

MEETING OF THE PARLIAMENT

Wednesday 1 June 2005

Session 2

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Scottish Parliament

Wednesday 1 June 2005

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

Time for Reflection

The Presiding Officer (Mr George Reid): Good afternoon. Our first item of business is time for reflection. Our time for reflection leader today is Mr Jim Campbell, from the National Prayer Breakfast for Scotland.

Mr Jim Campbell (National Prayer Breakfast for Scotland): Good afternoon, ladies and gentlemen. It is a great honour and privilege for me to share with you this brief time for reflection in this beautiful building.

I am no stranger to Edinburgh, being the son of an Edinburgh man who, on leaving school, moved west to the royal burgh of Renfrew, where I was born, the youngest of three children. From my earliest childhood, I was aware of the great sporting competitiveness within my family, coupled with a desire to pursue strong Christian values, which I took on board as a young man and have sought to live by ever since.

My boyhood ambition to play for Queen's Park Football Club was realised between the late 1950s and the very early 1960s—a phase of my life that I enjoyed immensely. However, over and above that, I realised the importance of the Christian values that had been instilled in me since boyhood.

In recent days, we have witnessed the state opening of the Parliament at Westminster, with all its pageantry and tradition. This morning at Prestonfield House in Edinburgh, more than 300 people gathered for the annual National Prayer Breakfast for Scotland and specifically remembered politicians from this Parliament in prayer.

Many years ago, five young college students spent a Sunday in London and were anxious to hear some well-known preachers. They found their way to Spurgeon's tabernacle. While they were waiting for the doors to open, a stranger came up to them and said, "Gentlemen, would you like to see the heating apparatus of this church?" They were not particularly anxious to do so on a broiling Sunday in July, but they consented almost at once. They were taken down some steps and a door was thrown open. Then their guide whispered, "There, sirs, is our heating apparatus." They saw before them approximately 700 people, bowed in prayer. Who was their unknown guide? It was none other than Charles H Spurgeon himself.

Here you are today in this chamber, with great responsibilities resting on your shoulders as you seek to lead this nation forward in the coming days. May you be assured that many people in our nation are praying regularly for you, and may that inspire you in all your deliberations.

Be with your servants here in this place as we remember them at this time. We also remember their families and their loved ones. Make their homes places of love, where they may find spiritual resources for the strain and pressure of their duties here, through Jesus Christ, our Lord.

Amen.

Scotland and Africa

The Presiding Officer (Mr George Reid): The next item of business is a statement by the First Minister on Scotland and Malawi. The First Minister will take questions at the end of his statement, so there should be no interventions.

14:34

The First Minister (Mr Jack McConnell): Thank you for the opportunity to report the detail and outcome of my official visit to Malawi. I apologise to the leaders of the other parties for their late receipt of my statement in advance of this meeting of the Parliament.

In February, our devolved Government published a strategy on international development. Scotland's increasingly significant international profile means that we have responsibilities, in addition to the international development responsibilities of the United Kingdom Government.

For six years we have worked increasingly hard to promote Scotland internationally—in America, in Europe and in the far east. All those actions are designed to improve the lives of Scots here in Scotland, but there is a point at which all our efforts to promote Scotland, to attract fresh talent, to increase tourism and to promote business links are incomplete unless we participate in the worldwide effort to close the gulf between rich and developing countries. I believe that, to make poverty history, everyone must play a part in achieving the millennium development goals. Individuals, youngsters, businesses, communities and devolved Governments and Parliaments such as ours have a job to do. If we are not part of the solution in Africa and elsewhere, we exacerbate the problem.

So our international development strategy focuses on the powers of devolution and the practical things that this Government should do. I believe that there is a real desire in this chamber—a cross-party desire—to work together on international development. We are a relatively rich country with a moral duty to contribute to international development, and we should do so.

Before arriving in Malawi last week, I understood Scotland's history with Malawi—or at least I thought I did. I knew about the Scottish churches and their impact on daily lives, and I knew that many individual Scots had contributed to the country's development. As any youngster in Lanarkshire can tell you, Dr David Livingstone's legacy is present throughout Africa—but perhaps nowhere more so than in Malawi, where the only place names from the colonial past still remaining are Blantyre and Livingstonia.

The welcome that we received was deep and warm. There were many things that I was prepared for, but I did not expect the depth and warmth of the welcome that we received from people far below the level of Government ministers.

Scotland's links with the country are—by and large—proud ones. Throughout the 20th century, when ordinary Malawians were being oppressed, Scots spoke out for them. In the 1950s, when there were proposals to amalgamate what was then Nyasaland with the Rhodesias, it was Scots who spoke up against the proposals here in the United Kingdom. Presiding Officer, it is now time for Scots to raise their voices again. As one of the Government ministers in Malawi said to me last week, "Scotland has unfinished business."

My objectives for this visit were clear. I wanted to highlight the plight of Africa and the responsibility of rich nations to help in advance of the G8 summit in July; I wanted to explore how our international development policy could help Malawi in particular to meet the millennium development goals, especially in health, education and governance; and I wanted to support the activities of Scots and Scottish organisations already active in Malawi. Most of all, I went to listen to and learn from local people, their community leaders and their elected representatives.

I took inspiration and advice from the members of the Commonwealth Parliamentary Association here who visited Malawi in February and produced such a helpful report. I learned much from the churches and non-governmental organisations too. However, I learned a great deal more by being there. I saw for myself Malawi's challenge in adapting to universal primary education; I saw the challenges facing teachers at Minga Community Day Secondary School; and I saw the enthusiasm for learning among pupils who walk up to 10km each day to school.

At Henry Henderson Primary School—built by Scots in 1909—I saw 1,200 children taught by 26 teachers in a school that is still without decent toilets. I saw too the special education facilities and training at Montfort College, for the teaching and support of deaf and blind children. I met the community in Linthipe, and I saw the care that Josephine Munthali's child support project—based in Glasgow—offers to children there. It gives them their only hot meal, keeping them alive. I saw in Nkhoma the support that the church gives to public services—training nurses and running a hospital.

I heard about the ambitious plans at the college of health sciences in Lilongwe to develop capacity and human resources by training nurses and other health professionals; and I saw at first hand the

enormous challenges facing Lilongwe's main maternity services at Bottom hospital, where I met the two doctors who help 10,000 women to give birth each year. I heard about the maternal death rate—one of the highest in the world. I heard from Dr Walker from Simpson's here in Edinburgh that, in his eight years of obstetric experience in Scotland, he has never experienced a mother die in childbirth. In Bottom hospital, one mum dies every week. I also met Scottish midwives who are training local staff to deal with obstetric emergencies.

In each place that I visited, local people proudly told me of their achievements and their aspirations, but they face such great challenges: a labour ward without scissors or stitch packs; a health college without modern books or internet access; and primary schools without books, paper or pencils, never mind running water and electricity. Students are unable to reach the entrance requirements for university without a science qualification, but schools are unable to teach science because they have no equipment. Nurses go without basic vaccinations and so, throughout their careers, are at risk from hepatitis B and HIV. Too many little girls reach adulthood far too young, and mothers are unable to feed their children without help from a feeding station.

The enormity of the challenge and the scale of the problems must not prevent us from trying our best to help, so we announced immediate actions last week. First, a new training programme will extend the work that is being carried out by Dr Walker and his remarkable team. Ten Scottish doctors and midwives can train 100 Malawian medical staff and students in emergency obstetrics. We will also break down barriers to volunteering, as was recommended by the group of MSPs who visited Malawi in February. Initially, 10 Scots a year will get their superannuation costs paid while they are on a two-year Voluntary Service Overseas placement in Malawi. That is a first in the United Kingdom. Furthermore, to support Malawi in its drive to train more teachers, I can announce that Scotland's teacher training faculties, whose deans I met yesterday, will identify options to develop education.

Other Scots are also doing brilliant work out there. The Strathclyde partnership is distributing 32,000 school books in Malawi. It has already provided computers that can talk to visually impaired children at Montfort College. Scottish International Relief is feeding 23,000 Malawian children through its Mary's meals project. The Church of Scotland continues the work that it started all those years ago by supporting communities, schools and health care.

Complementing my programme, I was able to meet a number of members of the Malawian

Government. I met the President, who was elected last year. I also met the Vice-President, the Minister of Foreign Affairs, the Minister of Finance, the Minister of Information and Tourism, the Deputy Minister of Health and the Deputy Minister of Education and Human Resources. The meetings were useful and businesslike. The President expressed, publicly and privately, his strong political will to root out corruption. He spoke of a zero-tolerance approach to corruption and he described his personal effort to ensure that his Administration is marked by transparency and accountability.

All in all, over the past 150 years, Scottish efforts in Malawi have been remarkable and I believe that the Malawian Government is determined to do its best in difficult circumstances. However, despite the efforts of many, Malawi has not progressed. Five years ago, life expectancy in Malawi was 42 years; today, it is 37. In other words, none of the efforts has been enough. In many respects, the country is going backwards.

I believe that now is the time to step up a gear. We need to pull together as a nation in a national effort to change more lives in a part of Africa that has been friends with Scotland for a long, long time. We will continue to support and recognise all the other efforts by Scots in other developing countries but, to make maximum impact, our devolved Government's energy and leadership will focus attention on Malawi.

First and foremost, we must find an easy way for generous, caring Scots to respond to the images that they have seen, the articles that they have read and the news reports that they have watched as a result of the visit. Today, I can announce the establishment of a fund and telephone contact centre that will be run by the Scottish Community Foundation. I make it clear that the fund will not be part of Government and will have no direct relationship to ministers or politicians. It will add value to the existing appeals and charities in Scotland. When individuals or groups want to donate directly, it will be made as easy as possible to do that. Scots are generous—they have already risen to the challenge in supporting the renewal of Bottom hospital and other projects—and their donations make a difference. That difference can be even greater if our efforts in Government work hand in hand with those of the national fund and the many others who work in Malawi.

I can also announce today the establishment of a Scotland-Malawi steering group. The group will be led by Patricia Ferguson. In recognition of the enormous contribution that the Scotland-Malawi partnership is already making, I have asked that partnership to provide the vice-chair for the group. The remit of the group will be to co-ordinate activity, draw up an immediate set of actions and

oversee their delivery. There will be close liaison with MSPs who are already involved, including the CPA executive committee.

The steering group will consider further how the Scottish Government and professionals in Scotland can help to build greater capacity in the Malawian health and education systems and how, in particular, we can support the women who lead development in local communities. We will encourage schools, colleges and others to link with their Malawian counterparts. We can and should find direct ways to help.

The President has accepted my invitation to him to come to Scotland in November, when he will address the Scotland-Malawi partnership conference. In the meantime, our two Governments will work together to establish priority areas for development and co-operation and to draw up a Government-to-Government action plan in time for the President's visit.

The President has identified economic growth as his top priority. We will discuss how our experience in enterprise education in particular and in supporting businesses more generally can help. We will also consider how our tourism industry can advise those in Malawi who seek to promote the country as a tourist destination—and what a fantastic destination it would be. Patricia Ferguson will visit Malawi next spring. Her visit will include discussions with the Malawian Minister for Information and Tourism, who might also lead a delegation to Scotland.

I thank all those who helped to organise the visit last week, and all those in Malawi who made all of us so welcome. In particular, I thank everyone who helped with the Scottish schools Africa challenge. Last week, five children from Sanday Community School in Orkney accompanied me to Malawi and spent a week with five children from Minga Community Day Secondary School.

In the words of the children from Sanday Community School, their experience was “life changing” and “inspiring”—they said that their “eyes were opened.” I know that those youngsters will grow up into adults who have open minds and broad horizons. I also know that the connection between Scots and Malawians will make Scotland a better place. We are a small, devolved country, looking to focus on a small part of Africa. We can help, and we can make a difference.

Ultimately, however, that will not be enough. In the end, the actions and decisions of the leaders of the world's richest and most powerful countries will make a lasting difference for Africans. That is why the G8 summit, on Scottish soil next month, is so critical. If Scotland can do this much, then surely the G8 leaders can back the British Prime Minister and deliver more aid, cancel debt and

create trade rules that stop punishing the weakest economies. We will do our bit; now they must do theirs.

The Presiding Officer: The First Minister will now take questions on his statement. I will allow around 20 minutes for the process.

Nicola Sturgeon (Glasgow) (SNP): I commend the First Minister for his visit to Malawi and for his clear personal commitment to encouraging all of us to do what we can to help to tackle poverty in Africa. I offer him my full and unreserved support for all the initiatives that he has announced today.

I also agree with the First Minister's closing remarks that, although we can—and we should—do so much, those with the power to make a real difference to millions of lives in Africa are the G8 leaders who will meet in Gleneagles next month. Is the First Minister aware that, if just the UK was to meet the United Nations target for international aid, an estimated 1.5 million people could be lifted out of poverty every single year? In the light of that, does he share the concern that, although, as he said, there are moves afoot to increase international aid, no single G8 country is currently committed to meeting the UN target before 2012, even though the target has been in place for 35 years?

Will the First Minister use his experiences and influence to urge the Prime Minister and the Chancellor of the Exchequer to follow the example of small nations such as Norway, which already exceeds the target, by committing the UK to meeting the target well before the end of this decade?

The First Minister: I thank Nicola Sturgeon very much for her support and, I assume, that of the Scottish National Party for the initiatives that I have outlined. I hope that that is the way in which we can proceed with this work.

The decisions that the British Government has made, first to double international aid since 1997 and, more recently, to commit to the 0.7 per cent target by 2012, are welcome. The Government should keep that target date under constant review to determine whether it can bring it forward. It should also, as I believe that it is doing, maximise the pressure on the other G8 nations to set a clear target date and not only hit it, but keep it under review to determine whether they can bring it forward. I see no reason why countries in the rich, developed world cannot hit the target much earlier than most of them plan to do and we should all continue to alert Governments to the priority that we want them to attach to that.

David McLetchie (Edinburgh Pentlands) (Con): I commend the First Minister for his interest in the matter. I am sure that we all agree that the objective of making poverty history is

commendable and recognise the strong historical links between Scotland and Malawi. However, I am sure that the First Minister is also aware that many people are concerned that his Scottish Executive initiative might cut across the efforts of Her Majesty's Government, to which aid and development are properly reserved. Should it not be up to the Government of the United Kingdom to decide on our international aid priorities in tandem with other Governments and international agencies, rather than up to the Scottish Executive?

The First Minister referred in his statement to governance, which is important. Does he agree with me that good governance is vital to economic development and that success stories in Africa, such as Botswana, are countries that have functioning democracies? Did he follow the advice that Sir Bob Geldof gave in the chamber only a few weeks ago and press the Government of Malawi to reform its political structures to eliminate corruption? Can ordinary people in Scotland be assured that their donations to the fund that he mentioned will help the ordinary people of Malawi and will not end up lining the pockets of corrupt politicians and officials?

Although public demonstrations of concern about world poverty are laudable, does the First Minister agree that such demonstrations must be properly organised in conjunction with the police and other relevant authorities and that we simply cannot have 1 million people turning up on the streets of Edinburgh without proper arrangements being made in advance? To that end, will the First Minister advise the Parliament what is being done in relation to the demonstration that has been called for 6 July?

The First Minister: I am happy to provide reassurance on all three issues and hope that we can build on the cross-party consensus that was developed during the visit in February. To his credit, Ted Brocklebank has been very much part of that and I hope that Mr McLetchie will join us in that effort if I am able to provide him with the reassurance that he has requested.

First, we worked closely with the Department for International Development and the Foreign and Commonwealth Office in preparing the official visit to Malawi and executing the different visits in the programme last week. It is clear that not only the UK Government but the other major donor Governments of the world have a major responsibility to work closely with the Governments of Malawi and other countries to implement aid programmes that have maximum impact. However, those donor countries also recognise that there is a role for different levels of Government and different agencies and that, when different levels of Government and other agencies

get involved, complementing the donor countries' national programmes or working on the ground with individual projects, they can make an impact. That is why the UK Government has encouraged us at every stage in the work that we have undertaken. It is also why the Government will continue to support us and we will continue to work closely with it.

On governance, I think that I said in my statement that I take the new President of Malawi at his word. He talks of a zero-tolerance approach to corruption and, significantly, has already acted to sack individual politicians and civil servants whom he believes to be guilty of corruption. His anti-corruption operation is currently pursuing individuals who will be properly tried in the courts of Malawi. Malawi has a democratic system. It is alleged that it might, in the eyes of some, have been abused in the past, but a democracy and a legal system are in place there. The Government of Malawi should use that system properly and, when it does that, it will have our full support.

I will come back to the question on donations in a second, because I will answer the point about demonstrations first. I am in no doubt that, as I said in the Parliament perhaps a few weeks ago, we have one of the best police forces in the world. I believe that our police force and our other agencies will be very well prepared for whatever happens here in Scotland in the first 10 days of July. It is absolutely critical that any demonstration is peaceful and respectful, not least of those in Africa who are starving or dying, as they are the people whom this is meant to be all about. Whatever the numbers are, I want any organisers to work closely with the authorities here, and my office is assisting with that. I want those who come to Scotland and those in Scotland who choose to make their voices heard to do so respectfully and peacefully. I am sure that that call will be echoed by all parties in the chamber.

I have seen with my own eyes the impact that donations make. I have seen youngsters who would otherwise be dead being fed by money that has been donated here in Scotland. Anybody who donates to Scottish International Relief, to the Child Support Project, to the many other funds that have already been established or to the fund that we will now use to co-ordinate and add value to the efforts that are being made can be absolutely assured that their money will find its way to individual projects, which will directly benefit the citizens and families of Malawi. People should be in no doubt about that. I hope that, from today, people will respond to that call.

The Presiding Officer: I ask for shorter questions and answers from now on, please.

Mike Pringle (Edinburgh South) (LD): I have a particular interest in the part of the world that we

are discussing, as I was born in the Federation of Rhodesia and Nyasaland, in what is now Zambia. I congratulate the First Minister on going to Malawi and seeing for himself what the problems are.

As part of the delegation that recently visited Malawi, I point out that we did not promise anybody anything. As a result of my visit, I, together with others, have set up a charitable trust to assist one maternity unit, at Bottom hospital, to which the First Minister referred. Should I be attacked and condemned by others for concentrating on only one cause? Some of us, as individuals or as members of a group, cannot do everything. Some would suggest that we do nothing.

The Presiding Officer: You must ask a question.

Mike Pringle: Does the First Minister agree that it is better for us all to help in whatever way we can than to do nothing, as some have suggested we should do?

On corruption, what measures can we take here in Scotland to ensure that the aid gets to those who need it and does not fall into the hands of corrupt officials?

The First Minister: The key thing is to identify individual specific appeals—such as the one with which Mike Pringle is associated or those run by charities that have been raising money for some time, and which are organised on the ground—and to identify clearly the money that has been allocated for specific projects or purposes. All the organisations involved have clear audit trails, and the money goes straight to the local projects. That is what we want to encourage. Any national co-ordination of that will have exactly the same aims and objectives.

On whether we should or could do nothing, questions have been raised, first, about our decision to become involved in this whole area and, secondly, about our decision to concentrate on Malawi. I hope that I have answered the point about our becoming involved. The Secretary of State for International Development, Hilary Benn, has said in this very chamber that he believes that there is more than enough work to go round. Any of us who have been to Africa can see that that is indeed the case.

On the second point, we in Scotland should focus our efforts. We should not enter this business in a tokenistic way or in a way that involves spreading our efforts too thinly for us to have any impact. By concentrating on Malawi, an old friend of Scotland with a 150-year-old connection to us and one of the poorest countries in the world, with what is probably the worst ill health in the world, we have an opportunity to build on a friendship that already exists and to

focus our attention and efforts. That does not mean taking away from anybody else's work, replacing it or running it down; rather, it means leading it with one particular effort, which I think can make a real difference. I believe that that should command the support of people in all political parties, in all Houses of Parliament and at all levels of Government. I intend to do all that I can to make this an all-party effort and to make it work.

Robin Harper (Lothians) (Green): I indicate in the strongest possible terms our support for the initiatives that the First Minister has outlined, particularly the focus on one country and its education, health and women. The First Minister is to be congratulated on his visit; it is clear to me, and I hope to everybody else in the chamber, that very positive results will stem from it.

There are many questions to ask, but I want to ask about education. The First Minister has indicated that the fund will in no way be directed by politicians. However, will there be a commitment to development of sustainability education and eco-schools? The First Minister saw for himself in Johannesburg the benefits that can be gained from that. How will the fund administration relate to Scottish charities?

The First Minister: I thank Robin Harper for his comments. The fund will relate to Scottish charities by co-ordinating and pulling together the efforts that already exist. It will add value to them and provide a single national focus for people who want to contribute but are not sure where best to direct that contribution. If the Presiding Officer will allow me to mention it, the number 0845 848 9804 was launched this afternoon. The lines are now open, as they say on fundraising appeal programmes. That number will allow people to make a donation from anywhere and will focus on priority projects.

I share Robin Harper's passion for teaching and education. To visit schools to which young children walk 10km a day to sit on stone floors with no papers and pencils, where the teacher has no desk and where there is no running water or electricity puts the importance of education into perspective. It would be worthless for those youngsters to get books without getting pencils. Their getting books and pencils but no science equipment would mean that they still could not go to university, yet they are doing quadratic equations in their heads in order to learn the skills that youngsters in this country sometimes take for granted and sometimes resent.

We can do so much with so little resource. I visited a school in a village where I was shown straw huts the size of the centre of this chamber in which the children learn, 60 to a room. The children learn in those huts because the eight

classrooms that were built eight years ago still do not have roofs, which could be built for a paltry sum in this country, never mind in that country. I intend to ensure that they get them at some point in the next 12 months.

Frances Curran (West of Scotland) (SSP): Does the First Minister accept that although millions of Scots will give generously to the people of Malawi and other African countries, the wealth and resources of those countries are sucked out of them daily by the merchant banks and multinational companies? Does he accept that the culprit is the free-trade ideology? Will he support those countries' rights and throw the weight of Parliament behind the countries that want to protect their economies, industries and services from foreign domination, privatisation and the policies of the World Bank?

The First Minister: As I said in my statement, there are serious issues about trade unions and regulations, their impact on developing countries and the way they hold back the economies of those countries—I refer not least to some of the rules that exist in Europe in our agricultural policies. There are big issues for us in Europe as well as issues for multinational companies and the United States of America. We all have some responsibility. If we are going to do this right, in the long term we will all have to give up a little to ensure that others can prosper. That would be a good thing for all of us as well as for them. Much good work is done by the World Bank and other international institutions, but the problem is that it what is done is not yet enough. I hope that the world leaders' meeting at the G8 summit in Scotland next month will ensure that they build on the good work that exists and that they change that which holds back countries in Africa and elsewhere.

Des McNulty (Clydebank and Milngavie) (Lab): Does the First Minister agree that the question for us is not whether we can make a difference but how best we can do so? Will he confirm that the key objective is to ensure sustainability for organisations here in Scotland and in Malawi and elsewhere in Africa that we are assisting beyond the initial three-year timeframe?

The First Minister: We need to give an initial commitment, but we need to be in this for the long term. We cannot stick a toe in the water and then walk away. The sustainability of the individual projects, of the public services and—I agree with Malawi's President on this—of a growing economy in Malawi will be absolutely central to the long-term success of the country. The President said that Malawi has poor people but is not a poor country. It might not have the gold and other minerals that are mined across southern Africa and which make other countries much richer, but it

has fantastic natural resources and fantastic people who have hope and spirit and who want their lives to go somewhere. If we are in this for the long term, we can help them to get there.

Mrs Margaret Ewing (Moray) (SNP): I join in welcoming the First Minister's statement. On behalf of the CPA delegation and executive, I thank the First Minister for his kind remarks about our efforts. I assure him and Patricia Ferguson that we are all more than willing to work in a constructive and continuing way with regard to the international development strategy.

On sustainability, our long-term aim is to enable people in Malawi to develop the skills that will enable them to grow their own economy; it is not a question of our going in and walking away. We saw the enthusiasm of the youngsters in the schools and recognised how desperately keen they are to learn.

Does the First Minister intend to roll out the superannuation guarantee to other aspects of the public services, such as education, the police services, the fire brigades and so on?

The First Minister: On the superannuation guarantee, the 10 people who are being supported are very much an initial number on which we can build. We need to discuss with colleagues in local government whether they would be prepared to support us in that effort, but I am sure that there is willingness on our side to build on the initial pilot scheme of 10 places.

Margaret Ewing talked about the capacity of training and expertise in Malawi, which is absolutely central. That is why we need to talk to our teacher training colleges rather than just to our teachers who might want to volunteer. We need to help Malawi to build its training capacity. That requires a variety of professional expertise. Many of the things that we do in Scotland, not least distance learning, could be adapted for use in Malawi in a way that would be extremely helpful in relation to building public services.

We can use that expertise, but we must also consider the fundraising aspects; the two elements go hand in hand. We can help to train nurses in Malawi, but if they are not vaccinated against hepatitis B and face the threat of contracting that disease from the day on which they enter training, that is a problem. However, it is a problem that is not hard to tackle with a small amount of money. Similarly, we can train teachers in Malawi but, if they do not have access to the internet and the knowledge that that brings, the way in which they can help youngsters to compete in the modern world will be limited. Fundraising goes hand in hand with training and expertise, but everything that we do should be about building Malawi's

capacity to sustain its public services and economy.

Dennis Canavan (Falkirk West) (Ind): I wish the First Minister well in his attempts to help one of the poorest countries in the world. Will the First Minister ignore his critics—including some ill-informed journalists and Westminster MPs—who allege that the Scottish Parliament and the Scottish Executive are interfering in matters that are none of our business? Does the First Minister agree that we can complement the good work of the Department for International Development? That fact was apparently recognised by Hilary Benn, the Secretary of State for International Development, who gave evidence on the subject to the European and External Relations Committee and gave an inspiring address in this chamber about the importance of international development, which is the business of everyone in the international community.

The First Minister: I am determined to build a broad coalition and to ensure that we have as much consensus and concerted action as possible. I have therefore resisted the temptation to respond to the few remarks to which Mr Canavan refers, which have been made during the past seven days. I think that that is the right approach.

However, I will make one point that I think Dennis Canavan will, as a former member of the Westminster Parliament, understand absolutely. If, in the days before devolution, the Department for International Development had approached the old Scottish Office and asked it to assist in giving help with education and health in Malawi, nobody would have questioned whether the Scottish Office could perform that function. There is absolutely no reason why the Scottish Parliament and Scotland's devolved Government cannot play their small, humble part as part of the national effort and international action. When we do so, we have the support of the vast majority of people in Scotland.

The Presiding Officer: I will allow two final quick questions and answers.

Karen Gillon (Clydesdale) (Lab): I pick up on the First Minister's comments about developing the capacity of women and young girls in Malawi. In what practical ways can that best be done? By building those women and young girls and developing their management skills in their communities we can best serve the people of Malawi.

The First Minister: Like anyone who has visited African communities, I was struck by the incredible power, strength and resilience of the women who ensure that not only their children but children who have been orphaned and so on are fed and are

encouraged in their education, their health and their other development. Our Parliament, given its proud record of interest in and representation of women, can play a particular role in supporting those initiatives. The Presiding Officer has raised the matter on many occasions and I support his comments. We can play a particular role in supporting the women politicians and community leaders in Malawi; women MSPs might be willing to develop that partnership.

Linda Fabiani (Central Scotland) (SNP): Further to Karen Gillon's point about the importance of empowering women, does the First Minister agree that it is important to enable women to give their communities the services that they need? Those services should be defined by the communities themselves rather than be imposed from outside.

Have there been any discussions about DFID giving added-value funding to the seedcorn projects that the Scottish Executive will fund through the development fund that has been agreed?

The First Minister: We will continue to work closely with DFID, and where appropriate we will combine our efforts. On other occasions, we will complement its work by working individually or supporting Scottish projects that are working separately.

To impose solutions is the worst thing that we could do. In an interview last week, a reporter asked me whether it would not be better for me to be sitting in Edinburgh. He said that the answers are obvious, that I should not have gone to Malawi and that it would have been better for me to spend time here mobilising support for what we are doing. However, there is nothing better than learning with one's own eyes and ears what people need and want. Last week, like the MSPs who visited Malawi in February and saw so much, I was able to listen and learn. That was the key objective of the visit and I hope that the lessons that we took from it can now be spread across Scotland so that we can galvanise support and make a difference to a country that is an old friend.

The Presiding Officer: With us during the statement and questions has been His Excellency Mel Cappe, the Canadian High Commissioner to the UK, to whom we extend a warm welcome.

Transport (Scotland) Act 2001

The Deputy Presiding Officer (Trish Godman): The next item of business is a debate on motion S2M-2854, in the name of Bristow Muldoon, on behalf of the Local Government and Transport Committee, on its inquiry into issues arising from the Transport (Scotland) Act 2001.

15:14

Bristow Muldoon (Livingston) (Lab): In deciding on the Local Government and Transport Committee's work programme, members believed that it would be useful to undertake post-legislative scrutiny of legislation from the previous parliamentary session, so we decided to examine the Transport (Scotland) Act 2001, which is one of the most significant pieces of legislation that is within our committee's remit. We did not cover all aspects of the act; for example, we did not explore congestion charging, partly because Edinburgh's proposals were subject to a public inquiry and, ultimately, to a referendum. However, to have gone into such issues might have added to the interest of our report.

The main subject on which we focused was quality partnerships and quality contracts for bus services, which have been available since 2001. We knew that no formal quality partnerships or contracts had been embarked on, but we were well aware from constituents and bus-user representatives that many complaints are made about bus services in constituencies around Scotland. Services for some of Scotland's most excluded communities have been withdrawn and claims have been made about cherry picking on key profitable routes, particularly the main corridors into cities and towns. Some areas have too many buses whereas others have far too few. We wanted to get to the bottom of those issues, to find out what was happening throughout the bus industry and to collect views from all quarters. We also considered the concessionary travel schemes that were introduced under the 2001 act.

In addition to the normal parliamentary work of taking evidence in committee in Edinburgh, we decided to organise meetings and community events in Stranraer and Glasgow to collect views from regular bus users in a major city and a relatively rural part of Scotland. I thank not only the parliamentary clerks who supported our work, but the many organisations that offered written and oral evidence and, most of all, the members of the public who participated in the events in Stranraer and Glasgow.

The picture that emerged was mixed. It is true that no quality partnerships or contracts have been established, but that does not mean that no

positive developments have occurred in the bus industry. Almost every local authority has partnership working with local bus operators to develop voluntary partnerships, many of which result in better quality and cleaner vehicles with low-floor access, better service frequencies, reduced journey times and better information for passengers. We should acknowledge and applaud such developments.

It is also true that, in Stagecoach and FirstGroup, we have two major private companies in the transport market that play a major role not only here in the United Kingdom, but internationally. Scotland should welcome the fact that two such major companies are based here.

After many years of decline, the number of local bus journeys has grown in each of the past five years. In 2003-04, 449 million local passenger journeys were made, which represents a year-on-year increase of 1 per cent. Since current records began, this is the first time that we have had five years of year-on-year growth.

However, the picture is not all positive. When non-local journeys are included, the overall bus market declined by 1 per cent in 2003-04. In comparison with 10 years previously, the number of people who travel by bus was down by about 15 per cent, which is consistent with the rest of Great Britain except London, which has substantially bucked the trend.

Why is it important to reverse the trend in bus patronage and to encourage more people to travel by bus? First, if we are to tackle the problem of congestion in our major cities, buses are a more flexible alternative to the private car than rail and trams. Investment in new bus services can be swifter because the infrastructure constraints are fewer. Buses already represent the largest segment of the passenger transport sector and account for about 11 per cent of all commuter journeys. The bus is probably the most effective way to connect employment and social opportunities to excluded communities or individuals who have no access to a private car.

We recognise that progress has been made in some local journeys, but the picture throughout Scotland is inconsistent. We uncovered several services that had been withdrawn from communities and many cases of poorly maintained vehicles, insufficient cleaning, poor customer relations and poor customer care in general. There were also many tales of intense competition on busy routes and of very little competition and often no services at all in rural communities and communities that are on the periphery of our larger towns and cities.

To date, no quality contracts and quality partnerships—which I want to consider—have

been developed, but the fact that quality partnerships and quality contracts are on the statute book has acted as a means of encouraging bus companies to enter voluntary partnerships in some areas. A positive development that I want to highlight in my area is the partnership that was recently formed between West Lothian Council and FirstGroup. It is probably fair to say that there have been many frosty exchanges between those organisations over the years, but they recently came together at senior level and developed a partnership agreement that aims to grow patronage by 5 per cent over the next two years on the important Bathgate-Livingston-Edinburgh corridor.

Among aspects of the agreement to which both sides have committed themselves and which will improve services along the corridor are the council's taking greater responsibility for replacing shelters, for improving lighting and security at bus stops and for tackling graffiti and repairs more timeously. The council has agreed to provide better information at stops and that there should be better liaison between the organisations on roadworks in order to try to minimise disruption to timetables. The council also committed itself to agreeing contingency plans when roadworks are necessary. First Edinburgh committed to introducing new low-floor buses to the route this month, to agreed emissions standards, to a guarantee that existing frequencies will be maintained for at least a year in order to find out whether passenger growth aspirations are achieved, and to agreements on cleaning standards and the use of closed-circuit television to improve security.

Looking to the future, the new regional transport partnerships should be able to play a key role in developing bus networks and routes more regionally—that role has been missing in the past few years. All the powers that are currently available to local authorities will be available to the new RTPs if they want them.

During the inquiry, there were calls from witnesses—and, indeed, from some committee members—for the bus industry to come under far heavier regulation than is currently the case, and even for some parts of it to return to full renationalisation or some other public sector model. We considered a number of different ownership and regulation models as part of the inquiry, some of which seemed initially to be attractive. For example, the franchise system that operates in London seems to work well and has led to more passenger journeys in London and to London bucking the passenger transport trend compared with other parts of the UK. Lothian Buses, which remains in a form of public ownership, also seems to provide an excellent service to its users at a reasonable cost and

returns millions of pounds each year to the City of Edinburgh Council and the other Lothian councils by way of dividend.

Sarah Boyack (Edinburgh Central) (Lab): I want to pick up on that point. I have travelled around the country and it strikes me that much of the soft passenger information is much better and that, as a result of the best practice that the Scottish Executive identified on timetabling information and information at bus stops and of new stock regularly coming through, the service is much more attractive than it was a few years ago. To what extent should best practice be encouraged throughout the country? We now have Traveline Scotland and people can telephone or go on to the internet to find out when buses run. Reliability, information at stops and ideas such as texting information to people's mobile phones are important.

Bristow Muldoon: I agree entirely. Ensuring that bus passengers and people who are not currently bus users have access to accurate information about timetables and real-time information on bus services, if that is available, can only encourage more people to use such services. Some voluntary partnerships that have been developed and some Executive initiatives have expanded such services. Further encouragement of them will assist in growing the bus market.

I turn to the models that we considered. We concluded that some models were superficially attractive, but it would be difficult to implement many of them in Scotland at this time. If we were to turn back the clock 20 years, perhaps it would be possible to create for the whole of Scotland a model that is similar to London's. However, we might have things to learn from London about promoting quality contracts. I am encouraged by the Executive's commitment to discussing with Transport for London ways in which that organisation franchises services in the city of London. Similarly, although everyone has positive words to say about Lothian Buses, it would be difficult for other local authorities to recreate such a service, given the 20 years that have passed since deregulation.

It is arguable that the challenge that we face is how we can make the current mixed economy work best. We have a couple of world players, which I mentioned earlier, in rail and other interests. We also have some niche operators and—as I mentioned a moment ago—we have a successful public sector model in the Lothians. The trick is to make all those work together with the public agencies and the RTPs through appropriate use of quality contracts and quality partnerships. It is important that the Executive assist local authorities in developing that model.

The concessionary travel schemes that were introduced in the first session of Parliament are by far one of the most important success stories of the Parliament's first four years. By 2003, 26 per cent of the population held a concessionary bus pass, with more than 75 per cent of drivers aged over 65 and more than 90 per cent of non-drivers holding a pass. That is one of the most effective measures that we could have introduced to improve the lives of our oldest and most excluded citizens. I welcome very much the Executive's announcement during our inquiry of its commitment to extending the older people's travel scheme and to introducing a travel scheme for young people. Aside from the benefit that young people will gain when many of them do not have access to a car, the scheme will, I hope, encourage travel patterns that will lead later in their lives to consistently higher public transport use, even when they can drive and have access to a car.

Although the Transport (Scotland) Act 2001 has had a limited direct effect to date, it has, through the introduction of quality contracts and partnerships, probably acted as a driver of several of the voluntary partnerships that have emerged. Equally, the concessionary travel initiative that was introduced through the act has made it one of the most effective and popular acts to have been passed in the first four years of Parliament, and contributes to promotion of bus travel and the achievement of a more inclusive society.

I move,

That the Parliament notes the recommendations contained in the Local Government and Transport Committee's 4th Report 2005 (Session 2): *Inquiry into issues arising from the Transport (Scotland) Act 2001* (SP Paper 316).

15:27

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): I was not a member of the Local Government and Transport Committee when it began its deliberations; I came in at the end. I convey the apologies of Bruce Crawford, who is not able to be here. I am happy to see David Mundell in the chamber, to make what may be his valedictory speech, which we look forward to.

The Scottish National Party recognises that the bus is the predominant and key mode of public transport in Scotland, and we welcome and recognise the improvements that have been made over recent years. Those improvements have resulted from a large number of factors and through people working together. They have come about through extra money being put into the provision of buses; through the ingenuity of local authorities, Strathclyde Passenger Transport and other bodies; and, not least, through the

commitment of the big three bus companies and the other bus companies.

Ironically, perhaps, much of the improvement that there has been has not resulted directly from the vehicles that were created by the Transport (Scotland) Act 2001. It was envisaged by the then Minister for Transport and the Environment, Sarah Boyack, and others that quality contracts and quality partnerships would be the way in which we would achieve that success, whereas, in fact, the success has been achieved through voluntary arrangements. The SNP recognises that there is a role for regulation and that there is a case, as Bristow Muldoon has said, for regulation. We do not agree with renationalisation. Although no SSP member is in the chamber at the moment, perhaps we will hear from them later.

Brian Adam (Aberdeen North) (SNP): They are on the bus.

Fergus Ewing: Brian Adam reliably informs me that they are on the bus.

It is clear that quality contracts and quality partnerships are a solution that, when examined closely, has been found wanting. In its evidence to the committee, the National Federation of Bus Users estimated that a pilot scheme in West Lothian might cost £1.5 million. The SPT estimated that the cost would be £1 million. Plainly, it would be folly to enter into such models at such cost if the money could be better used to increase the frequency and improve the quality of the service to the passengers and the public.

The SNP recognises that it is necessary to tackle congestion where it occurs. Bristow Muldoon was quite right to say that the committee—for the reasons that he gave—did not study or take evidence on congestion charging. I hope that that opportunity will come. With reference to the Edinburgh scheme, the SNP believes that although local authorities should at that time have had the authority to consider such schemes, that particular scheme was wrong.

What alternatives have been presented? The debate has not moved forward significantly since the Edinburgh referendum debacle. The SNP recognises that park-and-ride schemes have played a role. As we heard from Stagecoach, the Ferrytoll initiative has been a massive success. As the local member for Inverness, I believe what the director of Stagecoach, Robert Andrew, said in his evidence: such a facility, coupled with other anti-congestion measures, would be a great advantage and would keep cars out of the city centre.

The SNP and an SNP Government would ensure that public sector workers had the opportunity to avoid driving to work in the rush hour. The merit of that proposal, which I have mentioned in the chamber before—I look forward

to the current minister or his successor developing it—is that the costs would be minimal. I commend that proposal to the chamber.

In rural Scotland and in most parts of my constituency, other solutions are required. Brian Souter recognised that the best solutions to the problems will come not from big central locations, but from community-led partnerships such as we see in Badenoch and Strathspey. He proposed in his evidence the excellent idea of taxi buses that could be operated like post buses and extended to take in other services in local areas. Those are the types of solution that are being developed, that will be developed and which we can all support.

I turn to the national concessionary scheme. The SNP supports in principle a scheme that will benefit our senior citizens and those with a disability. *[Interruption.]* We will continue to do so, whatever alarms are going off around us—and I am not referring to the sound of Kenny MacAskill's lectern falling. When the minister announced to the Parliament on 22 December that there would be a national concessionary scheme, he won support for it in principle. However, it has emerged subsequently that the details of the scheme appear not to have been thought through. Several months after the announcement, in a letter that I have obtained from the project manager, she asks local authorities whether she can have details of the 16 local schemes that operated before. Should not that have been done before the minister announced the national scheme?

In a report by the MVA Consultancy Group Ltd, which reported in draft in April, the consultants raised the pertinent question about the cost of the scheme. The minister has not given the total costs; he has given maximum costs. However, the consultants say that it is not clear whether any financial modelling has been done. Surely that modelling should have been done before the minister made the announcement to Parliament.

It is not clear how the smart card system will operate. There will not be a machine for every bus, as was the intention; the system will be operated manually. The scope for fraud is thus greater, as the MVA report recognised, and there are many other potential problems. The purpose of the SNP as the Opposition is to probe such deficiencies, but there is not enough time today for me to go over the vast deficiencies that exist in the proposed scheme. I hope that the minister will come back to Parliament before the recess, as he promised to do, to let us know what is happening to implement a scheme that the SNP, of course, warmly welcomes.

15:34

David Mundell (South of Scotland) (Con): This is the last time that I will speak in this Parliament, at least for a while, and I am very pleased to speak in this particular debate. For me, there is a certain resonance in following Fergus Ewing in any debate in the Scottish Parliament, because although I have enjoyed his speeches I have rarely agreed with them. It is true that I am standing down; indeed, I made it absolutely clear that I would do so if I was elected to Westminster. However, Mike Rumbles's recent words made me think again, because the prospect of him leading the Liberal Democrats might have been worth staying for.

As far as Bristow Muldoon's comments are concerned, I hope that I can contribute to the ongoing debate in London on travel. From my experience over the past three weeks, it appears that the evidence on transport in London from the Mayor of London's office is not quite what it seems.

I was very pleased to contribute to the Local Government and Transport Committee's report. In fact, I think that I was one of the members who argued in favour of holding the inquiry. The report on bus travel represents the Scottish Parliament and its committees acting at their very best and pursuing an issue that is important to hundreds of thousands of people. The committee and the Parliament have had some lengthy deliberations on rail travel, but we must accept that the majority of citizens who use public transport use buses. From that perspective, the inquiry was very worth while.

Des McNulty (Clydebank and Milngavie) (Lab): Will the member give way?

David Mundell: I will indeed.

Des McNulty: Given that so many of his colleagues are in the chamber to hear him, I am sure that David Mundell's maiden speech as the shadow Scottish secretary cannot be long delayed. Will he represent the wee free Conservatives or the broader Conservative communion?

David Mundell: My committee colleague Paul Martin pointed out this afternoon that Mr Michael Martin and I are single-party House of Commons representatives from Scotland. Together, and with our other colleagues, we will represent Scotland well in that chamber.

I was particularly pleased that the committee was willing to visit Stranraer to engage with the communities and various people who fed into the report. However, people must see that their participation in the inquiry and the general public participation in which the Parliament has engaged

have some meaningful effect. One of my greatest disappointments as an MSP was to see what happened to the Enterprise and Lifelong Learning Committee's report on its inquiry into lifelong learning on which I and others, including Mr McNulty, spent more than a year. Although an enormous amount of time was invested in that inquiry and an enormous number of people contributed to it, little or nothing flowed from it. If the public see that their participation is having no effect, they will simply not engage in such work.

As a member for the South of Scotland, I felt that the most pertinent issues in the inquiry related to the funding of rural bus services. As a result, I would like to hear the minister repeat his reassurances with regard to Dumfries and Galloway Council's concerns that changes to funding, particularly in relation to the national concessionary scheme, will lead to a reduction in services in those communities. There is no point in having a concessionary scheme that allows people to travel for free if there are no buses in their locality for them to travel on. The report also highlighted the lack of bus operators in rural areas to offer alternatives to Stagecoach or FirstBus. We must not only take forward those important issues, but take account of Brian Souter's response to the questions on new and fresh ideas for rural transport that I asked at the committee's meeting in Glasgow. He said:

"It is absolutely not the answer to have a big bus trailing around with three people in it."—[*Official Report, Local Government and Transport Committee*, 28 September 2004; c 1132.]

I pay tribute to the committee clerks for their support in preparing the report. If you will indulge me slightly, Presiding Officer, I want to reaffirm the comment that I made in my letter of resignation: it is with genuine sadness that I leave the many friends and colleagues in the Parliament with whom I have worked over the past six years.

15:40

Paul Martin (Glasgow Springburn) (Lab): I put on record my appreciation for the convener of the Local Government and Transport Committee, Bristow Muldoon, for his indulgence during the inquiry. None of us should make any apologies for the issues that we raised in the inquiry, because the effectiveness of our bus network throughout Scotland affects many people, particularly the disadvantaged groups who depend on an effective bus network.

Many people in my constituency and throughout Scotland need a decent bus network to get them to hospitals, health centres and leisure facilities, and even to get them to work in the early hours of the morning. I do not see any evidence that, under the Transport (Scotland) Act 2001, our bus

companies are motivated by the need to deliver for the social needs of our communities. They are motivated only by the need to ensure that they make a nice tidy profit from every route that they deliver. Social conscience may have nothing to do with the concerns that have been raised, but the specific issue that I want to raise is the cherry-picking process that the bus companies involve themselves in.

I ask the Minister for Transport not simply to take my word for that. I quote from the minutes of a north Glasgow FirstGroup transport liaison group meeting, at which David Robertson, the network manager of FirstGroup, said:

"Unfortunately bus operators cannot afford to be suppliers of Social Services",

as previously delivered by the SPT. The minister said in response to our inquiry that the bus companies should not always look at the bottom line, but should deliver social services throughout Scotland. I agree with that, but unfortunately that is not what is being played out in our communities. I find the cherry picking that goes on throughout the bus industry unacceptable, and the quality partnership and quality contract process, which was well meant in 2001, is not playing out effectively. There will have to be a process to ensure that we can regulate to deliver the social needs of our communities.

In relation to concessionary fares, we have seen significant investment by the Executive of £156 million; I know that all members welcome that. However, the evidence that we received during our inquiry showed that there is no purpose to that scheme unless people can access the bus services in the first place. Once again, I must mention the need to ensure that the elderly and, in particular, the disabled can access those services. We are advised that many of the buses that are being developed will not be ready to comply with the amended regulations under the Disability Discrimination Act 1995 for another 20 years. We should introduce legislation timeously to ensure that everyone can get access to bus services.

I have spoken a number of times in the chamber about the need to ensure that we deliver to many of the facilities that require bus services for people who have no alternative but to access the bus network. I welcome the minister's response on that point during stage 2 of the Transport (Scotland) Bill, when we ensured that the new regional transport partnerships will take health facilities into consideration. I believe that the minister will, at some point, have to address the need to regulate to ensure that bus companies take those issues into account.

I want to address the constant need for companies to consider a subsidy before they will

deliver a service. David Robertson, whom I quoted earlier, also said to the north Glasgow liaison group, "Why don't you make representations to your MSP to see how that subsidy can deal with delivering some of those social services?" FirstGroup asks us to provide funding from the public purse to deliver social services when its turnover, according to a recent announcement, has increased by 8 per cent from £2.29 billion to £2.47 billion. It is time for such companies to move away from the cherry picking of routes and to ensure that they deliver a cross-section of services to the people who need them in the most disadvantaged areas. They should have the reality check and accept that, in business, it is necessary to take the good with the bad. Many other public limited companies in various industries have to do that; it is time that the bus companies woke up to that and ensured that they deliver services to the most disadvantaged groups throughout Scotland.

The Deputy Presiding Officer: We move to the open debate. I want to call as many back benchers as I can, so I ask for four-minute speeches.

15:46

Mr Kenny MacAskill (Lothians) (SNP): I tender my apologies for the discourtesy of not being in the chamber for the opening speeches. Regrettably, and as is often the case, my media interview did not proceed at the time that it was supposed to.

It is appropriate that we are reviewing the Transport (Scotland) Act 2001. Such review is part and parcel of the legislative process and the purpose of the Scottish Parliament. We are a unicameral Parliament, so we have to make legislation without having the opportunity to review matters. Some time after legislation has been introduced, therefore, it is appropriate that we should pause and reflect on whether what we sought to achieve has been achieved; whether the act is working well; whether things can be improved; and what amendments we need to make. When we do that, it is appropriate that we look at issues in Scotland in terms of the glass being half full rather than half empty. It is clear that some aspects have not worked out as well as we would have liked, but significant progress has been made in other areas.

A difficulty for the committee is that there may have to be a further review because, to some extent, the ground is shifting under our feet. The decision, which I and the SNP support, to introduce regional transport partnerships is long overdue. We can use that method to provide in other areas of Scotland what currently exists in the west of Scotland. The representation from that area here today makes it clear that we must not

throw the baby out with the bathwater in respect of what has served the west of Scotland well through the SPT.

Regional partnerships represent progress, in that one of the difficulties for buses is that they transcend local authority borders. Local authorities face significant difficulty in many regards. We must consider the society that has evolved, in respect of larger travel-to-work areas, and extend the opportunities that exist for regulation and control to be taken over that. That means broadening out the base.

To some extent, bus services are a Cinderella service. They are often maligned, but they are a good service for those who use them. At low cost, they are capable of delivering a great deal. I believe that trams will be appropriate at some stage, but I am aware that for the current cost to the city of Edinburgh of tramlines 1 and 2, we could renovate the entire Lothians bus fleet and, I am told, run the buses free for the next seven years.

We must question whether, on a utilitarian basis, the bus service is best value and whether it runs when it is wanted, which is not only at peak times, and at an appropriate fare level. We must make progress on matters such as park and ride and, most certainly, integrated ticketing. There is a role for Government in that.

An integrated structure will have to be created. I have a friend who works in Denmark but lives with his partner in Malmö in Sweden. He commutes daily from Malmö to Copenhagen, a journey that involves two countries and two currencies but one ticket. We travel between the cities of Edinburgh and Glasgow in one country with one currency, but we need two tickets. We must bang heads together. We are a small country and we should be capable of delivering an integrated service. I accept that a multitude of factors, such as local authorities, transport authorities, the private sector and the public sector, must be taken into account, but ultimately it is the role of Government and this Parliament to deliver on such matters. People want buses that arrive on time and are easy to use, as well as new fleets, and if the ticketing system is complicated they will not use the bus.

We have come a long way, but much must be reviewed. I appreciate that we have made progress, but we will have to return to many matters when the new regional transport partnerships are in place, because the ground will change significantly.

15:50

Margaret Smith (Edinburgh West) (LD): I welcome the opportunity to speak in the debate, which is important, not least because it is David

Mundell's last debate in this Parliament. He has cherry picked Westminster over the Scottish Parliament and I wish him well.

Although we can all applaud the Scottish Executive's efforts to promote public transport in the broadest sense, through tram and rail projects for example, Scotland's bus services remain at the forefront of public transport for most Scots. Bus services are important to all our communities, so I am happy that the Executive is doing its best to support services not just directly but indirectly, by subsidising local services to hospitals, for example, through local authorities. I think that all members know that the two issues that are guaranteed to get our constituents writing to us or signing petitions are the proposed loss of a hospital and the proposed loss of a bus service.

The Local Government and Transport Committee is to be congratulated on taking the opportunity to review aspects of the Transport (Scotland) Act 2001. That is part of the welcome trend of actively reviewing and pursuing issues on which we have passed legislation, which I have noticed in other committees, too. I am relatively new to the committee and was not involved in the taking of evidence on the subject, but I thank the people who contributed. Their evidence demonstrated that although the deregulated bus market has provided benefits in some parts of the country, other parts have suffered. Witnesses described a mixed picture, in which different issues are faced by councils and bus users in different parts of the country. Some places have experienced increased frequency of services, reduced fares and improved infrastructure. In many of those areas, voluntary quality partnerships between councils and operators are playing a key role. Bristow Muldoon gave an example of a voluntary partnership in West Lothian, which covers an area that is on the fringes of my constituency. However, other parts of the country have experienced the withdrawal of marginal services and the overprovision of services on key corridors. Although bus operators, many of whom are among the biggest transport operators in the world, told the committee a generally upbeat story, bus users from throughout the country told a different story of instability in scheduling, dirty buses, staff who are often ignorant, and lack of information. In my constituency I have had to meet FirstBus to discuss unacceptable problems in Queensferry, which have been caused to some extent by lack of competition.

What are the key messages of the committee's report? First, the committee does not favour the deregulation of the bus industry, primarily for pragmatic reasons, as Bristow Muldoon outlined. Many aspects of the approach in London and that of Lothian Buses might be regarded as positive,

but whether those approaches offer a way forward is debatable. The 2001 act created a legal basis for the introduction of statutory bus quality partnerships and quality contracts. Some people argue that the approach has failed, because statutory quality partnerships and quality contracts have not been set up. However, I do not agree with that analysis. The fact that councils have the power to introduce statutory partnerships and contracts has probably assisted in the successful development of a number of voluntary partnership agreements. From the evidence of councils such as Midlothian Council and West Lothian Council and from SPT in relation to the costs and difficulties of quality contracts as they are currently perceived, it is clear that statutory quality contracts are a long way down the track, if they are to come to fruition at all.

I welcome the minister's willingness to have discussions with relevant stakeholders, to ascertain whether the benefits and improvements that deregulation has brought in some parts of the country can be enjoyed throughout the country. The Executive's announcement of the extension of the concessionary fares scheme demonstrates that willingness to listen. The scheme has been a major success: it has increased bus use and it has brought wider health and social inclusion benefits for older people. The extension of those benefits to young people is welcome. Funding remains the big question, which I hope that the minister will answer.

15:55

Des McNulty (Clydebank and Milngavie) (Lab): Sometimes we in the chamber congratulate ourselves on passing legislation, and we are right to do so. However, occasionally we should take a look at what has been achieved by that legislation. With transport legislation, the question to ask is this: Has transport got better across Scotland? I am not sure that it has.

It is interesting to reflect on the genesis of the bill that led to the Transport (Scotland) Act 2001. I was a member of the Transport and the Environment Committee throughout the first session of the Parliament and a few members here today were also members of that committee at different times. The bill was, in many ways, flagship legislation. It was the first piece of transport legislation on such a scale to be dealt with in Scotland for almost 20 years.

The first element of the bill was bus regulation, but there were two other substantial elements in the initial drafting: congestion charges and workplace parking charges. In the end, it was decided not to proceed with those elements. There were also significant elements in the legislation to do with bridges and estuary transport

management. In the report that we are discussing today, the summary of conclusions and recommendations puts the focus on one aspect of the transport legislation but does not really give an overview of what has been delivered or of how transport has changed, or an overview of whether the decisions that were made during the passage of the legislation were correct or not. That is a bit of a shame. I say that not to criticise the committee, but to suggest that a wider view could have been taken of what was, as I say, flagship legislation. A wider view could have been taken of the decisions that were made and the changes that came about as a consequence.

It is important to consider how legislation influences—or does not influence—budgetary decisions. When introducing legislation, it is an old trick of the Executive to say that it will not really cost much, that it is just a marginal change, and that little pieces of administration can easily be dealt with, but also to make a whole series of strategic investment decisions that have nothing to do with the legislative framework. To some extent, those decisions will probably evade the process of parliamentary scrutiny. I do not mean to criticise any one minister—at different times, a number of different ministers have had responsibility for transport—but we as parliamentarians will have to consider the process of tracking ministers' decisions.

When the old Transport and the Environment Committee was considering transport legislation, we tried to envisage what kind of congestion charging scheme would work and what kind would not. It is a shame that most of the committee's recommendations were ignored in the scheme that was introduced in Edinburgh. The scheme failed because of entirely predictable issues.

For bus regulation, we introduced a series of mechanisms that have never been properly implemented. We have never gone down the route of quality partnerships. The real issue to be addressed was that of the oligopoly of FirstBus and Stagecoach. Decisions made since the implementation of the Transport (Scotland) Act 2001 have, I regret to say, led from FirstBus to First ScotRail to very big profits. I am not sure that we always get value for money.

I take Kenny MacAskill's point about how, if money were spent on buses rather than on very expensive trams, a value-for-money issue would arise as well as a transport issue. The Parliament should be scrutinising such issues more effectively and in greater detail—either through post-legislative scrutiny or through the work of the Finance Committee or the Local Government and Transport Committee.

I welcome this report; it contains many good things. However, there are many things that it should have addressed but does not.

15:59

John Scott (Ayr) (Con): I am well aware that the fact that I was not a member of the Local Government and Transport Committee that compiled the report puts me at something of a disadvantage, in that I did not hear the evidence. However, as was pointed out in what will be the final speech in this Parliament by David Mundell—whose unique, intelligent and humorous debating style we will all miss—the issues are quite clear. In my view, the Parliament can take a step forward with new ideas or it can take a step backwards. There is a real choice.

If the Parliament wants to go back in time, it will heed Government proposals by accepting regional transport partnerships, with more bureaucracy and mass regulation. In the best traditions of Scottish Labour and of the coalition, the doctrinaire fashion is that, if a policy such as quality partnerships and quality contracts is not working, we must have more of it. As I understand the matter, statutory quality partnerships have been a failure quite simply because—as Des McNulty pointed out—none exists. We must examine why no quality partnerships exist before we move on to consider regional transport partnerships.

No quality partnerships exist because the people who live and work at the coalface of bus service delivery throughout Scotland do not want them. Neither bus operators nor local authorities want quality partnerships; they want their existing voluntary partnership arrangements, which have been strongly advocated by the Conservatives. Bus operators want flexibility to do what they do best, whereas local authorities simply do not want the hassle of quality partnerships. It would be a step in the right direction if the minister would at least acknowledge that statutory quality partnerships and quality contracts have not been the success that he and Sarah Boyack had hoped. An acknowledgement of the failure of that policy—which, to be fair, was not the policy of the current Minister for Transport—would be helpful because that would stop the minister compounding the mistake by introducing RTPs. That is why I said that we face a clear choice between a step backwards and a step forwards.

That point has been made not just by the Conservative Party but by many witnesses who gave evidence to the committee. They pointed out the benefits to passengers of the voluntary arrangements. Members should take note of that.

Bristow Muldoon: Will the member give way?

John Scott: I will do so in a moment.

The Parliament should also note the National Federation of Bus Users written submission, which states:

"the interest of bus users has been and will always be best served where there are voluntary partnerships between bus operators and local authorities".

I give way briefly to Bristow Muldoon.

Bristow Muldoon: If the policies that have been pursued by the Executive and by the Labour Government since 1997 have been so wrong, why has bus patronage been rising consistently since 1998? Between 1993 and 1998, when the Tories were in power, bus patronage fell consistently.

John Scott: The change is due to the voluntary arrangements that have been put in place. It is certainly nothing to do with the quality partnerships or quality contracts, which have not been used.

On this side of the chamber, we believe clearly and unequivocally that, "If it ain't broke, don't fix it." Voluntary arrangements are working well. In my constituency, we have good local agreements and co-operation. Quality corridors are working well, including in my constituency. However, quality partnerships and quality contracts are not wanted and regional transport partnerships would not work.

A further point of which the minister should be aware is the Scottish Executive's potential conflict of interest in both promoting and approving RTPs and QCs. The Executive has not yet had to face that situation simply because no quality contracts have been created. Furthermore, as John Hibbs of the University of Central England has pointed out,

"a Quality Contract is ... a classic example of competing for a monopoly, and prohibits competition in the market ... that is clearly a retrograde step."

In my view, the minister may at best face a conflict of interest and, at worst, be in contravention of European Union competition law.

In conclusion, the Conservatives suggest that the minister should heed the signs of the marketplace and the will of passengers. He should heed the words of committee witnesses and beware of the legislative bear trap that he may be setting for himself. He should leave the existing voluntary arrangements well alone. No business in the world would propose to go even further down a road if the journey so far had been so spectacularly unsuccessful. The answer to those issues will be debated in future transport legislation, but in the meantime we will, as the motion suggests, take note of the committee's report.

16:04

Rob Gibson (Highlands and Islands) (SNP): Much of what I will say concerns those areas of

Scotland in which support from local authorities and from the new regional transport partnerships will be necessary if we are to achieve an integrated transport system. I will also make some remarks on the need to integrate community-provided transport and the regular bus services and try to tease out whether the Transport (Scotland) Act 2001 had any vision for the areas that I represent.

First, there is a fundamental problem in taking individual parts of transport and thinking about the pricing systems that work for those parts. If we do not have similar pricing systems for rail and for ferries, for example, we are not providing the kind of quality transport access across an area in a fashion that makes it more possible for people to use the transport that is on offer. I make a plea for the Local Government and Transport Committee to look carefully at how pricing is carried through. Competition between bus and rail—or between bus and tram and so on, which we are talking about at the moment—does not help the process of integration. As a member of the Edinburgh Tram (Line One) Bill Committee, I will be very interested to see whether we get integration between those modes of transport. It is essential that citizens have that integration.

The coming of the new transport partnerships means that there will be quite a big imbalance in the quality of bus services between areas. For example, from evidence that was given in June last year, I note that Shetland Islands Council, Orkney Islands Council and the Western Isles Council provide 100 per cent services on a tendered basis and that Dumfries and Galloway Council provides 85 per cent of services in that way. Interestingly, Shetland Islands Council is the only council that has 100 per cent low-floor bus provision. That comes at a cost, however. When all the commercial providers in the relevant cities and areas are looked at, surely we will see the need for regulation that says, "That kind of approach has to be applied everywhere." The fact is that in the Highlands and Islands strategic transport partnership—HITRANS—Shetland will be well provided for in that respect, but what about the Western Isles and the Highland Council area? How will the regional transport partnerships be able to bring other parts of their areas up to a better standard?

I turn to bus access in the Highlands. The difference between how access works in some areas and not in others comes into play. For example, there is a real lack of wheelchair-friendly buses in the Highlands. Since HITRANS will fund only Highland contractors to install wheelchair access, private contractors like taxis get no money and yet they are a means to link people in remote areas from their home to a concessionary fare system. We have to get that sorted out.

Community contracts can stress that wheelchair access be put in place for community transport. That is the sort of thing that we have to have in terms of the general provision of buses.

My final remark is about access to radial services around the big centres. I hope that the Environment and Rural Development Committee inquiry into areas close to cities will look at the problem of providing transport not just from the centre to the periphery, but in the radial routes as well. The big problem in many areas that are close to big centres is that bus services do not provide that at present.

16:08

Chris Ballance (South of Scotland) (Green): We hear a lot in the chamber about rail, but it is bus travel that is most important to Scots on a daily basis. Dumfries and Galloway and the Borders—an area with a population that is almost the size of the Highlands and which is a large swathe of the South of Scotland region that I represent—has four railway stations whereas the Highlands has 158. The bus is key to getting people to use public transport.

Through our mailbags, however, members are all aware of the problems of inadequate services, particularly in rural areas. I am thinking of people who are unable to go to events in town because there is no bus service home; people who lose their jobs because an irregular and unreliable bus service makes them late for work; and people who are unable to take up jobs because of the lack of a suitable service. If we are to tackle social exclusion in Scotland we must sort out the problems with our bus services, particularly those in our small towns and rural areas. That is not happening at the moment. We need to take a new look at how we organise and fund our bus services.

Prior to the publication of the Local Government and Transport Committee's report, Westminster's Transport, Local Government and the Regions Committee came up with similar findings. It stated:

"The bus industry's approach to the use of quality contracts is entirely negative and unhelpful ... the Department must continue to ensure that its bus policy is driven by the interests of the tax payer and the ticket holders and not just the shareholders."

The passengers of FirstBus in the Borders do not believe that that is happening. They share the problems that Margaret Smith identified in her area. We must sort out those issues. Sarah Boyack praised the information that is available in Edinburgh, but in Dumfries and Galloway we are still waiting—in June—for this year's timetable to be printed, because, we are told, of a lack of funding.

It is telling that the Local Government and Transport Committee report states:

"the Committee believes that there may be specific circumstances under which a QC would be the most appropriate option available to a council, and the option should therefore remain as part of the 'toolkit'."

The report continues:

"the Committee welcomes the Minister's statement in a letter to the Committee that 'operators must be prepared to put in place a full network that offers a service to passengers without always looking at the bottom line for a specific individual route.'"

I support Paul Martin's call for a degree of re-regulation and I ask the Scottish Executive to say whether it will consider that. The Executive seems to be refusing to re-regulate buses. The process of delivering quality bus contracts has been made so difficult and complex, with so many obstacles, that it is practically impossible to deliver quality bus services through that mechanism. Bodies such as SPT have suggested repeatedly to the Executive that buses should be re-regulated, yet there is still no experience of quality contracts from which to draw evidence.

Where do we go from here? The answer is clearly that there is much work to do and that it will cost money. The Green party has challenged the Executive's frequently stated claim that 70 per cent of transport expenditure goes on public transport. Given that the budget lists the road haulage modernisation fund as public transport expenditure, it is obviously open to ridicule. Further, the budget for the M74 private finance initiative will be spread over 30 years, rather than over the time in which the road will actually be built. The figures also include £150 million—almost 15 per cent of the total—for the integrated transport fund, which, according to a written answer that was supplied to me, cannot be defined by transport mode.

The Executive is short-changing public transport and buses are the poor relations of the public transport system. If the Executive is to solve the problems of social exclusion and mobility, it will have to fund our bus services, and regulate them more.

16:13

Mr John Home Robertson (East Lothian) (Lab): I am grateful to members of the Local Government and Transport Committee for their work on the report. I am even more grateful to Sarah Boyack, who was the minister responsible for the 2001 act. Sarah is held in great affection in East Lothian, as the then Minister for Transport who made the big decision to dual the A1 from Haddington to Dunbar. However, the committee's report confirms that Sarah Boyack's objective of establishing quality bus partnerships and contracts

to underpin quality public transport services throughout Scotland has simply not been implemented by her successors.

I agree with Des McNulty that it is just not good enough to legislate and then hope for the best. If we are serious about the provision of quality public transport to reduce congestion and pollution, we must make it happen; we must ensure that good bus and train services are available for passengers where and when they need them. In the past six months, I have had more complaints from constituents about poor bus and train services than I have had at any time in my 26 years in Parliament. People accept that things occasionally go wrong in transport systems, but the performance of FirstGroup's services in East Lothian in recent months has been almost unforgivable. I have received complaints about buses not turning up, buses breaking down during journeys, filthy minging buses with seats missing, diesel fumes in buses, a bus not going to its stated destination, a train with a door hanging off and a defective train blocking a commuter line so that commuters had to travel to work from North Berwick by taxi. I expressed anxiety to the minister when he saw fit to give FirstGroup a monopoly of bus and rail transport in much of East Lothian. He assured me that all would be well, but it is not.

I met the new managing director of FirstGroup for the east of Scotland two weeks ago. He acknowledged that local services had been very poor. He has promised to invest in new buses and to improve the management of the business and the maintenance of his vehicles. I wish him well. I have no doubt that Mr Juffs will do his best.

What has happened to the Scottish Executive's objective of quality partnerships and contracts to ensure that passengers can depend on good, reliable services? Why is that policy not being actively promoted by the minister? The Executive has an excellent transport strategy, but people who are standing at a bus stop on a rainy day trying to get to work do not want a strategy; they will settle for a bus. After recent experiences in East Lothian, we should not be surprised that it is difficult to persuade people not to use their cars.

For goodness' sake, we are about to offer pensioners free bus travel throughout Scotland. I respectfully suggest that FirstGroup's services in East Lothian, judging from its performance in recent months, should not be recommended for older people. Some of those services should probably carry a health warning for people of any age. Speaking of health, we have a magnificent new national health service hospital—the new Edinburgh royal infirmary—but why has nobody got round to providing bus services for patients, staff and families from East Lothian to get to the infirmary?

I know that the Minister for Transport has had to cope with some distractions. I appreciate the attraction of being deputy to an excellent Labour First Minister, and I realise that the prospect of a picturesque new railway line must be a temptation for any transport minister. Perhaps I should declare an interest at this point, as a council tax payer in the Borders. My heart tells me that it would be wonderful to see trains coming through the Border hills again, but my head tells me that the long journey times and the limited market make the Borders end of the Waverley line look like rather a risky prospect. I suggest that there might be better ways to invest to develop transport links in the Borders.

The immediate priority must be to get the services on existing lines and bus routes to operate satisfactorily. I strongly support the Local Government and Transport Committee's call to the Executive

“to ‘kick start’ the development of statutory QPs”—

or quality partnerships—to ensure that firms such as FirstBus provide the reliable, respectable and affordable services that passengers throughout Scotland should be able to expect.

16:17

Iain Smith (North East Fife) (LD): I am still slightly confused about where those 158 stations in the Highlands are. Perhaps I will have a look at my map later and find them. I am pleased that John Home Robertson is not Minister for Transport, and I am sure that people in the Borders are, too, given his attitude to the Borders rail line, which I think will be an extremely important link for the economic development of that region of Scotland.

Like the Minister for Transport, I am old enough to remember the pre-deregulation days on a local council. I am slightly younger than the minister, but we were both elected to our respective regional councils in 1982. I remember that there were concerns at that time about the decline of bus services. Indeed, there were deep concerns about the Conservatives' plans to bring in deregulation. A Tory white paper was published in 1984, entitled “Buses”. As the committee's report mentions, it claimed that

“competition would lead to lower fares, new services and more passengers, by removing obstacles to enterprise, initiative and efficiency”.

In reality, what many of us ended up with after deregulation was higher fares and a continuing decline in bus patronage. Occasionally, we had more buses on the same routes. Generally speaking, however, they travelled along fewer routes, and there was certainly not great innovation in new routes as a result of

deregulation. We often found increases in local government subsidies because of the loss of the cross-subsidy between the profitable routes and the non-profitable routes. The resulting funding gap had to be picked up by the local authorities in order to keep services going, while the bus companies creamed off the profits from the profitable routes.

Where improvements were made to bus services, that was often done through local authority action. In Fife, under Henry McLeish, when he was leader of the administration there—some members might remember him in the same fond way that they will remember David Mundell—concessionary fares schemes and the co-ordination of bus contracts with school contracts to arrive at a whole-area contract were what saved rural bus services. That kept services going and led to an increase in patronage in Fife, while the national pattern was one of decrease. That was not because of deregulation; the bus service was made safe through the action of the local authority.

An interesting point to note is that subsidies for bus services in Fife fell after 1987, simply because the bus companies were picking up a huge amount of money from the concessionary fares schemes. The total amount of public money going in through concessionary fares and subsidies was roughly the same after 1987; deregulation had nothing to do with it.

The private sector has proved not to be good at responding to social need. A number of members have referred to the lack of services to hospitals, which is a major problem in many parts of my constituency. Travelling from the east neuk of Fife to major hospitals such as Ninewells in Dundee, the Victoria hospital in Kirkcaldy or the hospital in Dunfermline is difficult. Many rural services stop running at about 6 o'clock at night, so young people in rural villages trying to get access to facilities to stop them indulging in antisocial behaviour find that there are no buses to run them into Cupar to get to the swimming pool, for example. The same is true on many city housing estates.

Competition does not help deal with many of those problems and we need to ensure that we have a system that takes the best of the planning of local public services along with the advantages of competition for services. We do not have competition throughout most of Scotland. We have three bus companies with 84 per cent of the market. In most places in Scotland there is no competition; there is either a Stagecoach bus or a FirstBus bus. Here in Edinburgh, there is often just a Lothian Buses bus. That does not result in better services or innovation, which come through proper partnerships.

The use of quality partnerships and quality contracts as a backstop to allow us to say to the bus companies, "If you don't react we will bring in these things" is improving bus services in Scotland. Not having them, which the Conservatives would like, would result in there being no improvements at all.

16:22

Dr Sylvia Jackson (Stirling) (Lab): As Des McNulty said, the importance of the report is that it attempts to monitor the implementation of previous legislation. When the other Deputy Presiding Officer, Trish Godman, was convener of the Local Government Committee, she said that that was an important function of any committee.

It is important that we identify the difficulties and try, as far as possible, to make them good in new legislation. The big chance for us to do that is the Transport (Scotland) Bill. The example that many speakers have quoted is the quality contracts and partnerships. None has been set up yet. John Scott spoke about them negatively, but we heard evidence about the difficulties in setting them up. We also asked how the voluntary partnership arrangements are working and whether we need quality contracts and partnerships. If they are needed, as many members have said, what are the barriers and how might we overcome those?

We got a mixed picture when we considered the voluntary partnerships that are now working. Margaret Smith talked about the variety throughout Scotland. Good examples of partnership are operating, which the minister notes in his response to the committee's report. We heard from John Home Robertson, Paul Martin and the people who came to the committee's seminar in Glasgow that all is not well in places such as Glasgow. It was decided that in future quality partnerships and quality contracts might be needed. We raised that with the minister, who suggested in his letter that there might be a role for the regional transport partnerships, which are part of the bill. At stage 2, we spent time considering the functions of the RTPs. There might be further amendments on that issue.

I turn to some of the other issues from the Transport (Scotland) Act 2001. The big success story is concessionary fares, as Margaret Smith said. Although they have been a success, certain issues have arisen. I believe that there was a sigh of relief when the minister announced that the 16 schemes would be replaced by a national scheme. We also know that, in the early days of those schemes, we had to make special pleas to ensure that express services, such as the ones from Stirling to Edinburgh or Glasgow, would be included in the concessionary scheme, even if that meant that a small amount of money had to be paid.

The evidence also revealed that there is no point in having a concessionary fares scheme if there is no service for people to use. In some areas, that is a problem, but that is balanced in other areas. For example, Arriva ran more buses between Glasgow and Largs than previously and had better buses overall, showing that concessionary fares can make a service better.

We also considered whether the ownership arrangements of a bus company affected its ability to operate effectively and invest in improvements and examined issues such as flexibility and how bus companies had been able to adjust in order to meet factors such as a new hospital opening up. In certain cases, the service had not been flexible. For example, we found that, even though a health centre in Glasgow had been closed, a bus service was still going there.

We found examples of innovation. In my constituency, the postbus that runs in Killin and some of the rural areas has been welcomed. We asked about low-level buses and the various investment procedures that companies are using. Brian Souter, FirstGroup and Lothian Buses were all clear about the ways in which they were investing and modernising.

We heard about the franchising system in London and were heartened to receive a letter from the minister that indicated that he will be talking with the Greater London Authority about its proposals.

We examined deregulation and heard about cherry picking. We also heard about the competition that followed deregulation and about the fact that facilities in some areas did not allow some companies to expand as they might have wanted to.

A question that has come out of this inquiry is how we can deal with market-based issues alongside the social aspects of a bus service. It cannot be said that there is a lack of input from the Scottish Executive. In one of his letters, the minister talked about the funding allocation of £235 million under the Executive's public transport fund. He also spoke about the £2.6 million that is being invested in the current financial year through the local government settlement for transport authorities to support socially necessary services. Bringing those two aspects together is the main issue before us.

I was pleased with the part of the inquiry that dealt with the Bus User Complaints Tribunal. Hopefully, with the minister's help, we will be able to examine how the tribunal's remit can be extended and how it can be given more teeth.

I commend the report to Parliament.

16:28

Mr David Davidson (North East Scotland) (Con): I agree with other members of the committee who worked on the report that the clerks, parliamentary staff and those who gave evidence contributed in important ways to its production.

The most pertinent statement of the convener was that the 2001 act has had limited impact. I suppose that the debate is about whether that piece of legislation has any worth. Several members, such as Fergus Ewing, Kenny MacAskill, John Home Robertson and David Mundell, talked about that. I think that John Home Robertson summed up the situation well when he said, "What is the point of having legislation if no action comes out of it?" Perhaps the reason why no action has come out of it is that the legislation was poor. The proof of the pudding is that we have not had any quality partnerships or quality contracts. I ask the minister to give the industry, local authorities and the people of Scotland an assurance that he will not try to force on them something that is simply not acceptable.

Bristow Muldoon: Will the member give way?

Mr Davidson: I will make a few points first.

Bristow Muldoon also talked about how we can make what he called a mixed economy work. The truth is that, in the main, deregulation has worked. However, as many members said, there remains a question over how we deal with non-profitable services in areas in which it is not feasible to deliver regular bus services in a rigid manner, with set bus stops. Organisations such as Buchan Dial-a-Community-Bus near Mintlaw operate schemes that reflect the needs of the community, such as the need to get to hospital. We must be more creative in looking at such schemes and encouraging communities to come together. As Rob Gibson said, such operations must also integrate with regular public transport routes.

Dr Jackson: Will the member suggest how we might move forward so that profitable routes can be run alongside non-profitable ones?

Mr Davidson: In the Lothian Buses scenario, we have the benefits of the freedoms of the private sector in a service that is operated by a public service company. This year it will break even, so there will be no subsidy. The money that would have been used as subsidy could be used to support community initiatives. We on the Conservative benches are anxious that everyone in Scotland should get reasonable access to transport. There is no point in having concessionary fares schemes if there are no buses. The Minister for Transport lives only a few miles from me and he knows very well that nobody in my community will be able to access any of the buses.

Sarah Boyack: Is the member aware that Lothian Buses is a public company that pays dividends to the council? It operates in a marketplace with other bus companies, but it is a public sector company. The member seems to think that it operates as a private company, but it does not.

Mr Davidson: It is a public company that operates with the same freedoms that a private company would have. The money goes back into the system, the company is efficient and it satisfies needs. Perhaps the money that it generates, which goes back to the local authority, could be spent on provision in the smaller places. That would support people who live there and enable them to access the major routes and get access to hospitals and so on.

A number of members made positive comments during the debate. David Mundell and others talked about the funding of rural bus services and made a call for access to buses. I think that Paul Martin was the first to make the point that the 2001 act has not stimulated the social conscience of operators, but he went on to expand on a more important matter. He asked what role there is for regulation in dealing with communities' social needs and he said that the marketplace cannot do that unless we create new partnerships.

However, the main thrust of the debate was that voluntary partnerships are the way forward. They have delivered on behalf of the people of Scotland and they are one way to deal with issues in a decentralised manner. We must ensure that they are not taken away by the introduction of regional transport partnerships. As I argued to the minister in the committee, it is important for local authorities and local operators to be able to work together in a mutual partnership to suit the local needs and conditions. We must not have from the centre a one-size-fits-all approach that is stamped in tablets of stone. Such an approach would mean that a lot of people would end up being excluded from access and we would not get the investment from the private sector that we have seen during the past 20 years.

I conclude with a comment on a lesson that we have learned from the exercise—as I said, I was not a member of the committee at the time, but I read its report. The Parliament must start to carry out post-legislative scrutiny more vigorously. As many members suggested today, the time is right for that. Furthermore, if a piece of legislation is not practical and usable and is not delivering anything, it should be removed from the statute book.

16:34

Brian Adam (Aberdeen North) (SNP): It was with great pleasure that I saw so many members

on the Conservative benches today showing great interest in a significant public transport debate. I was not at all surprised when they eventually left. Perhaps the real reason why they were here was to commiserate with their colleague David Mundell on his demotion. I note that he, too, appears to have gone somewhere else, perhaps by bus.

However, David Mundell should be commended for at least having been here. I should also commend our Scottish Socialist Party colleagues—the brothers and sisters who are showing solidarity with their erstwhile leader. They are obviously taking annual leave, maternity leave or paternity leave, or perhaps the wheels have come off their bus. It is shocking that they are not present to participate in what should be a key debate on public transport. This is not the first time that they have been absent from the Parliament when important matters have had to be discussed.

We have had an interesting debate. I share some of the views that David Davidson just expressed, for example in asking why we have legislation when its consequence is little action. The purpose of legislation is to provide regulation, whether that is re-regulation or regulation to control circumstances.

We and the public need buses. We must provide appropriate mechanisms for ensuring that we have buses. Whether the subject is appropriate to legislate on and whether, if we look back four years, the legislation has proved appropriate, are open questions. Other members have raised those questions and some have asked whether a different model would be appropriate for Scotland. That could be an all-Scotland model or a model that already exists in Scotland. The Lothian Buses model works for Edinburgh, but it may well not be possible for other cities to return to that model.

Of course, that model never worked in rural areas. A large part of the population depends on buses, particularly in rural areas, as several members said. Rob Gibson discussed the variety of models in rural areas and the differences. Some of our citizens will lose out significantly on improvements that could happen, because of those differences.

We will always have that dilemma. The questions are whether we should allow local circumstances to prevail and arrive at local solutions for local problems and whether that should happen in a national framework of a minimum standard. Is it acceptable that people in Shetland will have buses that comply with the Disability Discrimination Act 1995 but people in parts of the Highlands will not, because of local circumstances? The minister should address such issues when considering whether arrangements should be tweaked, particularly in the light of how we might deliver through the new regional transport partnerships.

I am interested in the idea of taxibuses and postbuses, which is not new, and how they might serve communities better. That is not just a matter of serving rural communities. In the city of Aberdeen, FirstBus tried Beaver buses, which are much the same. They were much smaller buses, which were used to try to create markets locally. They succeeded in delivering a service, but they did not stack up financially for FirstBus.

That brings us to a point that Paul Martin made. How do we make socially desirable and socially essential services work when the private sector delivers the bulk of our bus services? The mechanisms for that are deficient. There is no doubt that the quality partnerships and contracts have not delivered and seem unlikely to deliver on that, substantially because of the high cost of even establishing them, as the report says. That applies especially when an attempt is made to tweak arrangements for the local service, whether it is targeted at delivering people to a hospital that is not on a main bus route—perhaps that says something about our planning for hospitals—or at a different local need.

I have certainly tried to encourage my local bus company to use Beaver-bus-type services to allow folk who live in high-rise flats, amenity housing or sheltered housing to gain access to shops. Many large supermarkets are not close to bus routes, as it is assumed that people will travel to them in their car. There is scope for using taxibuses, postbuses and Beaver buses, but a subsidy will be required. The minister will have to wrestle with whether that subsidy will come directly from the public purse or whether there will be a market-based solution that the major bus companies should be forced to deliver.

The national concessionary scheme is highly desirable, but Fergus Ewing undoubtedly put his finger on weaknesses in respect of how it might be delivered. It looks as if not all the mechanisms are in place as the minister might like them to be and I hope that the problem can be overcome. We wish the minister well with that, provided that he is still in his job in a few weeks' time.

I commend the report to the Parliament.

16:41

The Minister for Transport (Nicol Stephen):

Like other members, I thank the committee and its clerks and advisers for their hard work. I also congratulate David Mundell on becoming a member of the House of Commons and wish him the very best in the future.

The debate has been on a vital issue for Scotland. Buses are used a great deal more than any other form of public transport. There are around 450 million passenger journeys per year

on buses, which is around 90 journeys for every person in Scotland. However, buses still tend to be the Cinderella of public transport, and that view must change.

There have been improvements. The number of buses has risen by around 1 per cent a year for the past five years. During the Conservative years, numbers never increased. There is a new national concessionary fares scheme, which all parties have praised. Fergus Ewing tried to criticise and pick at the details of the scheme, but all parties support its general thrust. Significant investment of around £160 million a year has been made available.

Kick-start funding has been made available to encourage the development of existing routes or to kick-start the establishment of new bus routes and to help to change the configuration of bus services. Brian Adam is absolutely right; we must work more closely with the planning system in order to ensure that new bus services follow new industrial or housing developments. We are investing more than £20 million in the new kick-start fund.

Local authorities already have powers to support evening, weekend and rural services. We will ensure that supported services are retained and that funding is kept in place—indeed, we are having discussions with the Convention of Scottish Local Authorities to ensure that that happens. Of course, there are powers to introduce quality bus partnerships and quality bus contracts under the Transport (Scotland) Act 2001. Those powers have not yet been formally used, but they have nevertheless been influential. We must not lose sight of the fact that transport authorities and bus operators have been involved in a great deal of partnership working.

Sarah Boyack: I want to make a helpful intervention. The minister is right: the powers have shaped the framework for voluntary partnerships. However, I wonder whether he will commit to setting as a priority targets for increasing bus use with the new transport agency and to offering assistance to local authorities on how to use bus contracts and partnerships. From reading the report and talking to authorities, I sense that authorities find those things too complex. They are necessarily complex, but perhaps an approach by the national transport agency with the minister's lead and local authorities would help to crack some delivery mechanism issues. The committee has not suggested an alternative, so the issue is how to make what is there work. Would the minister be prepared to take on that work?

Nicol Stephen: Yes, I would. That is something that I would be pleased to give as a responsibility to the new transport agency for Scotland. Sarah Boyack is right: we must find ways to promote

quality bus contracts and quality bus partnerships, to simplify their introduction and to help local authorities and others, such as SPT and the regional transport partnerships, through the complexity.

There are some positive examples, such as the increasing number of bus-related park-and-ride sites. Those include sites at Bridge of Don, Ellon and Kingswells, around Aberdeen, and the sites that are now being developed—at long last—around Edinburgh, at Hermiston, Ingliston, Straiton and Todhills. Only yesterday, I opened the new Ferrytoll, in Fife. Ferrytoll has been so successful that it has been doubled in size and now has more than 1,000 car parking places.

In Dundee, we have supported a comprehensive public transport fund project that includes bus priority measures, real-time information bus timetables and closed-circuit television. In Glasgow, eight bus corridors have been developed with PTF funding, and SPT is part of that initiative. I am pleased to see in the public gallery today Councillor Alistair Watson, the chair of SPT, and other colleagues. I would like to do more to encourage significant park-and-ride facilities on the routes into Glasgow, as we do not have those yet.

Fergus Ewing: I share that sentiment. Does the minister feel that a park-and-ride scheme should be incorporated into the link between Glasgow airport and the city centre? That would make a significant impact by taking cars off the M8.

Nicol Stephen: That project is being led by SPT, and the detail and promotion of the project are a matter for SPT. However, I would encourage the creation of an appropriate park-and-ride scheme in that area. If it could be integrated with the airport rail link scheme, so much the better.

We must have more projects of that vision and quality to drive the future. If proposals for quality bus contracts or quality bus partnerships begin to be developed, the simple message is that we will support them.

There are lots of examples of partnership working in other parts of Scotland—in Dumfries and Galloway, in the Highlands, in the Fort William transport interchange project, and in West Lothian. West Lothian is a good example of where a quality bus contract was seriously considered but, out of that, a positive partnership agreement was established with the main bus operator, on key services on the Bathgate-Livingstone-Edinburgh corridor. Bristow Muldoon referred to that. We have awarded £12.2 million from the kick-start fund for 27 new bus kick-start projects, and a further £10 million or so is still available for worthwhile projects throughout Scotland.

The current, largely deregulated, regime is far from perfect but has a lot going for it. Bus

operators have the incentive to be innovative. The traffic commissioner is there to ensure that services are provided safely and to time, and the Executive has done more to support and fund additional staff for the commissioner. Local transport authorities are resourced to ensure that non-commercial but socially necessary services are provided, and they will have the powers under the new act—

Paul Martin: Will the minister give way?

Nicol Stephen: I am out of time so, unfortunately, I will not be able to give way. I am just coming to a close.

We have to do more, and the Executive's response to the committee is that we are anxious to do more, especially in relation to regional transport partnerships. I would encourage regional transport partnerships to be ambitious in their regional strategies and to be willing to take on new powers and responsibilities. My simple message is that I want more measures—including bus station improvements, low-floor buses, park-and-ride facilities and bus priority measures—to be introduced by the regional transport partnerships in all parts of Scotland. I make it clear that if regional transport partnerships seek to take powers in that area in relation to quality contracts and quality partnerships, ministers will be willing to make an order that delivers those powers to the regional transport partnerships.

We must drive the issue forward and give a high priority to buses. Buses are the most crucial form of public transport, which is why the debate has been so important.

Paul Martin: On a point of order, Presiding Officer. Some specific issues were raised during the debate, and I think that it is only courtesy for the minister to give members a response to those issues. I ask the Executive to reflect on the fact that it should respond to specific issues that are raised by members to ensure that there is a purpose to the debate.

The Deputy Presiding Officer (Murray Tosh): I point out to members that the minister sacrificed seven minutes of his speech so that two additional members could take part in the debate. I would not like the minister to be given a caning for his co-operation with other members. He may care to consider responding to some issues that arose in the course of the debate, but that is a matter for him and his officials.

16:50

Michael McMahon (Hamilton North and Bellshill) (Lab): As anyone who has gone on a journey with children will testify, regardless of how long the journey is, it is never long before one

hears the question, "Are we there yet?" In 2001, the Scottish Executive started a journey, with the first transport bill for more than 20 years. The aim of the bill was to aid the resurgence of Scotland's transport industry for the future. Its policy objectives were to deliver a sustainable, effective and integrated transport system for Scotland, to empower local authorities to deliver local solutions to local problems and to promote partnership working. The Transport (Scotland) Act 2001 includes provisions to give power to local authorities to address growing congestion and environmental problems in cities and larger towns.

As Bristow Muldoon outlined, four years on, the Local Government and Transport Committee decided to conduct an inquiry into the impact of the 2001 act, especially its provisions for bus quality partnerships and bus quality contracts. In effect, we were asking, "Are we there yet?" That may not be the question that Des McNulty wanted us to ask, but Bristow Muldoon explained why the scope of the inquiry was slightly limited. However, I think that it covered many of the issues that Des McNulty wanted us to address.

The 2001 act made legislative provision for a plethora of initiatives that transport groups, users and the industry in general had long sought. There were to be joint transport strategies that would involve improved joint planning by local authorities to address shared cross-boundary issues, such as how to manage travel in and out of Scotland's largest cities.

Bus quality partnerships were envisaged. Bus services would be improved by giving the force of law to partnerships between local authorities and bus companies. The fundamental aim of such partnerships was to provide quality services to passengers, but the evidence that we took suggested that that is not happening. The theory was that, if bus quality partnerships were tried, but failed or were found to be inappropriate, the legislation would enable the Scottish Executive to approve bus quality contracts, which would allow an exclusive franchise to be awarded to a single operator through competitive tendering. There is a distinct lack of evidence that that is happening, because the private operators are not keen for their oligopolies to be tested in that way.

The most high-profile element of the bill was the concessionary fares scheme. The aim was to deliver a minimum level of concession for pensioners and disabled people travelling in Scotland and progressively to enhance that level over the next few years. Rightly, the new national concessionary travel scheme has been welcomed. It is especially welcome that today we have heard commitments from SNP members to support it, because they could not bring themselves to do so when the current Transport (Scotland) Bill was

debated at stage 1. SNP members sought clarification from the minister, but we need to know just what the SNP's policy on concessionary travel is. During evidence taking, we heard Fergus Ewing, in particular, suggest that we should not use the money to give concessionary—

Fergus Ewing: On a point of order, Presiding Officer. Mr McMahon is obviously curious about SNP policy, but he would have heard it clearly stated earlier, if he had listened. Can he tell the Parliament which part of the committee report refers to SNP policy and in what way that is relevant to his summing up on behalf of the committee?

The Deputy Presiding Officer: I am not sure that Fergus Ewing's point is really a point of order. Mr McMahon is responding to the debate, rather than just to the report. However, I understand that he is closing for the committee, rather than for a political party. That may guide him as to the appropriateness of some comments.

Michael McMahon: It would help the committee to know exactly what the SNP's policy on concessionary travel is. By raising the issue, I clearly succeeded in rattling Fergus Ewing's cage.

I recall scrutinising the previous Transport (Scotland) Bill at stage 1 as a member of the Equal Opportunities Committee. We found that initially the bill did not make provision for information to be made available in minority ethnic languages and in forms accessible to sight-impaired groups. That was rectified through the mainstreaming requirement. Rightly, the 2001 act amended the provisions of the Chronically Sick and Disabled Persons Act 1970 for the enforcement of the orange badge scheme. However, much needs to be done to ensure that disabled users have access to public transport.

The committee concluded that, although the deregulated market had led to better services in some areas, issues still had to be resolved, such as the withdrawal of marginal services and the overprovision of services with inefficient competition in certain key urban corridors. Glasgow was highlighted in that respect, although we found examples everywhere we looked. In setting out good examples of the cherry picking that has adversely affected too many communities, Paul Martin exposed the flaw in John Scott's belief that quality partnerships are not wanted. They are wanted, but major operators wish to concentrate on commercially viable routes at the expense of local communities. Quality partnerships are needed to deal with such cases, but Mr Scott and David Davidson seem happy for bus companies to make money at the expense of communities, even though Mr Davidson argues that the same communities are losing out because market forces are failing to deliver buses to them.

Mr Davidson: I thank Mr McMahon for giving such a politically impartial response to my speech. However, if he had listened, he would know that I said that the state and the market can both play a role. Their roles are clearly different, but they can work together.

Michael McMahon: I absolutely agree that the state and the market can both play a role, which is why we have quality partnerships and quality contracts. However, they are not being used. Mr Davidson simply dismissed their relevance.

The committee found that there was little incentive for councils and bus operators to enter into statutory quality partnerships, given the costs of developing such partnerships and the perceived effectiveness of the voluntary partnerships. Unfortunately, only the local authorities and bus companies thought that the system was working. The bus users groups did not give it the same support; indeed, as Margaret Smith pointed out, we were presented with a picture of failure in many parts of Scotland. The committee concluded that there might be scope for better development of statutory quality partnerships, especially under the regional transport partnerships that the Transport (Scotland) Bill seeks to establish.

We identified a need to clarify the powers of local authorities and the traffic commissioners with regard to quality partnerships. We believe that the Executive could do much more to kick-start the development of quality partnerships in areas where they are needed. Indeed, we heard evidence that, in some cases, the Executive was the obstacle to their establishment. As Bristow Muldoon pointed out, a statement from the Executive is required on how it will support councils and regional transport partnerships when they consider the statutory quality partnerships that are proposed in the Transport (Scotland) Bill.

The committee wants the minister to report to it on the progress of the partnership commitment to monitor the quality partnership powers in the Transport (Scotland) Act 2001. Are those powers adequate to protect and enhance the evening, weekend and rural bus services that Rob Gibson and other members seek? The committee feels that the Executive sees quality partnerships as an option of last resort. Instead, it should consider whether it can support the further development of quality contracts. Although it does not seek re-regulation, the committee would like the Executive to indicate whether it would consider such a move if quality contracts were shown to have been tried but had failed.

When we took evidence from the Bus User Complaints Tribunal, we found it to be toothless in its ability to tackle the problems with which it was confronted. BUCT should have its remit and powers extended to ensure that it takes

responsibility for long-distance coach services and reports more generally on issues that affect bus users. The committee concluded that the Executive should review BUCT's operations and consider whether any additional powers are required.

I thank the committee clerks for their efforts and the Scottish Parliament information centre for all its support during our consideration of the evidence. I particularly thank David Mundell for his contribution during his time on the committee and, like others, I wish him all the best as he becomes the fleeing Scotsman.

I also thank those who attended our meetings in Stranraer and Glasgow or came through to Edinburgh and gave us the evidence on which we based our report. I have to say that there was no full consensus on whether the legislation is working. At the beginning of my speech, I asked, "Are we there yet?" The committee has concluded that we are not, but we have identified the journey and have shown that it is well under way, even though the route itself might require some modification.

Business Motions

16:59

The Presiding Officer (Mr George Reid): The next item of business is consideration of business motion S2M-2888, in the name of Margaret Curran, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees the following programme of business—

Wednesday 8 June 2005

2.30 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Executive Debate: G8

followed by Business Motion

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 9 June 2005

9.15 am Parliamentary Bureau Motions

followed by Scottish Conservative and Unionist Party Business

11.40 am General Question Time

12 noon First Minister's Question Time

2.15 pm Themed Question Time—
Environment and Rural
Development;
Health and Community Care

followed by Parliamentary Bureau Motions

2.55 pm Stage 3 Proceedings: Charities and
Trustee Investment (Scotland) Bill

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 15 June 2005

2.15 pm Time for Reflection

followed by Scottish Parliamentary Corporate
Body Question Time

followed by Parliamentary Bureau Motions

followed by Final Stage: Baird Trust
Reorganisation Bill

followed by Executive Business

followed by Business Motion

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 16 June 2005

9.15 am Parliamentary Bureau Motions

followed by Executive Business

11.40 am General Question Time

12 noon First Minister's Question Time

2.15 pm Themed Question Time—
Justice and Law Officers;
Enterprise, Lifelong Learning and
Transport

2.55 pm Executive Business

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business.—[Ms Margaret
Curran.]

Motion agreed to.

The Presiding Officer: The next item of business is consideration of business motion S2M-2890, in the name of Margaret Curran, on behalf of the Parliamentary Bureau, setting out a change of decision time.

Motion moved,

That the Parliament agrees under Rule 11.2.4 of the Standing Orders that Decision Time on Thursday 2 June 2005 shall begin at 5.30 pm.—[Ms Margaret Curran.]

Motion agreed to.

Parliamentary Bureau Motion

The Presiding Officer (Mr George Reid): The next item of business is consideration of a Parliamentary Bureau motion. I ask Margaret Curran to move motion S2M-2889, on the approval of a Scottish statutory instrument.

Motion moved,

That the Parliament agrees that the draft Water Environment (Controlled Activities) (Scotland) Regulations 2005 be approved.—[*Ms Margaret Curran.*]

17:01

Richard Lochhead (North East Scotland) (SNP): I wish to speak against the motion that the Parliament agrees that the draft Water Environment (Controlled Activities) (Scotland) Regulations 2005 be approved.

Time and again we hear pledges from ministers who say that they wish to cut red tape and not to impose needless costs on Scottish businesses. However, as became apparent at last week's meeting of the Environment and Rural Development Committee, at which we discussed the SSI, the regulations will do exactly what ministers keep telling us that they are trying to avoid doing.

On the face of it, the regulations should be welcomed, because they seek to protect Scotland's water environment. However, high-volume users of water in Scotland, such as the whisky industry, the hydropower companies and other sectors, are up in arms about the regulations, because of the new onslaught of red tape through the introduction of a costly and unjustifiable licensing regime. High-volume users in Scotland do not necessarily damage our water environments, yet the point at which the costly licensing regime will kick in will be determined by the volume of water used by the companies concerned, not environmental risk. Even the Deputy Minister for Environment and Rural Development, who attended the committee's meeting, accepted that high-volume users do not necessarily pose an environmental risk to our water environments. The purely arbitrary threshold of using 50m³ of water from any one abstraction will determine when the measure kicks in.

Alex Johnstone (North East Scotland) (Con): Does Richard Lochhead agree that it became clear after last week's discussion that there had been a failure in the consultation process? Does he also agree that there is adequate time to allow this worthy piece of legislation to be consulted on further before we have to face a vote in the chamber?

Richard Lochhead: Alex Johnstone makes a valid point. The minister admitted to the committee that, if we agree to the regulations today, a licensing regime will be imposed on high-volume water users, such as the whisky industry, which is responsible for 40,000 jobs across Scotland, before there is any assessment of the environmental risk. He told the committee that if, thereafter, an environmental risk assessment finds that the use of such high volumes of water poses no risk to the environment, the conditions of the licence can be relaxed, but surely the process should be the other way around—surely we should assess environmental risk before applying the licensing regime.

The situation is illogical. If we approve the regulations, they will inflict unnecessary and costly red tape on the whisky industry and other sectors. Whisky distillers will be hit particularly hard, but they have used the same water sources for hundreds of years and they return the vast bulk of the water back to the rivers that they got it from in virtually the same condition as it was in when they took it.

By refusing to agree to the regulations today, we will provide the Environment and Rural Development Committee and the Parliament with the opportunity for further legislative scrutiny. The committee was presented with the regulations on 25 May and we were told that we had to accept them by 30 May. There was no time for proper legislative scrutiny, which is an important role for the Parliament and its committees. I urge the Parliament to reject the motion.

17:04

The Deputy Minister for Environment and Rural Development (Lewis Macdonald): The Parliament approved the Water Environment and Water Services (Scotland) Act 2003 two years ago. Last week, as Mr Lochhead said, the Environment and Rural Development Committee considered in some detail the latest annual report on the implementation of the legislation, as well as the Water Environment (Controlled Activities) (Scotland) Regulations 2005, which are required to bring the act's provisions into force. The point of the act is to control, in line with the European water framework directive, a whole range of activities that may impact on the water environment; the point of the regulations is to put those controls in place.

We asked the Scottish Environment Protection Agency to assess levels of risk to our inland and coastal waters. Its analysis has shown that about 45 per cent of our waters are affected by pollution, abstraction or engineering works. The regulations will allow us to address those impacts and to protect the water environment and the quality of

our water, which is precisely what is vital to the whisky industry, the bottled water industry and many other Scottish industries. The measures are proportionate, targeted and risk based.

Let me enlighten the chamber as to some of the figures. Approximately 145,000 activities impact on our water environment. Of those, about 50,000 will require only to conform to general binding rules. There will be no need to register or apply for a licence; there will simply be a need to conform to rules that are in the public domain. A further 80,000 activities will require only to be registered with SEPA—on the off-chance that there may be a cumulative impact—in order for them to go ahead.

That leaves about 15,000 activities of such a scale or effect that they will require a licence from SEPA, which is only about 10 per cent of the total number of activities. SEPA must carry out a risk assessment of the activities that are most likely to pose a serious threat in order to determine the appropriate tier of control. The point of having a volume-based threshold is to allow a full risk assessment to be triggered to establish what level of control will be appropriate in the longer term. If the assessment finds that there is no significant impact, there will be no need for significant regulatory control.

Richard Lochhead: Does the minister accept that there is roughly a year before the provisions have to be on the statute book? That means that there is plenty of time to withdraw the regulations, have proper parliamentary scrutiny of the proposals and ensure that we do not pass regulations that will hit vital Scottish industries.

Lewis Macdonald: Mr Lochhead may feel that we have not had proper parliamentary scrutiny, but I assure him that, following the two-hour debate last week, I take a different view. It is worth noting that his proposal to the Environment and Rural Development Committee that we delay and fail to implement the regulations straight away was roundly rejected when committee members heard the evidence and understood the issues at stake.

SEPA needs to know about the scale of abstraction and its impact on the environment in order to make a judgment. We will ensure that SEPA considers borderline cases—those cases in which the scale of impact by volume may not be reflected at an early stage in the risk assessment process. That means that controls on some activities may be reduced so that a licence is no longer required. We will ensure that charges are reduced accordingly when it is found that a licence is no longer required; we will also ensure that rebates are provided when that is appropriate.

Ministers, not SEPA, will make the judgments on cost-effectiveness. We will continue to engage directly with the whisky industry and all other

stakeholders. We will also report back to the Environment and Rural Development Committee as the regime is rolled out.

Decision Time

17:08

The Presiding Officer (Mr George Reid):

There are two questions to be put as a result of today's business. The first question is, that motion S2M-2854, in the name of Bristow Muldoon, on the Local Government and Transport Committee's fourth report 2005, "Inquiry into issues arising from the Transport Scotland Act 2001", be agreed to.

Motion agreed to.

That the Parliament notes the recommendations contained in the Local Government and Transport Committee's 4th Report 2005 (Session 2): *Inquiry into issues arising from the Transport (Scotland) Act 2001* (SP Paper 316).

The Presiding Officer: The second question is, that motion S2M-2889, in the name of Margaret Curran, on the approval of a Scottish statutory instrument, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, 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)
 Canavan, Dennis (Falkirk West) (Ind)
 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, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (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)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 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)
 Radcliffe, Nora (Gordon) (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, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 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

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 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)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, 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)
 MacDonald, Margo (Lothians) (Ind)
 Martin, Campbell (West of Scotland) (Ind)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Mundell, David (South of Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)

Swinburne, John (Central Scotland) (SSCUP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Murray (West of Scotland) (Con)
 Welsh, Mr Andrew (Angus) (SNP)

ABSTENTIONS

Byrne, Ms Rosemary (South of Scotland) (SSP)
 Curran, Frances (West of Scotland) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)

The Presiding Officer: The result of the division is: For 74, Against 37, Abstentions 3.

Motion agreed to.

That the Parliament agrees that the draft Water Environment (Controlled Activities) (Scotland) Regulations 2005 be approved.

Playing Fields

The Deputy Presiding Officer (Trish Godman): The final item of business today is a members' business debate on motion S2M-2615, in the name of Mike Watson, on protecting land used for organised sport and other forms of physical activity. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes with concern the continuing diminution in the number of sports pitches and open space across Scotland, despite the efforts of **sportscotland** and the National Playing Fields Association Scotland; believes that this will make it more difficult for the Scottish Executive to achieve its stated aim of improving the health of young people in Scotland and reducing levels of obesity; endorses the need, as expressed in the report of the Physical Activity Task Force, for all primary and secondary pupils to have a minimum of two hours each week of quality physical education, and considers that the Executive should ensure that more robust measures are introduced to the planning process to protect land used for organised sport and other forms of physical activity.

17:11

Mike Watson (Glasgow Cathcart) (Lab): I am unequivocal in my belief that the starting point for a debate on the provision of playing fields in Scotland is the need for Scots to tackle the serious state of our health. All members are familiar with the statistics on heart disease, smoking and cancer, but they might not know that every week in Scotland, 42 people die of heart disease because they are inactive. That will continue to happen until we do something about it.

In fairness, the Executive is attempting to do something about the situation. As part of its response it established the physical activity task force, to make recommendations on a strategy for increasing physical activity throughout Scotland. The task force reported two years ago and set a target, among others, for 50 per cent of adults over 16 and 80 per cent of children to achieve the minimum recommended level of physical activity by 2022. The timescale that was deemed to be necessary for the target to be met highlights the scale of inactivity in the country.

The Minister for Education and Young People responded by announcing what he described as

"the biggest boost to physical education in schools for generations."

He pledged that there would be more time for physical education and that an additional 400 PE teachers would be provided to deliver that. He also undertook to ensure that there would be

"sufficient flexibility in the curriculum to allow schools to accommodate the provision of at least 2 hours of good quality physical education for each child every week, and more if possible",

which was crucial. The aim was to meet that target by the start of the academic year 2008-09.

The Executive's role is to provide the legislative framework, but the primary responsibility for protecting leisure and open spaces lies with local authorities. Local authorities are encouraged to undertake open space audits, as outlined in planning advice note 65, which was published two years ago as an enhancement of national planning policy guideline 11. The Executive claims that the underlying aim of the guidance is to safeguard playing fields and sports pitches by discouraging development that is likely to conflict with local needs. NPPG 11 confirms that playing fields should not be developed except in three distinct circumstances, one of which is a situation in which

"there would be no loss of amenity and alternative provision of equal community benefit and accessibility would be made available".

The word "accessibility" is key, and I will return to it.

What is the extent of the problem? According to figures that were supplied by sportscotland, which is a statutory consultee on planning applications that affect playing field land, since NPPG 11 came into force nine years ago the overall net loss of playing fields is 112. The figure must be compared with the 6,000 playing fields that are still in use, but it conceals a worrying trend. Between 2000 and 2003, the number of planning applications on which sportscotland was consulted in relation to playing field sites remained fairly consistent, at around 60 per year. However, in 2004 alone, 118 such applications were received. According to sportscotland, the marked increase in applications is due primarily to the large number of new and refurbished schools that are being provided through private finance initiative or public-private partnership projects. As the National Playing Fields Association Scotland has commented, when two schools are merged, the number of pupils at the new school is often similar to the combined rolls of the merged schools, although pupils have access to only half the sports and recreational facilities that were formerly available.

Of course, the majority of the pitches that were lost were blaes or ash, and many pitches were converted to grass or synthetic turf, which is welcome. The major issue is not just the quantity but the quality of pitches and the changing facilities that are attached to them.

Sportscotland works closely with local authorities to develop much-needed playing fields strategies, but the disposal of playing fields can be regarded as an easy way for local authorities to reduce revenue expenditure and realise capital. The pressure seems to be increasing for land that is currently used for sport to be given over to the developers.

The situation has certainly been reflected in the Parliament: the Public Petitions Committee has recently received a number of petitions to do with threats to existing pitches and to open space of various kinds. Their potential loss is vigorously opposed by local communities and organisations—with some success. For instance, it was heartening to hear in March that the proposal by South Ayrshire Council to build a school on the old Ayr racecourse was defeated. However, many more battles remain to be fought—not least the current battle in North Ayrshire, where a proposed new school would result in a major loss of facilities.

In fairness, we need to consider some of the conflicts that local authorities face in the development versus open space argument. For many authorities, there is obvious structure plan pressure to provide not only more housing but increased housing choice. However, local authorities' approach to open space provision should not be an afterthought in such considerations, and pitch sports provision should not always be considered in terms of a numbers game. For example, Glasgow has almost 600 active pitches, but not all of them are effective. The question therefore arises: why preserve a certain number of playing fields that are underused when a smaller number of better-quality facilities might be managed more cost-effectively and might be used more by the community?

Glasgow City Council has committed itself to a review of its pitch sports strategy, with financial support from sportscotland. The review is due to be completed in the autumn and the strategy is regarded as essential to ensuring an adequate long-term supply. Glasgow is in the vanguard of local authorities with sports development strategies, but only 17 of Scotland's 32 councils have such strategies. The Executive should consider making them a statutory requirement.

School sports facilities and playgrounds must also act as a community resource outwith school hours. Accessibility is a key issue, both for formal pre-booked sports use and for informal free play. Local authorities must ensure that their management policies guarantee accessibility.

However, there are often constraints. In some schools built recently under PPP or PFI models, access to sports facilities is seriously restricted outwith school hours because of the terms of the maintenance contracts. That issue has to be overcome to ensure that new facilities are available as often as possible to as many people as possible. What on earth is the point of providing state-of-the-art facilities but then keeping them shut in the evenings or at weekends because the caretaker's overtime is seen as unaffordable?

Fiona Hyslop (Lothians) (SNP): Will the member take an intervention?

Mike Watson: I do not have enough time, I am afraid.

Playing fields do not cater only for formal pitch sports use; they also offer space for children to play informal ball games, to run about and to enjoy general healthy and energetic activity. Playing fields also form an essential part of the environment, offering space for informal recreation, walks and so on.

We should maximise opportunities to ensure that existing managed facilities are accessible for informal use and are not restricted solely to groups who book and use them regularly. That brings me back to the points that I made on the need to open up school sports facilities—including playgrounds and synthetic pitches—outwith the school day. A further reason for maximising such use is that schools offer relatively safe environments for free play.

The Executive should use the forthcoming planning bill to strengthen NPPG 11 on the provision and protection of playing fields and open spaces, with a general presumption against a net loss of recreational space. The same legislation might also be the vehicle for strengthening the policing role of sportscotland by widening the scope of NPPG 11 to include formal recreational spaces under 0.4 hectares in size, thus including bowling greens and tennis courts. Consideration should also be given to making it a statutory requirement for local authorities to conduct a rolling pitch sports strategy.

Legislation certainly has a role in guarding against the loss of open spaces, and that places responsibility on the shoulders of the Executive. I am not speaking about only the minister with responsibility for sport, because crucial decisions will be made that will fall within the remits of the ministers responsible for health and education. The Executive regularly stresses its cross-cutting approach to policy making and legislation, and there are several examples of that to be seen. However, physical activity, physical education, the desire to have a healthier and longer-living population and the provision of good-quality sports facilities have not yet been interlinked as they will have to be if real changes are to be made. It is essential that that message be driven home to the Executive and to local authorities, so that we can achieve the kind of joined-up approach that will be necessary.

17:19

Margo MacDonald (Lothians) (Ind): I associate myself with much of Mike Watson's analysis. I will confine my remarks to Edinburgh, because I think

that quite a number of people want to speak in the debate.

In the provision of formal pitches, Edinburgh is probably better catered for than many other local authority areas. However, when we consider the formal pitches that have been introduced during a time when the overall number of pitches has diminished, we still have to question whether or not we have struck the right balance between long pitches and short pitches. I am not talking about the length of the pitch, but about the length of the artificial grass. For example, a long length is suitable for football and a short length is suitable for hockey. An important element of the general pitches strategy that is, I believe, required of each authority is that the authority should have a balance between the two sorts of pitches to reflect the balance in sporting activity.

I am not sure that the City of Edinburgh Council has that balance right. One reason why I say that is that, although an audit of Edinburgh's pitches has been completed, it has not been discussed by the council. That is worrying. One wonders why it was not discussed, but that might be something to do with the great pressures that the council faces. As Mike Watson described, the council faces competing pressures from the requirement for more housing in a burgeoning economy and the requirement to provide space in which people can exercise informally and formally.

Edinburgh has a mixed record in catering for informal, spontaneous and unorganised recreation and sport, which is another issue that Mike Watson mentioned. For example, although the pitches at Meggetland have been modernised and are supposedly greatly improved, they are also greatly diminished in size, with the opportunity for informal exercise and recreation much diminished. However, the polo fields just further up the road in Colinton are to remain because the council—in what, as far as I am concerned, was an admirable decision—passed up the chance to make what one expects might have been a great deal of money in council tax when it insisted that the playing fields were sacrosanct. As the matter is due to come before the minister, I look to him for a result on that appeal, which I do not believe should be upheld. However, I mention that just in passing.

Another important aspect that interests me is the need for public access to any new pitches that are provided. On that issue, we need to recognise the need to have a parkie who will look after the facility. Local authorities have got out of the habit of employing groundsmen and park-keepers to control and manage their facilities. I am sure that that is what Mike Watson meant when he talked about the need for a system of management. If local authorities are prevented from employing the

necessary parkies mainly by a shortage of cash, I hope that the Executive will see them all right.

17:22

Donald Gorrie (Central Scotland) (LD): Mike Watson set out the subject of tonight's debate excellently and Margo MacDonald, as usual, made a very good contribution. I want to concentrate on three aspects in the following chronological order: children's playgrounds; the need for pitches; and the need to fund people, which, after pitches, is most important.

Children's playgrounds have been another casualty of the pressure on space but, as all members know, their misuse by older young people also means that the nimbys often want to get rid of them. However, children's playgrounds are important facilities for which imaginative programmes can be developed. I happen to be involved in the Nancy Ovens Trust, which gives awards to imaginative children's playground projects that involve children and the community in their development. Good work is taking place, but there is a need for much more. We should invest more in getting children active at the very youngest age, and therefore children's playgrounds are important.

Pitches are a critical issue. In my role as a sports spokesperson, I have been trying to help a group to develop football facilities in Edinburgh and the surrounding area. The group has drawn my attention to the very good playing fields that belong to two high schools adjacent to each other on the west side of the city. It seems that, partly due to a PFI scheme, people are losing that important community resource, which is going down the tubes. The preservation of pitches is important. Although one good artificial pitch can get a lot more use than a grass pitch, grass pitches are also important. As Margo MacDonald said, we need to look after pitches properly.

Even more important are the people. I helped to create an artificial pitch in one area when I was involved in Edinburgh, but it was underused. The people in the area were not good at organising activities. We should be funding people. So far, the system for funding the coaches—who are absolutely critical to getting and keeping young people involved in sport—is totally inadequate. The people who run clubs have to waste huge amounts of time in raising rather piffling sums of money when we could adequately fund them.

The issue of adequately funding such organisations is critical. We are talking not about huge sums: the two athletic clubs with which I am involved in Edinburgh because of my past interests need only a few hundred pounds—perhaps £1,000 or £2,000 at the most—to help to

pay for buses and so on to go to meetings. Such sums would make a huge difference to clubs. We are talking not about big money but about well-spent money that could go towards supporting clubs and people. The money could be used to attract people into voluntary activity in running sports, coaching and management.

The subject is important and we are happy to debate it. I have great confidence in the minister. I hope that she will get a real grip on the points at issue.

17:26

Pauline McNeill (Glasgow Kelvin) (Lab): I thank Mike Watson for bringing this very important debate to the chamber once again. It is a subject that is at the height of its importance.

Although I am not an advocate of sport itself, I find myself being drawn into the debate. If I was asked to elaborate on that, I would say that I am being drawn into a debate about sport, the land that we use for open space and sport and the increasing relevance of land and planning issues in achieving the Government objective of enhancing the importance of physical activity, particularly among young people. All the constituency issues that I want to talk about tonight seem to return to that theme. That is why the debate is important to me and the people I represent.

I represent Glasgow Kelvin, which is a constituency in the heart of urban Scotland. Although the area has had enormous economic success, which has resulted in massive benefits for the people of Glasgow, more benefits still need to be achieved. Mike Watson alluded earlier to the increasing demand on space. I want to put on record my admiration for Glasgow City Council, and in particular the people responsible for its park and leisure services, for its robust policy on protecting open spaces. We have to look at further protection and reforms in order to protect the spaces that we have at present.

Key to the debate is a combination of policies, including planning, and our ideals in relation to sport and the environment. Members of the public from Dowanhill in my constituency, in the heart of the west end of Glasgow, have petitioned the Public Petitions Committee on the potential loss of a local tennis club. The removal of the club flies in the face of the demands of local people, including young people, who want to join the club and play tennis.

However, current policies may mean that people in my constituency will lose their tennis club, as the land on which it is built may be turned into 64 flats. More should be done to protect the facility. Ultimately, the local authority will determine

whether it is willing to support the application. I feel reasonably confident that the council has grounds on which to reject it.

Mike Watson spoke about planning guidance. It is important for us to look at the detail of applications. Some developers will argue that because alternative facilities are available, they can build on a sports ground. That is fine, but I want to make it clear, particularly in the case of the tennis court to which I referred, that a facility that is three miles down the road and which is more expensive and less accessible is not an alternative. That point is critical in terms of the policy guidelines.

I know that I am not alone in saying that children in constituencies such as mine live in built-up areas. Indeed, 70 per cent of the property in my constituency is tenement property, and very few such properties have gardens. Children need to have their space protected. If we want them to participate in sport for the good of their own health, we need to protect those facilities.

As has been said, there is a link between sport and tackling obesity in young people. That point leads me to address another constituency issue. Broomhill sports club, which I have talked about previously in the Parliament, is a club of local parents with primary school children who have clubbed together to promote sport for their children. However, they need facilities. I must say that Glasgow City Council has come to the rescue—it looks as though football pitches will be freed up for the club to use. However, to return to a point that Mike Watson made, the club cannot afford to use some of the school pitches at the weekend, particularly those of schools in which a PFI refurbishment has been carried out. We must consider ways of tackling that issue, because the weekend is when the club wants to use the facilities.

In my final 30 seconds, I want to talk about the importance of including everyone in the policy. Another project that has been established through parent power is Victoria park inclusion for play. Glasgow is to host the special Olympics, which I will advertise this Saturday in Sauchiehall Street—I have agreed to busk there with some local councillors and MSPs, although God knows why. The idea is to highlight the importance of the special Olympics to Glasgow. They are another platform that we can use to highlight the importance of sport to our country and to argue for an all-inclusive policy.

17:31

Michael Matheson (Central Scotland) (SNP): I congratulate Mike Watson on securing the debate.

I must make my way to Sauchiehall Street this Saturday to see how Pauline McNeill gets on.

Playing fields and open spaces are more important now for our society than they have been at any time in the past. The days when kids were able to play freely in the streets with a ball have long gone. Playing fields and open spaces are now the main areas that children must use to play, for their personal safety. Only this week, in evidence to the Enterprise and Culture Committee, representatives of the Scottish Football Association, the Scottish Premier League and the Scottish Football League highlighted the fact that access to decent facilities such as playing fields and open spaces is key to driving up the number of kids who are involved in physical activities and sport.

I acknowledge the work of sportscotland and the National Playing Fields Association Scotland in trying to preserve open spaces and playing fields where possible, but there is a process of continual erosion of such spaces. The Executive must address three aspects in trying to offset that on-going process. First, like Mike Watson, I believe that the default position in planning decisions should be in favour of protecting playing fields and open spaces. I hope that the forthcoming planning bill, which is to be introduced later this year, will provide an opportunity to achieve that. A report that was published in March highlighted that, in the past 10 years alone, 19 per cent of our secondary schools have lost playing grounds or sports fields because of the need for ground for development. Half of the spaces that were lost were football or sports playing grounds. As members have said, local councils are often forced into selling off open space or football and sports fields to finance school building developments.

The second aspect that must be addressed is the need to ensure that existing facilities are properly maintained. I have visited many ash parks that are almost grass parks purely because of poor maintenance by the local authority. It is crucial that available facilities are suitably maintained by local authorities to ensure that clubs and individuals can use them. A complaint that I often hear from sports clubs is that the grass in the parks that are available is poorly maintained.

The third aspect that must be addressed is accessibility, which several members have highlighted. I recently spoke to the manager of the Denny Rio football club, who runs a school football team. He was given a quote of more than £170 to use an all-weather football pitch at a PPP school in Falkirk, which was a cost that the team could not afford. In Cumbernauld and Kilsyth, local football clubs have been given a quote of more than £200 to hire an all-weather football pitch for

two hours at Broadwood stadium. They cannot afford to use the facility.

We must protect what we have and maintain existing facilities to a proper standard so that they can continue to be used. Facilities also need to be affordable so that local sports clubs and individuals may use them when they need to.

17:35

Murray Tosh (West of Scotland) (Con): Mike Watson has done us a favour by raising this issue for debate, and Pauline McNeill did well to widen it out beyond publicly owned sports facilities to cover privately owned tennis and bowling clubs. The essential difficulty in the private sector is the huge value of development land and the pressure on private owners to cash in on that. I suggest that, as well as using the planning guidelines that Mike Watson mentioned, we might also usefully consider a number of other changes to planning policy.

One such change might be to find a market solution to the way in which we zone land. Should we consider trying to bring down the development value of land by allowing for greater density in certain sectors? Should we be looking into the release and supply of land at what developers would call the quality end of the market, where, it is argued, choice is limited? In the absence of choice and supply, the remedy that the market applies is to bid prices up, so that small pockets of land in Glasgow and Edinburgh and other pressured housing markets command huge sums of money.

We might also usefully consider how we take community benefit from the planning process. We have been building up an elaborate system of planning gain. Ostensibly, that is a tax on the development industry; however, in practice it is a tax on the purchasers of houses. We do not apply any pressure to the owners of land that is made available for development. By and large, the landowner is able simply to take his substantial cut from the process. Should we be considering the possibility of having some sort of development tariff, which would take the community benefit from the landowner, reducing the element of profit that is available to the owner—rather than the developer—thereby reducing the temptation for small sports clubs such as bowling and tennis clubs to cash in on their assets?

The situation in the public sector is a different matter altogether. There, things are not necessarily driven by councils trying to cash in on the value of their land—although I am aware of some cases of that. To a substantial extent, the current difficulty seems to be that councils are driven by the PPP process to close an affordability

gap, perhaps by selling land on which to build houses, as East Dunbartonshire Council is looking to do in Milngavie to help to fund its project.

Councils might not have enough of an allocation, as is the case for North Ayrshire Council, which is considering having one superschool on what appears to be the only site in the Ardrossan and Saltcoats area where such a school could be accommodated and the only site that the council owns. North Ayrshire Council cannot afford to buy land from anywhere else so it has ended up proposing a massive development on what is the key open space within the community. The situation is totally dividing the community between those who are desperate for the new school to go ahead—because it is needed—and those who justifiably want to preserve the amenity of their open space.

Is there a role in the process for the Executive to examine closely the detailed PPP bids that come in from councils, recognising where the mechanism puts pressure on councils in effect to overdevelop? Is there a case for authorities such as North Ayrshire Council to be given the resource to redevelop the two existing schools on site, so that the community can have the schools that it needs and retain the open space and playing fields that it wants passionately to preserve? That is an important area and the Executive needs to consider the pressures under which it is placing councils and whether, in some cases, they should be relaxed.

17:39

Ms Rosemary Byrne (South of Scotland) (SSP): I thank Mike Watson for securing the debate. I must congratulate Murray Tosh on raising an issue concerning North Ayrshire that is close to my heart and to Campbell Martin's heart. One of the schools concerned is in the South of Scotland region, while the other is in the West of Scotland. I am glad that that matter has been raised, and I endorse everything that Murray Tosh said on the issue and I thank him for it.

We are always going on about antisocial behaviour, the way young people dress and whether we should ban them from places, and the Education Committee is examining pupil motivation and taking evidence to help in ensuring that young people are engaging in school and are achieving, so today's debate is timeless.

Open spaces and playing fields are important because they create fit and healthy children and young people, diminish problems of obesity, allow self-esteem to be raised through achievement and introduce all sorts of ways for children to develop as individuals in their own right. They also

enhance the opportunity for young people to adopt positive lifestyles.

Sporting and play activities allow young people to develop, so to provide opportunities for that is far better than concentrating on tackling antisocial behaviour through punitive measures. If we focus more on investing in young people and on funding facilities than we do on taking such facilities away, we will make much more progress in solving the problems in our communities. It is a huge contradiction that at the same time as we are talking about trying to minimise antisocial behaviour, about connecting with our young people and about getting rid of obesity, we are taking away playing fields and green spaces through PPP school projects and retail developments. That is a short-sighted and negative approach, because the message that is sent is that nobody cares.

I would like us to put in more facilities, rather than take them away. Our communities should have sports and play facilities that are accessible to young people; they should not have to travel miles to find facilities because there should be green spaces on their doorsteps in which they can develop their play activities. Those spaces should be supervised and maintained by local authorities. It is in such spaces that investment comes in: it will be investment that will last and from which we will benefit in the longer term through having healthier, happier and more active young people.

Pauline McNeill talked about private tennis courts. In Irvine, when I was a young person—quite a while ago now—we had tennis courts that we all used and loved. There was only one set of such courts and they were a focus for the community. Over the years they were run down and now lie derelict. Such is the feeling in the community that there was a recent well-attended meeting to try to get the local authority to resurrect the tennis courts. There is nowhere else in Irvine to learn tennis. That is the kind of investment that we need.

I endorse what was said about encouraging volunteers. There is nothing more disheartening than people running football teams and having to focus on fundraising, rather than on what they are there to do.

We need to consider planning, which I am glad has been mentioned. I am disappointed that the third-party right of appeal seems to be disappearing off the agenda. I would like to it brought back.

The Deputy Presiding Officer: I am minded to accept a motion without notice to extend the debate by 20 minutes.

Motion moved,

That, under Rule 8.14.3, the debate be extended until 6.18 pm.—[Murray Tosh.]

Motion agreed to.

The Deputy Presiding Officer: I call Elaine C Smith. No I do not; I call Elaine Smith. Sorry.

17:43

Elaine Smith (Coatbridge and Chryston) (Lab): Thank you, Presiding Officer. I get enough ribbing about that.

I join other members in congratulating Mike Watson on securing the debate. He is right to suggest that the issue is a matter of national concern. I have made regular representations to the Scottish Executive on it over the years. There certainly seem to be substantial discrepancies between national policy on social and environmental justice and local planning priorities.

I turn to my area. What I will say follows on from what Murray Tosh said; I agree with many of the points that he made. In 2002, North Lanarkshire Council undertook a consultation on its proposal to refurbish schools in the area. One of the options for the Coatbridge development included building on Dunbeth park—a beautiful Victorian park that serves a central function in staging events, provides the only green space in a built-up part of the town and is well used by adults and children alike. During the initial consultation the community strongly resisted that option, but concerns were allayed in 2003 when the council adopted an option that involved building the new school and all its associated facilities on the site of an existing school and did not use the park.

However, following reports last year that the local authority had declared part of Dunbeth park to be surplus to the requirements of the community services department, I wrote to the council, only to be informed that outline planning permission had been agreed for a full-size floodlit Astro turf football pitch on the park. That planning permission was awarded without further consultation of the community. The local college was the only body to be notified, and it objected. When I asked the chief executive about that turnaround, I was informed that, in the PPP process, the bidders were responsible for proposing design solutions and that, accordingly, 1.44 hectares of Dunbeth park had been identified as an area in which the facility should be built.

From that, it seemed to me that the PPP bidders were steering the location of the facility through their design process and that their views and objectives took precedence over the concerns of the community. Indeed, the council originally stated a preference that the facility be built on the

school site. I have been advised by building professionals that there is no reason why it could not be built on that site, although that might have increased the construction costs, which would make the project run the risk of exceeding the public sector comparator, which might have meant that the council would not have qualified for PPP funding.

During the later stages of the planning process, 575 letters of objection were received by the council along with a substantial petition with about 2,000 signatures. At meetings, there was massive turnout of local people who were against the plans and at which the local councillor stated her support for the community's position. Nonetheless, the project looks set to go ahead. I found the experience to be disheartening and thought that the cavalier attitude of the local planner was cause for concern.

I acknowledge that the development will provide improved football facilities for the school, but, those facilities could be provided within the school grounds. I am concerned about the fact that a substantial portion of green space has been handed over for a facility that community members, including children, will have to pay to access. The children are unlikely to be able to afford to do so. I represented the community at the planning meeting, but it was to no avail.

The historical and aesthetic significance of the park make it important to the people of Coatbridge. It is a well-used resource whose nature will be altered by the development, which will impinge on valuable green space. Development of the park in that way seems to run contrary to the wider social and environmental justice agenda. I hope that, even at the 11th hour, the friends of Dunbeth park will be listened to and the facility will be built within the school grounds, where it should be.

Having been to the planning hearing to represent people, I do not know where to turn. I hope that the minister will be able to suggest how Dunbeth park can be saved from development.

17:47

Dennis Canavan (Falkirk West) (Ind): We should be grateful to Mike Watson for raising this important matter.

There is pressure on local authorities to sell playing fields to developers in order to finance new school building projects. As a result, there are fewer playing facilities for school pupils and the wider community. For example, concerns have been expressed to me by constituents in the Denny area, where Falkirk Council has decided to locate the new Denny high school on Herbertshire playing fields and to sell a considerable proportion

of the existing school grounds for housing development. Of course, everybody in the area wants a new high school building. As I said, however, concerns have been expressed about a possible net reduction of open space, including playing space.

When I took the matter up with sportscotland, I was told that sportscotland withdrew its objections to the proposals because they deliver pitch provision that is at least as good as the existing provision in terms of both quality and capacity. However, sportscotland emphasises that its consideration of the proposals relates only to their impact on the provision of sports facilities for the school and the community. Herbertshire playing fields are also used for a range of informal physical activities such as walking, cycling, running and kick-about, and sportscotland urged the council to ensure that the proposals will have no adverse impact in that regard. I hope, therefore, that appropriate action will be taken to ensure that there are adequate facilities for sports and other physical activities in the Denny area and throughout Scotland.

The National Playing Fields Association has set a 6-acre standard, which says that there should be a minimum of 6 acres of outdoor playing space for every 1,000 people, comprising 4 acres for outdoor sport and 2 acres for children's play. I urge the Scottish Executive to consider introducing a statutory basis for such a standard.

My other point is one about which I have written to the Minister for Tourism, Culture and Sport to request a meeting. There is concern about some sports clubs selling off playing fields and other sports facilities to developers. Many sports clubs are situated in prime sites that are attractive to property developers. Developers are targeting such clubs and offering them vast sums of money for their valuable land. Some of those clubs were established many years ago by philanthropists who gave their land for nothing, or next to nothing, and developed facilities with no thought of financial gain. Now, some greedy and selfish people who have put little or nothing into the clubs but happen to be members at a given time are selling them for personal gain. I have even heard of clubs whose membership has been deliberately run down in order to maximise the payout to the remaining members. Such asset stripping should be stopped. I accept that it is difficult for the Scottish Executive to intervene in the internal affairs of a private club, but some clubs receive considerable sums in council tax relief and relief from other taxes. It should be a condition of tax relief that the prohibition of such asset stripping is written into the club's constitution.

Pauline McNeill referred to a petition on the subject that has been presented to Parliament

and, as I said, I have asked for a meeting with the minister. I hope that I will receive a positive response. In any event, I urge the Executive to take appropriate action to ensure that there are adequate sports facilities so that its declared policy of encouraging more people to take part in sport and other physical activity can be implemented.

17:52

Mr Adam Ingram (South of Scotland) (SNP): I, too, congratulate Mike Watson on securing this evening's debate. The subject has been raised on several occasions in Parliament, most notably through the public petitions process.

Like Mike Watson, I am aware of two current petitions on the subject from Ayrshire. One is from the Laighdykes residents group in Ardrossan and Saltcoats and the other is from the save the old racecourse group in Ayr. I can update Mike Watson's information on the latter case. Although outline planning permission was refused by South Ayrshire Council's planning committee, the administration is to come forward with a detailed planning application.

In both the Ayrshire cases, the councils seem determined to ride roughshod over their own development plans and national planning policy guidelines by building new schools on well-used and established playing fields using PPP funding. It is clear that the strictures of national planning policy guideline 11 and planning advice note 65 are not having the desired effect. Paragraph 29 of NPPG 11 states:

"Robust planning policies are required to safeguard established open spaces, playing fields and access routes where they contribute to local community needs and enjoyment."

Crucially, it also states that

"Councils should lead by example and generally resist development of open space and playing fields in their ownership."

In the Ayrshire cases, there is also a clear conflict of interests, with the councils' being landowners, the education authorities or de facto planning applicants, and the planning authorities. Such cases pose an obvious danger to the integrity of the local planning system. Unfortunately, since the advent of PPP, they are becoming much more commonplace, as many members have said.

In that context, I refer members to a letter from sportscotland's acting chief executive. In response to the Public Petitions Committee's request for information on the Ayr old racecourse petition, he said:

"sportscotland is concerned about the amount of development pressure that current PPP proposals are placing on school playing fields."

He highlights the affordability gap in PPP projects, the lack of finance to acquire new sites for schools and the fact that few development plans have allocated new sites for schools.

Sportscotland observes that local authorities look to their own estates for suitable sites and that playing fields are often the preferred option because of their size and physical suitability for development. Sportscotland's statutory consultee status allows it to scrutinise all such proposals, but

"the dual influence of ... this 'affordability gap' and the determination of local authorities to take the opportunity that PPP presents means that they are in most cases determined to press ahead with their proposals."

In those circumstances, sportscotland feels constrained not to object but instead to seek concessions and reach compromises. The result is more lost playing fields. Given those unintended consequences of PPP funding, it is incumbent on the Executive to ensure that the development pressure on playing fields is relieved. I will be interested to hear what plans, if any, the minister has in that regard.

17:56

Patrick Harvie (Glasgow) (Green): When I read Mike Watson's motion, I was particularly pleased that it mentioned open space as well as formal sporting facilities. We all agree on the value of those formal spaces, but informal areas—not just parks, but wild spaces—are important if we want to encourage children, and particularly young children, to get into the habit of active play, which can lead to a more active life and to better health later. Donald Gorrie and several other members mentioned that.

The loss of green spaces, open spaces and sporting facilities is one of the issues that has most frequently arrived on my desk in the two years since I joined the Parliament, and I am sure that every other member throughout Glasgow and well beyond would say the same. In north Glasgow, wild spaces have been threatened for luxury housing that is likely to cost about £300,000 or £400,000 a unit, which is not accessible to most people in the area. In Mike Watson's constituency, a small park that is known as the back park is under threat for housing. In one of the areas that are often dismissed as the leafy suburbs of the west end are the Dowanhill tennis courts, to which Pauline McNeill referred.

Members have also mentioned the North Ayrshire example, about which we were e-mailed today. What struck me from the communication about that situation was the perception that the

local council is determined to bulldoze public opinion. That is a major feature of the problems that we have with how the planning system works. Whatever we think of the rights or wrongs of one case, the perception is that people's interests in and beliefs about how their communities should be developed are not being taken on board.

We should also acknowledge, as shown by the "Investigating environmental justice in Scotland" report that the Scottish Executive commissioned and which was published just last week, that the trend towards the loss of such spaces is worse in the most deprived and disadvantaged areas of Scotland, including parts of Glasgow.

The planning system not only fails to provide a safeguard, but is a source of the problem. Pauline McNeill was right to say that comparing different green spaces is not enough, because some spaces are not accessible or appropriate. Not even close and accessible alternatives are enough. Young people and particularly children want to have a choice of places to go to. The undeveloped and wild spaces that are not formally laid-out parks may be just a resource that is waiting to be exploited to a developer, but to children they are places waiting to be explored. We need to protect such areas.

We know that many planning consents are being granted for fear of the developer's right to appeal. That unfair appeal stage is part of the problem. The lack of enforcement in planning is another problem, particularly when developers make reapplication after reapplication with minor tweaks to ensure that consent for a development is eventually granted.

I am sorry to say that some councils are complicit by ignoring some spaces and allowing them to be degraded so that the local community feels less attachment and values them less, which means that fewer people object when applications are made to develop such spaces. I echo the disappointment that has been expressed about the Executive's apparent intentions with respect to equality and sustainability in the planning system.

Generations of our forebears would be unimpressed if they saw what we are doing to the legacy that Dennis Canavan spoke about. They dedicated spaces to their communities without being interested in personal gain, but we are ploughing up those spaces not only for schools and affordable social housing, but for luxury housing, car parks and supermarkets. Doing so is a shame on our generation.

18:00

Campbell Martin (West of Scotland) (Ind): I am grateful to Mike Watson for lodging the motion, which, as we have heard, is about a serious and—

unfortunately—increasing problem. Mike Watson and I are members of the Public Petitions Committee, to which a number of petitions have been submitted from local communities throughout Scotland that object to local authorities' plans to build on playing fields. Back in May 2004, the Minister for Tourism, Culture and Sport—Frank McAveety—stated in response to a parliamentary question:

"Primary responsibility for the protection of playing fields lies with local authorities".—[*Official Report, Written Answers*, 5 May 2004; S2W-7718.]

Petitioners have asked what we can do if the primary responsibility for protecting our playing fields lies with local authorities that want to build on our playing fields.

As a result of that answer, I raised with the Deputy Minister for Communities the possibility of incorporating into the forthcoming planning bill a presumption against development on playing fields, so that if the National Playing Fields Association's minimum standard for playing space relative to population is not met, no development should be permitted on playing fields. We have an opportunity to include that presumption in the bill. I have not yet received a response from the minister—I hope that that means that she is seriously considering the matter.

There seems to be a lack of joined-up thinking in the Scottish Executive's bringing forward proposals and initiatives to encourage our youngsters to get back on to the playing fields and get involved in sport. Through PPP projects, the Executive is providing funding to local authorities that build on playing fields, thereby stopping our children getting back on to them. The gap must be bridged.

Rosemary Byrne, Murray Tosh, Adam Ingram and Patrick Harvie referred to the current problem in North Ayrshire, which is a good—if that is the right word—example of the scale of the problem that we are discussing. North Ayrshire Council wants to build a massive superschool by amalgamating St Andrew's Academy in Saltcoats and St Michael's Academy in Kilwinning. That would mean that Laighdykes playing fields—which are the only playing fields that serve the communities of Saltcoats and Ardrossan—would be built on. Murray Tosh referred to how PPP projects are structured and how they create an affordability gap. The affordability gap that North Ayrshire Council will face if it goes ahead with what has been proposed will require it to sell off the site of St Michael's Academy, including the sports playing fields in Kilwinning. That means that the huge school would be moved to Saltcoats and there would be no playing fields, which would be absolutely no use to the local community.

Saltcoats and Ardrossan have a population of 23,000 and therefore they should have 138 acres of playing fields. However, they have 36 acres. If North Ayrshire Council goes ahead with the proposals, they will have 24 acres, which is completely unacceptable. Playing fields must be built or expanded, not decreased.

Over the years, the Laighdykes playing fields have helped to develop the footballing talents of Bobby Lennox, who played for Celtic when that team won the European cup in 1967; Roy Aitken, who captained Celtic and Scotland; Stevie Clarke, who played for Chelsea and Scotland; Ray Montgomery, who captained Kilmarnock to the Scottish cup; and, back in the 1960s, Bobby Ferguson who played for Kilmarnock, West Ham and Scotland and came from my home town of Ardrossan. Their talents were formed on Laighdykes playing fields. If North Ayrshire Council gets its way, very few young boys will be able to develop their talents on those fields. The Scottish Football Association youth development programme asks on a flyer: "Where will the next Darren Fletcher come from?" If North Ayrshire Council gets its way, it will not be from Saltcoats or Ardrossan.

18:05

Robin Harper (Lothians) (Green): Once the playing fields in our cities have gone, they are gone for ever—there is no way of getting them back once they have been built on. We are facing a crisis in our cities and towns. Judging from what Adam Ingram said, PAN 65 and NPPG 11 are dead ducks—they are ineffective. What is now required for our local authorities, planners and developers is not planning advice; they require regulation of the kind Dennis Canavan mentioned. He spoke of the National Playing Fields Association's idea of setting aside 6 acres per 1,000 people for outdoor playing space, with 4 acres for formal sports and 2 acres for children's play.

I disagree slightly with what Dennis Canavan said, however. The importance of children's play is still undervalued across the board in the debate. It is not just about organised sports pitches; it is about the opportunity for free play in areas where the footballers, hockey players and tennis players of the future can develop by having a piece of land where they can go and knock about a ball without having to pay money or apply for permission to use that land. In that context, Pauline McNeill and Michael Matheson made some powerful points. There is no opportunity to kick a ball about in the street nowadays—there is far too much traffic.

Rosemary Byrne talked about the gain in self-confidence and social development that comes

from having open spaces available for young people to use. That is very important.

Murray Tosh spoke about taxation. Of course, a form of land value taxation that subsidised community spaces could be considered, even in parallel with council tax if the Executive will not get rid of council tax, which would please many people.

In Edinburgh, we have lost land at Peffermill, Jock's Lodge, Holyrood, Hawkhill, Ferryfield, Gypsy Brae, Crewe Toll, Muirhouse, Ravelston Dykes, Meggetland, Canal Field, Gray's Loan, Craighouse, Double Hedges, Colinton Mains, Gyle and Turnhouse, to mention but a few places. That is a devastatingly depressing list of communities that have been robbed of facilities that they had enjoyed for many years. What happened at Meggetland is a prime example of the way in which local authorities and planners have got around obstacles. Over the weekends, Meggetland was home to literally hundreds of young people flying kites and playing games of football, here and there, with piles of shirts for goalposts. That has been replaced by manicured grass and all-weather pitches that people have to pay to use. The massive informal use of that space has gone, probably for ever. It cannot be returned, yet that space was of great value to the community.

We cannot allow that process to continue in our cities. The Executive has a clear duty to arrest what appears to be almost a pell-mell reduction of real play space for communities—for children, their parents and their friends. I appeal to the Executive to respond positively to all the speeches that have been made this evening, as this is a serious issue. There could be irreversible effects if we do not arrest very soon the progressive loss of amenity spaces in our cities.

18:09

The Minister for Tourism, Culture and Sport (Patricia Ferguson): I join members in congratulating Mike Watson on securing this debate on an issue that continues to stimulate a great deal of interest among members. When he lodged his motion, Mike Watson may not have realised that the issue is dear to my heart, because one of my first constituency duties when elected to the Parliament was to appear before a reporter's inquiry concerning the proposed loss of some playing fields connected to a school in my constituency.

I make it clear from the outset that the Executive is fully committed to the protection and enhancement of the land that is required for Scotland's sport and physical recreation. We are equally committed to improving the health and

well-being of the nation, especially of young people. Members have raised a number of issues and I suspect that I will not have the time or opportunity to cover all of them. However, I have listened carefully to what has been said, especially in relation to issues that may come before ministers as planning matters. It would be impossible—and, possibly, illegal—for me to comment specifically on those issues, but I have listened carefully to the points that have been made. Dennis Canavan said that he wants to meet me to discuss the generality of the issue about which he is concerned. I would be happy to do that.

The Executive has invested significant funds in the active schools programme, which has been embraced by all 32 local authorities. We are working towards implementing our commitment to provide more time for physical activity—not just PE—and more PE teachers. It is essential that, as a nation, we become more active. However, we must remember that many of the activities in which we encourage young people, in particular, to take part do not require specialist facilities.

The motion refers to the continuing diminution in the number of sports pitches and open spaces across Scotland. Mike Watson was right to say that, since NPPG 11 was published in June 1996, there has been a net loss of 112 pitches. However, since the start of 2004 there has been a net gain of four pitches. It should be recognised that many of the pitches that were lost were old mineral pitches that were deemed unsuitable for modern-day use. In their place are synthetic pitches, sevens pitches and multi-use games areas that can be played on at all times and in any weather.

Margo MacDonald: I welcome the advent of newer technology and newer surfaces. The old ash pitches may have given people skint knees, but at least they could use them for a kick-about at any point. Well-maintained ash pitches had gamekeepers—[*Interruption.*] I meant to say park keepers, although some of them needed gamekeepers. Parkies were able to control playing areas and to keep up standards. I would like the minister to comment on those two issues.

Patricia Ferguson: I will address Margo MacDonald's point shortly.

Although there has been a net loss in pitches, there has been a marked increase in the quality of playing fields, which can often sustain a significantly higher level of usage.

As I said earlier, the Executive is committed to the protection of playing fields and open spaces and to their improvement. The planning system performs two key functions in relation to open spaces. It protects areas that are valuable and

valued, and it ensures the provision of appropriate quality in or within easy reach of new development. Members recognised that primary responsibility for the issue lies with local authorities. The Executive's role is to provide the legislative framework, plus guidance and advice to local authorities on how to fulfil our commitment.

"NPPG 11—Sport, Physical Recreation and Open Space" aims to safeguard playing fields and sports pitches by discouraging development where that is likely to conflict with local needs either now or in the future. Adam Ingram referred to PAN 65, which, as he knows, was published in 2003 and sets out the Executive's advice on the role of the planning system in delivering high-quality open space. The note specifies a method for local authorities to adopt and adapt when preparing open space strategies. It also gives examples of good practice in providing, managing and maintaining the open space resource. Crucially, it encourages partnership between local authority departments with open space responsibilities and the active participation of local communities, amenity bodies and developers in achieving quality open space.

I hope that members are aware that, as I have outlined, measures already exist to protect playing fields. When proposed development would affect such fields, sportscotland has the right as a statutory consultee to object formally to that development. Cases in which its objection is maintained must be notified to ministers, to give them the opportunity to decide whether to call in an application for their own determination or to allow the planning authority to determine the application itself.

Between January 2000 and this April, 11 such cases have been notified and two planning applications that affect playing fields have been called in. Although that figure might appear low, that is simply because sportscotland is prepared to enter into negotiations about the provision of alternative sports pitches for the area. When that aim is achieved to sportscotland's satisfaction, it will often withdraw its objection and thereby remove the need for the planning authority to notify the case to ministers.

Members raised the issue of private clubs. Obviously, the Scottish Executive cannot intervene on such matters, but one condition of tax relief is that clubs must not limit their membership in the way that Dennis Canavan indicated. If they do, they can lose relief. Moreover, if sportscotland has invested in those clubs, it can seek to recover its investment at that stage.

Our partnership agreement states that the Executive will review planning guidance to set strong minimum standards for including public open space in new developments. We

commissioned research on minimum standards for open space and have recently received the final report. That research will be published shortly and will feed into the revision of planning policy on open space later this year.

I should point out that amendments to national planning policy do not need to be set out in primary legislation such as the proposed planning bill. Furthermore, we have started a review of NPPG 11 to examine the framework around which local authorities consider planning applications that impact on playing field provision. In that respect, we will certainly examine Mike Watson's point about the minimum size at which that NPPG kicks in. Indeed, in discussing the issue, we will perhaps consider reductions in that minimum size.

As Margo MacDonald pointed out, the management, maintenance and promotion of facilities are all equally important. Local authorities have been encouraged to produce sports development plans, a key aspect of which is a strategy to maximise use and impact. Although we can support and sustain the development of facilities, we need drive at the local level to ensure that facilities are used imaginatively and wisely and provide a wide range of opportunities to the immediate community and beyond.

I am very aware of the time, Presiding Officer, but I will say that, following the recent completion of a study that was commissioned by sportscotland, the Scottish Arts Council and the Executive on the impact of management regimes on the use of the school sports and cultural facilities, sportscotland and the SAC will shortly issue guidance for local authorities on a range of issues connected with improving local communities' access to school facilities.

I realise that I am overstepping my time, but I want to thank members, particularly Mike Watson, for bringing this important issue to our attention. As I have said, it is very close to my heart. I hope that our review of the existing rules and guidance on this matter will strengthen them to the benefit of all our communities.

Meeting closed at 18:18.

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