knowledge. The contact of auxiliaries is therefore important in backing up the professional services, thus ensuring that the earliest possible assistance is given.

If 32 auxiliary fire units are to be closed, I have not yet heard the rationale for doing so. The argument about breathing apparatus has been propounded by various people, but Fergus Ewing, in his capacity as MSP for Inverness East, Nairn and Lochaber, discussed that in his opening speech. When decisions that will affect our areas are taken we, as elected members, always want logical explanations and, if necessary, justifications. I hope that we will hear those from the Deputy Minister for Justice when he winds up the debate.

17:25

Mary Scanlon (Highlands and Islands) (Con): I thank Fergus Ewing for giving us the opportunity to debate the fire service in the Highlands and Islands. We certainly hope that a flexible approach will be taken, so that as many of the Highlands and Islands units can be retained as possible.

As Fergus Ewing indicated, supporting safety in the local community is the byword of auxiliary fire

units. No one can measure or cost the commitment of volunteers in the Highlands and the value that they add. That commitment should be recognised by the Executive, as it is by the fire service locally. It has brought us doughty campaigners, such as Bunty MacDonald from Carrbridge, who are fighting to maintain the safety of their community and its people.

Today, I spoke to a member of the Glenborrodale auxiliary crew, who confirmed that the crew was first on the scene—in 12 minutes—at an 18,000-acre fire in Ardnamurchan earlier this year. That fire lasted almost nine days. The Glenborrodale crew was not called first, but it arrived first on the scene with water and ensured that the property was safe even before the other crews arrived. In this instance, crews came from Grantown, Nairn, Inverness, Fort William, Spean Bridge, Acharacle, Strontian, Lochaline and Kilchoan. I hope that, in making the risk assessment, the minister will take into account the length of time that fires last and the fact that units are taken from hundreds of miles across the Highlands.

It is said that auxiliaries are not allowed into houses to deal with fires. However, as Fergus Ewing indicated, they can do much to put out fires from outside houses. In many areas, auxiliaries are first on the scene when a car crash takes place. They can put out the fire, secure the vehicle by ropes to prevent it from sliding or falling over, disconnect the battery to ensure that there are no sparks and make safe the road. They may not have or need breathing apparatus for that type of call-out, but they can do invaluable work at the scene to make things safe.

The same point applies to Lybster auxiliary fire unit, with 21 volunteers, and to the Carrbridge unit. Bearing in mind the huge geographical area of the Highlands and the three examples that I have given—property fires, house fires and car crashes—surely we should consider having more units such as those in Glenborrodale, Lybster and Carrbridge, rather than fewer.

I am aware that my time is limited, but I would like to make a couple of further points. We should examine how best to use in future the good will and contribution of volunteers in the 32 units that are under threat. I hope that in the risk assessment the minister will take into account what would have happened had auxiliary units not been first on the scene at fires such as the one that I mentioned.

Today, the issue of funding was raised in the crossfire between Fergus Ewing and Hugh Henry. I understand that there is a public-private partnership bid for more than £30 million to bring the 95 units up to the capital standards that are required. It would be helpful if the minister told us today whether that bid is meeting with favour.

17:28

Jim Mather (Highlands and Islands) (SNP):

Already there is ample evidence of cross-party and community support for auxiliary fire units in the Highlands and Islands. Equally, there is no shortage of evidence of the essential role that the units have played and continue to play in saving lives and protecting property. However, as we have heard, 32 of those units are under threat because of a lack of breathing equipment.

We contend that there is a case for pragmatism. We support the view of the convener of the Highlands and Islands fire board, Drew McFarlane Slack, who said:

"We accept and agree that breathing apparatus is both necessary and desirable for the safety of all firefighters and that upgraded units will be more effective in saving life and property".

We agree that provision of such apparatus should be made gradually, in as inexpensive a way as possible, so that auxiliary units are retrained and re-equipped to new standards.

Like Councillor MacFarlane Slack, we want the valuable blend of local auxiliary, retained and full-time firemen to continue to provide the level of service that is needed in the Highlands and Islands. That means retaining all the existing auxiliary fire units. Any closure would be a major retrograde step and would be totally unacceptable to local communities, as it would turn back the clock and result in the loss of a valuable service that would be difficult to regain. I believe that we would lose much more than local responsiveness and accident cover.

In straightforward economic and cost terms, the proposed closures could deliver financial blows, such as increases in insurance premiums, reduced cover, higher fire prevention costs, the possibility of more severe damage and the tying up of full-time firemen, so surely some flexibility is a necessity.

Fergus Ewing has eloquently made the point that HM fire service inspectorate for Scotland's report has failed to give specific reasons why each of the 32 auxiliary units on the danger list is to remain under further scrutiny. As he said, that failure and the resulting uncertainty are unacceptable.

The "small garden sheds" that the inspectorate bemoans house the equipment of competent and motivated men, who repeatedly meet training and inspection targets and frequently earn the grateful praise of local people and visitors.

I draw comfort from the fact that, when confronted with the alternative, most people can see that closure would mean throwing out the baby with the bath water and doing a real

disservice to auxiliary firemen and their communities. As Fergus Ewing said, there must be cheaper practicable means of providing the auxiliaries with breathing equipment. Surely we can adopt an implementation plan that allows that to happen without necessitating closures, which would undoubtedly continue to cause genuine disquiet, put lives at risk and damage local economies.

I appeal to the Parliament to provide our auxiliaries with cross-party support for the work that they do and to put a marker down with the inspectorate and the HSE to help to develop a commonsense, affordable plan that upgrades the equipment available and protects current coverage.

According to Douglas Macdonald, an auxiliary from Carrbridge, we face four options. We can train the auxiliaries in the use of new breathing apparatus; we can train them to use breathing apparatus from their parent unit; we can retrain them for other duties; or we can close down the auxiliary units. That final option is unacceptable. We want realistic measures that allow for an ability to comply, but retain what is needed to meet local needs and expectations.

17:32

John Farquhar Munro (Ross, Skye and Inverness West) (LD):

I am sure that all members will agree that we have already had a fairly extensive debate on the fire service and fire cover. It is appropriate that Fergus Ewing has secured a debate on auxiliary fire units, because that is an important issue in rural Scotland, particularly in the area that is covered by the Highlands and Islands fire brigade, which I discussed in the previous debate.

I have visited many of the rural places where the auxiliary fire units are located. As we have heard, many of those units are based in a garden shed or a Marley building of some sort. For me, the amazing thing has been that, in those remote villages, the auxiliary fire unit's shed was probably the only shed in the place whose door opened on its hinges. Members who have been to a crofting community will have seen shed doors that have a 6in nail for a hinge and are tied up with a bit of baler wire.

My experience of the auxiliary fire units occurred many years ago. I am sure that many members have driven around the Highlands in a Mini. I had a Mini Cooper S at one time; it was a flying machine and I was very proud of it. As I was going to work one morning, I went over a bump and a spanner in the back jumped up and hit the battery, which started a blaze. I had gone about half a mile down the road before I realised that I had a blaze

behind me. I stopped, jumped out and grabbed as many divots as I could out of the burn to shove inside to try to get the fire out. I was beaten. What came along? At that stage, I was 65 miles from Inverness and 20 miles from Kyle of Lochalsh. The first vehicle that came along was a fire brigade Morris 1000, which was full of every fire extinguisher that one could imagine. The driver had been training the auxiliary fire unit out in Skye the night before. He jumped out of his van, the fire was out just like that and Munro was back on the road again.

I was going to mention the volunteer staff in the remote stations, who are enthusiastic and dedicated. We must try to retain that commitment. Although the equipment that they have been using is obsolete, it is appropriate—it does the job. If that were taken away, there would be nothing. A unit that is able to pump water in such places is better than nothing at all. Until the Executive finds additional resources to upgrade those remote facilities, it must at least retain them in their current form and at their current locations.

The alternative arrangements that are put in place must be acceptable to the communities that they serve. However, we have not heard much about the alternative arrangements or funding for such arrangements. If other arrangements are put in place, the existing staff must have the opportunity to develop new skills and undertake regular training to equip them in the use and application of the improved facilities. That would sustain the skills and professionalism of the staff and provide an enhanced level of fire cover in these remote and isolated situations. Simply said, the auxiliary fire units should be left alone unless the Executive is prepared to provide better and improved facilities.

17:35

Stewart Stevenson (Banff and Buchan) (SNP): In the main, my remarks will address the conclusions of the “Report of the Principal Inspection of Highland and Islands Fire Brigade 2002”. Paragraph 4 states:

“Overall, it is assessed that the service provided is, with the exception of fire cover in some areas, satisfactory”.

That is a pretty good start, but some things in the report need to be examined slightly more deeply.

Page 5 shows that the number of incidents per firefighter in the Highlands and Islands seems to be about four, whereas for the busiest Scottish brigade, the number is running at more than 20 per firefighter. However, as the majority of firemen in the Highlands and Islands are part-time auxiliaries, the number that should be considered is the number of fire incidents per hour of duty. I suspect that if the issue was examined in that way

and on a comparable basis, the answer would be very different.

If we turn to page 12 of the report, we see that

“Overall performance by part-time staff remains high, with the availability being indicated at 99.1%.”

If we translate that into what it would mean for a full-time person, we find that it is equivalent to their having no more than two days off per year. What is the Scottish Executive's performance in that regard? I can tell the minister that the average amount of sickness per employee in the Scottish Executive is at least twice that figure. Part-time firemen in the Highlands and Islands are in fact doing better than the people who service the Executive directly here in Edinburgh. That bespeaks the commitment and determination of part-time firemen in the Highlands and Islands.

On page 15, the inspectorate talks about “small garden sheds”. Those sheds often offer good strategic locations within the board's operational area. When the inspector comes up with the list of locations that should be retained, he points out that cover in the Highlands and Islands is 10 times as great as that for the UK as a whole and just under five times as great as that for Scotland. Of course, population density in the Highlands and Islands is substantially less than the figure for Scotland. More to the point, the Highlands and Islands fire brigade area has a fluctuating population. The area rightly continues to be popular with visitors from across the world and across Scotland. In summer, the population rises dramatically, thus shrinking the comparator that is used by the inspector.

Page 35 of the Executive's document on proposals for legislation states:

“The primary objective ... is to create a fire service more responsive to locally identified needs”.

Fergus Ewing said in his opening remarks that Highlands and Islands is the size of Belgium. If the minister closes 32 stations, we might have to send for Tintin to help the communities thus deprived of their fire service.

17:39

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I offer my personal congratulations to Fergus Ewing on securing tonight's debate and, indeed, compliment him on his speech.

This may come as a slight shock to some members but, in my younger years, when I worked at Kishorn—where we built the Ninian central platform—I was for a short time a volunteer fireman, so I know a wee bit about the subject, although I admit that that was a long time ago.

Mary Scanlon was quite correct to mention the Lybster auxiliary unit. In the short time available, I will, if I may, dwell particularly on Lybster. The issue was raised with all of us who were candidates during the election and many people came to speak to me about it. The issue is as simple as this: we have an auxiliary unit at Lybster, a unit at Dunbeath and the fire station at Wick. This is a parallel argument to the one I always put forward about maternity services in the north. We cannot change distance and geography in the Highlands. If there was a fire somewhere at the back of Lybster, such as on Mrs Gunn's croft at Camster, the local boys would know where they were going, but if the Lybster service was taken out, the Dunbeath or Wick services might not be able to reach the fire in time.

I give my personal thanks to the fire-master of Highland Council and councillor Drew McFarlane Slack. John Farquhar Munro and I met them during the summer and we have since had a civil and constructive correspondence that led to my question to the minister earlier in the session.

I am particularly intrigued by what Fergus Ewing said about nearby breathing apparatus. I do not have time to talk about it at the moment but perhaps he and I could discuss it later; perhaps we have some constructive thoughts to share.

I am glad that we have a cross-party consensus because that is hugely important. We have heard about forest fires and road accidents. I know how twisty the A9 can be and I have a question about the Berriedale braes to ask at question time tomorrow.

I support Fergus Ewing's motion. I look forward to hearing what the minister has to say and to working with the ministers, the fire-master and others to address the problem. Flexibility is the right approach.

Finally, I have a story for the amusement of the chamber. After John Farquhar Munro and I met the fire-master, we met the chief constable and others at the police headquarters in Inverness. Over the customary cup of coffee and a biscuit, before we got down to business, John Farquhar Munro regaled the police top brass with a tale of how he had been fishing recently in the west Highlands. As he was about to make his second cast, a helicopter clattered towards him, so he dived into the whins under the assumption that it was the laird.

17:41

Carolyn Leckie (Central Scotland) (SSP): I hope that there is no danger that my microphone will be switched off this time. I also hope that this debate is being conducted in a more friendly spirit than the debate earlier today. I send my best

wishes to the auxiliary firefighters and members of the Fire Brigades Union who are sitting in the gallery.

It strikes me that the debate is a bit funny because instead of Opposition parties arguing that the Executive should put its hands in its pockets and fund new capital projects and have 24-hour fire cover in the Highlands and Islands, members are saying that it is okay to rely on voluntary, unpaid services and that it would be short-sighted to cast that aside. If those services were cast aside, massive expenditure would be involved in providing the sort of service and 24-hour back-up that would be required. The situation is ironic and I would welcome the minister's comments on that.

We have the consultation on the proposed fire services bill and some points were raised in the earlier debate that I did not have time to address. I am puzzled about why the Executive wants to keep control over equipment, but does not want to maintain control over minimum staffing. That fits with the question about breathing apparatus, because under section 19 of the Fire Services Act 1947 and the proposals in the Executive's document, it strikes me that the Executive has a say over equipment and the role that it plays in the provision of services. That also shows that the Executive is in a position to make adjustments if they are necessary, are agreed by the firefighters and their various organisations and have cross-party support. Perhaps we require guidelines on what can and cannot be tackled in the absence of breathing apparatus.

The geographical diversity of Scotland has been referred to and we should come back to some of the issues that have been raised on auxiliary firefighter units in the wider consultation. Given some of the specific and local problems of auxiliary fire units, I am not reassured that the proposals in the consultation document will allow us to reach the standards of consistency in rural areas that we aspire to. Will the minister address how the Executive will ensure consistency across all rural areas, and not just within fire board areas? How will consistency be ensured between the Highlands and Islands and south Scotland, for example? How will the Executive ensure that standards are the same across the board?

On a more light-hearted note, there have been references to fire-masters and firemen throughout the debate. I notice that there is at least one woman up in the public gallery with her uniform on. I want to ensure that in future we all refer to firefighters, and recognise that many women are involved in the fire service. Actually, some of the Executive's proposals seek to increase the representation of women in the service.

Perhaps the minister can tell us the bit that he missed out in his speech in the previous debate: is

there a commitment and a guarantee not to close fire stations and reduce the number of fire service personnel?

17:46

The Deputy Minister for Justice (Hugh Henry): First, I put on record the value that the Scottish Executive places on the contribution that is made by retained auxiliary and volunteer firefighters in protecting their communities. We made that clear in our document "The Scottish Fire Service of The Future". At the same time, we acknowledged that the issue of fire cover in sparsely populated areas had not been fully addressed. We will examine that as part of our proposals for the Scottish fire and rescue service.

Those proposals will shape the future of the service, and I will return to them in a minute, but I draw members' attention to the existing support that the Executive provides to the Highlands and Islands fire board. The Executive has been supportive of the brigade's efforts to upgrade its estate. Since 2000-01, Highlands and Islands fire brigade has received £8 million in capital consent, of which 40 per cent was to assist its upgrade programme. In grant-aided expenditure terms, Highlands and Islands has seen its share increase from £9.9 million in 2000-01 to £12.2 million in 2003-04, which is an increase of 22.4 per cent.

Mary Scanlon: Does the minister recognise that although that seems like a generous GAE allocation, Highlands and Islands fire service regularly spends 10 per cent more than the GAE allocation?

Hugh Henry: Of course, the whole question of GAE distribution is not simply a question for firefighting; it is one that the Executive discusses regularly with the Convention of Scottish Local Authorities. I know from my time as the leader of a council that there have been many debates within local government about the fairest way to distribute GAE throughout Scotland. We will continue to recognise the arguments that are made by local government as a whole. I am sure that Mary Scanlon understands that any redistribution of GAE in one direction will cause problems in another. One factor in the distribution of GAE is recognition of problems of sparsity and rurality—that will continue. In addition, on funding, ministers have agreed a further £1 million in 2003-04 to assist the Highlands and Islands upgrade programme.

Mary Scanlon asked about the public-private partnership. It is still being considered by the fire branch—there is still a meeting to be had between the local brigade representatives and the fire branch, but I cannot give any commitment or any guarantee on the outcome of that consideration.

I turn to points that were raised by Fergus Ewing and others. The Executive's view on the report of Her Majesty's fire service inspectorate for Scotland—which was published in October 2002 and which Fergus Ewing said recommends the closure of 32 auxiliary units in the area—is, I stress, that the report is a reflection of the inspector's view. The provision of emergency cover is rightly a matter for determination by the fire authority, not the inspector. Ultimately, local brigades will make decisions about what is best in their communities.

Members will be aware that we had some debate this afternoon about section 19 of the Fire Services Act 1947. Without prejudicing or prejudging what might happen as a result of any consultation, ministers must be guided by that act, which obtains at the moment. The Executive has received no application from Highlands and Islands fire brigade about the closure of any station.

Fergus Ewing: I think that Councillor McFarlane Slack and his colleagues would like to retain all 32 units if that is possible, but the concern was that the Health and Safety Executive might serve an improvement notice that required breathing apparatus to be provided within two years. I sincerely hope that that will not happen. Will the minister give the Executive's views on the issues in relation to breathing apparatus that I and my colleagues raised? That topic was the meat of the debate.

Hugh Henry: Any determination by the Health and Safety Executive would be for that agency and not for ministers. However, I understand that the Health and Safety Executive recently clarified the requirements so that they apply only to firefighters who deal with fires in buildings. I am sure that members agree that an inspector must give a considered view on what he or she thinks is best for a service, whether it be a fire, police or education service. We must take note of that.

Nevertheless, the final decision lies with the local board, which will have to reflect on what the Health and Safety Executive said and on what it believes to be the best use of resources in its area. Notwithstanding any health and safety considerations, if and when any application is made, we will consider it in accordance with present law in due course. As the law gives ministers the decision over any application that is made, it would not be appropriate or right for me to comment on a particular case. We will wait to see whether the local brigade or board makes any such application.

This afternoon, we debated section 19 of the 1947 act and integrated risk management. I am sure that, like other brigades and boards, Highlands and Islands fire brigade will examine

closely what is necessary for its area. I acknowledge some of the difficulties in the Highlands and Islands. In the earlier debate and in this debate, several members described the specific problems of communities with which I am unfamiliar but which clearly need a fire service every bit as much as the communities with which I am more familiar. The democratically accountable members of the relevant local fire authority will consider those issues.

Mr Stewart Maxwell (West of Scotland) (SNP): Will the minister give way?

Hugh Henry: Sure.

The Deputy Presiding Officer: I call Stewart Stevenson.

Mr Maxwell: I am Stewart Maxwell.

The Deputy Presiding Officer: Sorry. Your microphone is on anyway, so on you go.

Mr Maxwell: Does the minister agree that it would not be sensible for any auxiliary units to face closure before integrated risk management plans are completed? If so, it would be sensible to hold off plans for those units until integrated risk management plans have been developed.

Hugh Henry: Deciding on the best way to proceed is entirely a matter for local decision makers. It would be wrong for a minister to try to tell local decision makers how best to use their budgets and run their services.

We value the retained auxiliary service. We value the role of the volunteers and we know that they make a significant contribution. Without their sterling efforts, nothing would be possible in many communities throughout Scotland.

Some would argue that there might be an element of scaremongering in the debate, but, nevertheless, it has highlighted a part of the fire service in Scotland that is often overlooked and undervalued by those of us who are not familiar with that area. As such, the debate has been a useful opportunity for us all to put on record our appreciation for everything that the people involved do in their local communities.

Meeting closed at 17:55.

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