

MEETING OF THE PARLIAMENT

Wednesday 27 September 2006

Session 2

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Scottish Parliament

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

Time for Reflection

The Presiding Officer (Mr George Reid): Good afternoon. The first item of business is time for reflection. Our time for reflection leader today is Colonel Ruth Flett of the Salvation Army in Wick.

Colonel Ruth Flett (Salvation Army): This weekend, members and friends of the Salvation Army worldwide are called to pray for the victims of sex-trade trafficking. It is a subject of great concern, as it is estimated that more than 2 million people are trafficked every year, 1.2 million children are affected and the annual cost is \$10 billion. When we consider those figures, it makes us shudder at the extent to which human beings will go to make money out of the poor and vulnerable.

People of all faiths and none will be drawn into the prayer circle for those whose lives are being ruined by this sordid business. Throughout its history, the Salvation Army has been involved in fighting against such exploitation. It is an issue that must be kept high on the agenda of people who have influence and compassion. However, prayer is only one side of the coin; the other must be action. The Salvation Army's call involves education, vigilance and a strengthening of partnerships between Governments and concerned agencies, but it goes further, and urges all to pray, in the words of the victims, "Dear God. Let it stop."

Jesus taught his followers not simply to recognise the problems and cares of others, but to "lift their burdens", to feel the weight of their suffering and despair, to articulate in prayer their pain, and to suffer with and pray with them.

It is my privilege to convene the Scottish committee of the world day of prayer. Women representing 12 denominations step outside their own traditions and enter into the world of the country selected to prepare the annual service. In recent years, the women of the Lebanon and South Africa have written the service. The challenge is to keep their words and concerns as the basis of the service, so that all who meet to pray will pray not only for the country but with the people of the country, in their words.

In this Parliament, you are no strangers to the concerns of others; they are your daily business. These moments of reflection challenge us all to

step outside the security and comfort of our traditions—be they religious, political or cultural—and bear the burdens of those who have asked us to voice their despair.

Let us pray.

Father, as we pause together before the business of this day we pray for all people who are hurting and exploited. Give us the courage to enter into their pain and anguish and the vision to see what can be changed. Amen.

Crofting Reform etc Bill: Stage 1

The Presiding Officer (Mr George Reid): The next item of business is a debate on motion S2M-4710, in the name of Ross Finnie, on the general principles of the Crofting Reform etc Bill.

14:35

The Minister for Environment and Rural Development (Ross Finnie): Crofting is a uniquely Scottish way of life and approach to small-scale agriculture. For the first time, it is to be subject to legislation that has been developed and debated in Scotland.

The Crofting Reform etc Bill has been developed over a long number of years. It grew originally from the land reform policy group's recommendations for land reform in Scotland back in 1998. The white paper on proposals for crofting legislation was published in 2002 and set out an initial approach to the land reform group's recommendations. That white paper went out for consultation and was spread about extensively. The draft Crofting Reform (Scotland) Bill was published for consultation in March 2005, and was presented and discussed at a wide range of meetings throughout Scotland—in particular, throughout the Highlands and Islands and on Arran.

One curious aspect of that process—certainly, from my point of view, having taken a number of bills through the Parliament—was that, in those early three or four years of consultation, the level of debate was extraordinarily subdued. No vast torrent of letters or proposals came to the Scottish Executive Environment and Rural Affairs Department. There were issues—I will not deny that—but we did not find the volume of concern that emerged as the bill was introduced to Parliament.

I will reflect on those consultations, in which we did not appear to draw out the concerns despite the fact that we had consulted on the bill genuinely and in good faith for some time. Since the consultations, we have tried to work hard with all parties to elicit what concerns them and what they believe it might have been more helpful to have in the bill. As always in the Parliament, it has been helpful to have a detailed stage 1 report. The Parliament's Environment and Rural Development Committee went to extraordinary lengths to tease out the various issues, which were much more evident during stage 1 than they ever were over the previous three and a half or so years.

The committee also tried hard to reflect the divergent views that emerged—some of them with conflicting interests—and the challenge that is involved in trying to reconcile them. Correctly, the

committee concluded that some of the issues that underlie the proposals in the bill require further consideration and it spelled that out clearly in its report. Further consideration is required not because the initial proposals were fundamentally wrong, but because the bill's gestation was long and, in some cases, the world has moved on, which requires us to develop the proposals further.

Having taken due account of all that the stage 1 report says—as has been my practice in the life of the Parliament—we have had further discussions on the relevant sections of the bill and have indicated in our response to the committee that we will lodge amendments to delete certain sections, specifically on the constitution, status and role of the Crofters Commission, and the subsections on bequests of tenancies that refer to the market value of crofts. In addition, for the time being and until we come to a matter to which I will refer in a moment, we will not lodge any amendments on the concept of proper occupier, which we introduced to the committee.

The sections and provisions to which I referred were intended in good faith to give the commission greater freedom and autonomy; to simplify the transfer of crofts on the death of crofters; and to oblige croft owner-occupiers to live on and work their croft like a crofter or croft tenant, who also face those obligations. Section 17's references to bequests and market values would not, as has been reported in other quarters, unleash market forces on crofting—there has been a market in croft tenancies and crofts for many decades.

It is obvious that there was no consensus on a number of key issues in the Environment and Rural Development Committee, in particular on the provisions relating to the Crofters Commission and, more widely, on how market forces might best be addressed. Therefore, we believe that the underlying issues that the committee identified require to be revisited.

The bill is about much more than the status of the Crofters Commission. Many of its provisions have been welcomed by the committee and crofting communities, and those provisions must go ahead. The committee and crofting communities broadly welcomed the proposal that the commission should be given the power to challenge the neglect of croft land. Currently, only a landlord can challenge croft neglect. Almost invariably, however, landlords do not do so.

The provisions that will allow for the creation of new crofts and the extension of crofting tenure beyond the crofting counties are eagerly awaited by some communities. The communities on the islands of Gigha and Colonsay have been working towards the creation of new crofts for some time, to help to secure new population and fresh talent. Shetland Islands Council has indicated that it sees

huge potential to use the bill's provisions to address population decline in its remotest communities. There is a strong sense among small landholders on Arran that crofting tenure and all its advantages should be extended to them. In the Western Isles, crofting communities have become anxious that interposed leases could prevent them from realising their ambitions under land reform legislation. We will lodge amendments that will allow crofting communities to purchase those leases as part of estate buyouts.

It was recognised during the committee's evidence sessions that the register of crofts is central to the effective regulation of crofting. I am pleased that we are proposing provisions that will give the Crofters Commission powers to ensure that crofters supply the information that is required to maintain an accurate and comprehensive register. Aside from the headline provisions that have attracted support and consensus, there is much in the bill that will improve crofting regulation, minimise bureaucracy and support crofting.

However, as I said earlier, there are undoubtedly aspects of the draft bill that have not attracted consensus. The committee recommended that those aspects should be consulted on further and that new legislative proposals should be made early in the new session of Parliament. I cannot give any commitments in relation to the next session, but I acknowledge that crofting law is complex and that it is no small matter to adjust one area of the legislation without considering the ramifications for others.

Rather than consider the controversial issues piecemeal, we have decided to establish a committee of inquiry to consider carefully and comprehensively the role and functioning of the Crofters Commission and the other issues surrounding the market for crofts. The inquiry will be given a wide remit to examine crofting issues and will be expected to engage proactively with crofting communities to establish their vision for crofting.

John Swinburne (Central Scotland) (SSCUP): The Scottish Parliament information centre's excellent briefing on crofting states:

"In recognition of its importance in sustaining remote rural communities, crofting has been protected with a unique code of law."

How can that be reconciled with the fact that the daughter of a crofter phoned me last week to say that her father's home was being sold to pay for his residential care, and that they were not allowed to keep that home within the family, as they wanted?

Ross Finnie: I would be happy to receive a letter from the member on that point. It is certainly

not within the scope of the bill, although it may be a matter of great anxiety to the individuals concerned. If Mr Swinburne writes to me on the matter, I will be happy to deal with it as a separate issue. It does not in any way decry the principles on which crofting legislation has been based.

John Farquhar Munro (Ross, Skye and Inverness West) (LD): The minister said that a committee of inquiry is to be established to consider the complexities of the crofting situation. Will it look into absenteeism and dereliction, which have been of great concern in crofting communities? Will the minister consider using ministerial direction and existing powers to tackle those problems in the meantime?

Ross Finnie: I am grateful to John Farquhar Munro for that intervention. I am well aware of his particular interest in crofting in general and in the misuse and neglect of crofts. I confirm that, given the wide remit that the committee of inquiry will have, there will be no inhibition on its examining that issue carefully. While we await the outcome of the inquiry, I will certainly think about issuing instructions to the Crofters Commission to exercise its powers in relation to misuse and neglect under the present legislation.

We expect the committee of inquiry to tease out the conflicting issues that were identified in the stage 1 report. We expect the committee of inquiry to identify whether, as John Farquhar Munro has mentioned, the commission has enough powers or whether it should have more. As part of our commitment to securing the long-term future of crofting, we will do what is required to forge a clear consensus on the way forward.

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): I apologise for not being here for the start of the minister's speech. When will the committee of inquiry's remit be finalised? When will the committee be established and when will it be required to conclude its deliberations? Will all those dates be before or after the general election in May?

Ross Finnie: That is the sort of multiple question for which one gets points for each part.

We have given quite a lot of thought to the committee of inquiry. We have to identify persons who are willing to serve, who must be closely related to and have clear connections with the crofting counties and crofting communities. Identifying them and getting a sense of whether they are willing to serve will be point 1. Point 2 is that we are anxious that the committee is set up and fully in play as soon as possible. I am sorry that I cannot give the member a specific date. We might have to discuss with those whom we wish to be on the committee whether they believe that it is reasonable for them to report before the end of the

session. We also want to discuss that with members of the Parliament. I want there to be a degree of urgency about commencing consideration of the important issues that have been identified.

Ministers are clear that, having made the amendments that I have outlined, there is much in the bill that requires to be taken forward. Ministers want crofters to have confidence in the Crofters Commission. We want to be able to issue the commission with strategic guidance that will help it to prioritise and focus its actions. The committee's conclusions clearly will assist ministers to provide relevant and realistic guidance.

The partnership Executive is taking a valuable step forward in securing the future of crofting. I hope that our plans to amend the bill and instigate the committee of inquiry will find support not only in the Parliament but among crofters and crofting communities who have taken such a keen interest in it.

On the basis of the commitments that I have made in relation to the bill, I move,

That the Parliament agrees to the general principles of the Crofting Reform etc. Bill.

14:49

Rob Gibson (Highlands and Islands) (SNP): Few of the original proposals in the Crofting Reform etc Bill are left unscathed. It is a botched bill. It has been savaged by the determined committee that scrutinised it, derided by crofters, and delivered in tatters at a huge cost of seven years' work by this dysfunctional coalition Government and its most unreformed department, SEERAD.

A fraction of sections are fit for purpose. When people realised that serial consultations were ignoring what crofters said, the cry went up for action. In answer to my written question, Rhona Brankin said on 17 March:

"It would be impractical to respond in detail to every individual response to a consultation."—[*Official Report, Written Answers*, 17 March 2006; S2W-23285.]

However, a clear pattern was emerging from comments outside the Parliament.

Crofters' fury had been ignited by Ross Finnie saying on Radio Scotland in August 2005 that he did not think that the Government's role was to interfere in the assets of an individual—screaming headlines announced that—but crofting was created through struggle against naked landlord power, which made crofting a community asset. By 1886, Gladstone had created a regulated market to protect crofters' rights to their land. In 2006, Ross Finnie, one of his heirs, was prepared to remove that vital constraint and turn the clock

back, while a succession of his Labour deputies turned their backs on crofters and the vision needed to meet today's opportunities in our most vulnerable Highlands and Islands. Rather than underpinning crofters' initiatives, the bill reeks of pandering to landlords.

Rhona Brankin has pulled the remains together, but they salvage only a handful of positive points, such as the need to put in primary legislation the means to create new crofts, which is an excellent and welcome addition; to ensure that the Crofters Commission does its long-standing job; to make the register of crofts accurate; and to allow crofters to pay landlords for the privilege of buying back interposed leases.

Two shafts of wisdom were launched at the bill's rotten heart by seasoned Lochaber crofter John MacKintosh. At our committee hearing on 14 June, he said:

"I think that the reason why you get dereliction of crofts is that there is a complete and utter lack of realistic support for crofting and what crofting is about. Until we get that ... fewer and fewer people will work those crofts ... There are quite a few crofts that make a loss, so the crofter is left with one option, which is to start looking at the market and thinking of getting out."—[*Official Report, Environment and Rural Development Committee*, 14 June 2006; c 3349-3350.]

The most contentious issue that we dealt with was the late and huge proposed amendment from the minister to regulate owner-occupier crofters, who make up a fifth of the total crofters, as proper occupiers. On that, John MacKintosh said:

"It has not taken 30 years to uncover the issue. In fact, a group that met in 1998 was aware of it and said that owner-occupiers and tenants should have the same status ... There was consensus in the group, which involved the Scottish Landowners Federation, the then Scottish Crofters Union and the Crofters Commission. Sir Crispin Agnew chaired the group and the secretary of the commission was involved."—[*Official Report, Environment and Rural Development Committee*, 14 June 2006; c 3344.]

Commenting on the cut-down bill, the Scottish Crofting Foundation president Norman Leask said:

"In the meantime, there are a number of helpful concessions in this paper ... In particular ... addressing overt speculation on croft land, putting a duty on the Commission to use their existing regulatory powers and addressing anomalies between the welcomed power to create new crofts and other proposals which would act as a disincentive on doing this."

Only a high-powered inquiry with a broad remit, a distinguished convener who is above the current debate and a fixed timetable will enable new legislation to secure sustainable development and security for crofting to be considered, probably next session. In the meantime, the Crofters Commission must be made to use all its powers. It must ensure that grazings committees are transparent and inclusive. The tendency of the commission and SEERAD to downplay the part

played in crofting by agricultural production is at odds with the demand for more locally sourced food and traceable livestock.

Crofting schemes such as the less favoured area support scheme and the crofting counties agricultural grants scheme, as well as the remains of the bull hire scheme, have to meet the needs of the least capitalised and most disadvantaged townships.

Crofting rules must match aspirations, such as those of the local food producers network that Highlands and Islands Enterprise launched. The shift from sheep to cattle could be actively underpinned. However, local agreement is at the root of progress and trust is at the root of local agreement.

As I said, extending crofting beyond the current crofting counties is a welcome move, but the plight of the small landholders in Arran and other parts has been ignored, from the Crofters (Scotland) Act 1955 to the Land Reform (Scotland) Act 2003. Seven years of monumental expenditure has been used on false trails in the bill. Arran tenants cannot be abandoned again. If it costs time and staff to sort their problem, so be it.

The interposed leases question was known about before the 2003 act was passed. The Pairc buyout plan in Lewis is in the balance. The urgent land reform review that has been promised and the test case in the Scottish Land Court must dovetail with the crofting inquiry to resolve the issues.

Responsibility for the protracted mess ultimately is political.

Elaine Smith (Coatbridge and Chryston) (Lab): Will the member take an intervention?

Rob Gibson: Not at the moment.

Crofting reform was a low priority for the Lib-Lab coalition, which has taken so long to go so tortuously short a distance. Listen to crofting sense, which is out there; tell civil servants what ministers and crofters want; and end the dependency culture of the 19th century free market and the dependency on good will and external economic buoyancy, the lack of which has often paralysed crofting tenants' and owners' prospects.

The Scottish National Party wants the rural and island population to expand. Crofting can underpin such a healthy working environment, but the bill will not do that. The SNP is wary of hidden glitches in the belated ministerial response, but it agrees in principle that the way ahead is sketched out by the proposals that have been made, although at massive cost.

Ross Finnie: Rob Gibson has referred several times to market value. If he intends to extinguish

that, is it SNP policy to remove the right to buy? The right to buy was the significant reform that introduced market value into crofting.

Rob Gibson: The situation that the minister discusses is complicated. The right of people to have a house that they can decroft and use for themselves has been accepted for more than 40 years and the SNP does not want to reverse that. The minister's bill would restrict the right to buy if the Forestry Commission were establishing forest crofts, for example.

We in the SNP want owner-occupiers and tenant crofters to be dealt with under one set of regulations. We should not be sidetracked by people who say that altering the Crofters (Scotland) Act 1993 is too difficult. We have reached an impasse. It is high time that the minister admitted that a far too complicated approach was taken and that we need a much simpler form of regulation for owner-occupiers and crofters.

The bill can be the limited base for a new start in crofting, but its presentation and the time that it has taken to reach this stage leave us with severe doubts about the Government's sincerity about doing anything for crofters.

14:58

Mr Ted Brocklebank (Mid Scotland and Fife) (Con): When the commission that was chaired by Francis, Lord Napier of Ettrick, went to interview crofters about their grievances on 8 May 1883, it was no coincidence that it started its work in the village of Braes in Skye. In the previous year, the so-called battle of the Braes had taken place between a force of about 60 bobbies who had been imported from Inverness and crofters who had been deprived of their hill grazings by their landlord, the sixth Lord MacDonald.

Between 1840 and 1880, on the island of Skye alone, no fewer than 40,000 crofting evictions were served by the high chiefs of clan Donald. The crofters' outrage, which spilled over into fist cuffs at Braes, was finally heard as far away as Westminster. Gladstone set up the Napier commission to look into their grievances.

As we know, the crofters were initially reluctant to tell tales to another laird, albeit one from the Borders, but Napier gradually won their confidence and an appalling story of oppression and neglect unfolded. The eventual result was the passing of the Crofters Holdings (Scotland) Act 1886 in June of that year. For the first time in history, crofters were to be given security of tenure and crofts could be passed down through families.

Perhaps the most significant of the many changes in crofting legislation that have been

made over the decades was made in 1976, when crofters were given the right to buy for the first time. It seemed to many people that, as long as the acreage was held in perpetuity as crofting land, the right of ownership could not be denied, notwithstanding the fact that the crofter's actual tenure was already secure. The owner was not buying the croft—which was unsaleable—but the landlord's rights over the croft.

The people who drafted the Crofting Reform etc Bill—which has been effectively eviscerated by its own architects—seem to have overlooked the definitive and guiding principle set down by Lord Napier that crofting land should be held in perpetuity for the benefit of crofters. As a result of poor drafting or poor advocacy, the bill appears to have become a charter for a free market in crofts.

Ross Finnie: Will the member take an intervention?

Mr Brocklebank: I will do so in a moment. The minister may want to come back on what I am about to say.

As Rob Gibson pointed out, Ross Finnie declared on BBC Radio Scotland that the Executive has no right to interfere in a free market of crofting land and that crofters should be allowed to

“cash in on their assets”.

Ross Finnie: I am grateful for the member's concerns about market values, which we all share. However, for the sake of members, will he point to any section of the bill that will do what he has just said—that is, one that ignores the fact that it is a matter of land? Even section 17, which is entitled “Bequest of tenancy of croft” will not unleash market value—it merely describes the process by which a bequest between one party and another would be set.

Mr Brocklebank: Things will become apparent as I proceed.

The bill has failed to dampen the speculation and free market in land—that is the major problem that we are faced with. Anybody who has studied Highland history in any detail will recognise that the minister's comments in the radio interview meant that the bill was effectively doomed.

In evidence-taking sessions throughout the Highlands, the Environment and Rural Development Committee faced an astonishing barrage of criticism, mostly from crofters, who are the very people whom the bill sought to help. The path to hell is often paved with good intentions. The bill set out to tackle problems such as absentee crofters and the alleged misuse of crofting land. The aim was to restructure and provide new status for the Crofters Commission and to provide powers to create new crofts outwith

the seven crofting counties. The bill drew attention to proposals for wind farms on crofting land and sought powers to allow croft land to be used “for other purposeful use”. However, it lacks any vision as to how crofting should adapt to the 21st century. As witnesses have pointed out to the committee, many of its proposals have simply not been thought through.

The so-called regulation of the right to buy is at the heart of the proposals. Under existing regulations, land can be removed from crofting tenure with the approval of the Crofters Commission and sold—that has often happened in recent years—at inflated prices. Under the right to buy, croft houses can be decrofted and sold off, again to the highest bidder. A new croft house might then be erected on the croft and, a few years later, decrofted and sold on. That might happen again and again until virtually none of the croft land remains. Such things have been happening already, allegedly because the Crofters Commission refused to exercise its existing powers.

As we have heard, at the 11th hour, the Executive introduced the concept of the proper occupier, which was meant to discourage lifestyle purchasing of crofts and therefore drive down prices. However, few understand that concept. The Scottish Crofting Foundation, among many other organisations, claimed that it would lead only to further confusion and resentment. In other words, far from regulating to dampen down the trade in crofts and croft houses, the bill and the ministers who are promoting it seemed to be stoking up the free market approach.

Of course, the market was not really a free market. The crofter who was exercising his right to buy at five times the annual rental of his croft—say £50 per annum—could, anecdotally, sell on a £250 investment after five years for as much as £250,000. The market was free at the point of sale, but certainly not at the point of purchase. The bill had no answer to that or to various other anomalies that witnesses identified. The Executive has conceded that and scrapped a whole section.

Ministers are desperately trying to hold on to other aspects of this flawed bill. We, however, believe that the Executive should finally have the courage to admit that it has got things wrong and abandon the bill without wasting further parliamentary time on it. It beggars belief that only at this late stage is the Executive suggesting an inquiry into crofting. Why was not such an inquiry held before the bill was introduced? If it had been, we might at least have had a vision of what the Executive sought to achieve.

Elaine Smith: Is Ted Brocklebank suggesting that, in abandoning the bill, the Executive should abandon provisions—which it intends to leave in

the bill—to create a register of crofts, to extend crofting tenure and to enable the creation of new crofts without the right to buy?

Mr Brocklebank: Of course, there are aspects of the bill that we believe should, eventually, be part of a well-thought-out bill that has a real vision for the future of crofting. However, at the moment, we do not see much that is worth supporting in the general principles of the bill, which will be unrecognisable after stage 2. We firmly recommend that a future Executive begin again, with a clean sheet, in the next session of Parliament.

In a recent editorial in the *West Highland Free Press*, former Minister for Energy and Industry, Brian Wilson—never a fan of the Scottish Parliament—took time to praise the Environment and Rural Development Committee for what he described as

“a remarkable and immensely valuable report”.

He also recommended that ministers read a book about the Napier commission, entitled “Go Listen to the Crofters”. Given what *The Scotsman* has described as perhaps the most disastrous climbdown by the Executive since devolution, it is a pity that the ministers did not listen more carefully before launching the Crofting Reform etc (Scotland) Bill.

15:06

Elaine Smith (Coatbridge and Chryston) (Lab): On behalf of the Labour Party, I thank the clerking team of the Environment and Rural Development Committee for assisting the committee in reaching this stage of our deliberations on the bill.

I want to strike a more conciliatory note at the outset. I thank Ross Finnie and Rhona Brankin for their response to the committee’s report. Rather than being a climbdown, I think that that is the way in which the Parliament should work. The committee worked hard to produce a report and the Executive responded positively to it.

At the start of the committee’s scrutiny of the bill, I had little knowledge of this complex system of secure tenure of small landholdings provided at a reasonable rent and protected by a unique code of law. I am rather more informed now, although I do not claim to be an expert. Indeed, it was an aim of the bill to simplify crofting legislation, and that was welcomed by the committee in its stage 1 report.

As the minister said, the bill came about in order to implement policy proposals arising from the publication in 1999 of the land reform policy group’s recommendations for action, which included proposals to reform crofting law. The Executive consulted extensively on the proposals

for the bill and published an analysis of the responses to that consultation in March 2005. Those proposals, which formed the basis of the draft bill, were for more sustainable crofting communities; more local involvement and accountability for crofting administration; much simplified crofting legislation and administration; more—at least, not fewer—active crofters; and crofters undertaking a wide range of land-based and other economic activity in addition to agriculture. As we have heard, however, the committee’s stage 1 scrutiny unearthed a much wider debate about the future of crofting in the context of changing and increasing pressures.

The committee heard much evidence about how crofting could be sustained in the modern world and about whether the bill would equip crofting to respond to the challenges that it faces. A range of issues that are outlined in the committee’s report dominated the evidence on the bill. They include a debate about the vision for crofting and whether it should be viewed primarily as custodianship of land for future generations or as a private asset to be developed; a debate about whether crofting is primarily an agricultural system or a social and economic development tool; concern about an unrestrained free market in crofts and croft tenancies and concern that the crofting right to buy should not mean an unfettered right to speculate; proposals to dampen that market by imposing obligations on croft owner-occupiers to live on or near the croft and to farm it, such as currently exist for croft tenants; proposals to increase the supply of crofts by creating new crofts; and the relationship between planning law and crofting.

As stage 1 progressed, it became increasingly clear that the bill, as drafted, was not going to meet the aspirations of many witnesses. Indeed, there was a pervading concern that it might encourage the marketisation of crofting.

In written evidence, Brian Wilson called the bill “a speculator’s charter”, as it can be seen as legitimising the notion that market forces are already the norm. In its written submission, the National Trust for Scotland stated:

“With its emphasis on development, diversification and the protection of individual rights, the Bill at best offers little to change to the status quo, and at worst accelerates the demise of the crofting system by failing to tackle poor enforcement of current regulations and by encouraging a free market in croft tenancies at the expense of the wider crofting system.”

Had I more time, I could go on quoting in the same vein, but the evidence that I have cited is illustrative of the concerns about a free market in crofting that might have become more entrenched if the bill as introduced had been progressed. That point can be teased out in today’s debate.

Concern was also expressed about the role and purpose of the Crofters Commission, and especially about whether it has adequate powers and is making proper use of those that it has. Whether or not the commission's powers are adequate, evidence indicated that there is a real public perception that over the years it has failed to make use of its powers.

One of those powers is the power of veto, which essentially allows the commission to regulate the assignation of crofts. In response to questioning from me in committee, Shane Rankin said:

"The question is whether the Crofting Commission can go on vetoing assignments ... The power of veto was given so that we could avoid some of the worst excesses."—[*Official Report, Environment and Rural Development Committee*, 19 April 2006; c 3010.]

At the same meeting, Brian Wilson questioned that statement. He said:

"That has never been my understanding. Criteria and definitions apply to what is expected of crofting tenants and potential crofting tenants. If they cannot, are unlikely to or subsequently do not meet those criteria, the regulator should regulate them. Otherwise, what is the point of the law and the regulator? If a doctrine of avoiding the worst excesses is created, we must ask what the worst excesses are."—[*Official Report, Environment and Rural Development Committee*, 19 April 2006; c 3022-23.]

At the end of the stage 1 process, it is clear that strong direction must be given to the commission to use its existing powers to act to address some of the problems that are identified in the committee's report and to rebuild trust in the commission.

On the issues that I have outlined, along with many others, it is clear that there was dissatisfaction with the bill as introduced. For that reason, the committee proposed that we take the fairly radical step of leaving out large parts of the bill and not introducing the concept of proper occupier, which had been suggested as an add-on. However, I do not recall the committee suggesting that we should not proceed with the bill.

I am pleased that the Scottish Executive has listened to the committee and the witnesses from whom we took evidence and that it has responded so positively. It is in no one's interest for us to proceed with the bill as introduced, given that it has stirred up such disquiet among crofters, crofting communities and those who take an interest in crofting. However, it would have been difficult for the Executive to second-guess that until all the evidence had been taken and the committee had reached its conclusions. I am sure that it was always the Executive's intention to introduce a helpful piece of legislation, which has now been informed by the committee's deliberations. I believe that what is now proposed is a step forward for crofting.

The key issues that remain are interposed leases; challenging the neglect of crofts; ensuring that there is an accurate register of crofts; extending crofting tenure outwith the crofting counties; and enabling the creation of new crofts without the right to buy. Progress can be made on all those issues and would be welcomed by most people, so we should proceed in that fashion.

The evidence in respect of new crofts focused mainly on Arran. Many argued that, in the past, Arran had unreasonably missed out on being included in the crofting counties. The committee was recently in Arran and took the opportunity to consider the issue further by visiting the areas concerned and speaking to locals. Its visit was warmly welcomed.

I commend the Scottish Executive for heeding the committee's report and giving a commitment to drop the more controversial proposals in the bill, including those that refer to the market value of crofts. I am pleased that it has committed itself to instigating a wide-ranging inquiry into crofting issues, including the market for crofts and the status, role, functioning and powers of the Crofters Commission. Given the lack of consensus among crofting interests, that is the right way of progressing the issues and allowing the debate to develop further.

A modern vision for crofting cannot lose sight of crofting's unique traditions, especially the principle of giving the crofter security of tenure, at a reasonable rent, with the right to pass on the croft to future generations via a hereditary system. Important provisions will remain in the bill after stage 2 and, unlike some colleagues, I believe that we should take forward those provisions. I urge the Parliament to support the general principles of the bill today, which will allow us to amend the bill at stage 2 in line with the committee's report and the Scottish Executive's extremely helpful response to it.

The Presiding Officer: I call Sarah Boyack, who will speak as convener of the Environment and Rural Development Committee.

15:14

Sarah Boyack (Edinburgh Central) (Lab): I thank committee members, witnesses, committee clerks and all those who were involved in the preparation of our committee report. In particular, I thank the clerks for the phenomenal amount of work that they did on the bill and on our report. The bill was extremely difficult to scrutinise—crofting is a complex field—so we needed good advice. We kicked off our consideration of the issues with a special evidence session on the draft bill last November at which we heard some of the emerging concerns in the crofting community

about the bill's proposed shape, some of which Elaine Smith outlined. Those issues, which were about the market, the relationship between planning law and crofting and the vision of the future for crofting, were echoed throughout the evidence that we took on the bill.

We fed those points back to the minister and, in the spring of this year, we took formal evidence on the bill. We wanted to get the views of crofters from throughout the crofting communities, so we had full committee meetings in Stornoway, Oban and Inverness. The process was a fascinating experience. Each meeting threw up the particular concerns of crofters in the area. We heard incredibly detailed evidence about the reality of crofting today and about people's concerns for the future. We also heard common concerns. A lack of satisfaction was evident with the consultation on the bill and how the bill was processed. We found an appetite to debate the role and purpose of crofting, which were felt to be absent from the bill. We heard concerns about the operation of the Crofters Commission, particularly a worry that it does not use the full extent of its regulatory powers. A strong desire was expressed for simplification of the law on crofting. However, probably the biggest underlying concern, which colleagues have aired, was the fear that the bill would open up crofts to the free market.

The committee listened to those concerns and took the highly unusual step of not recommending that the Parliament agree to the general principles of the bill at stage 1, although we recommended that the many positive elements of the bill should become legislation. That was the committee's unanimous view. Given the overwhelming concerns and genuine worries about some of the bill's provisions and the question whether the bill addresses the issues that crofters face, we could not simply rubber stamp the bill; instead, we had to ask for changes to it. We recommended that changes be made on several key matters. We support strongly the idea of an inquiry into the future of crofting to develop a vision of crofting for the 21st century; to consider the opportunities for a more rigorous application of crofting legislation; and to consider further the elements of the bill that we feel have not achieved general support. Issues also arise about the financial support for crofting for the long term, which must be fleshed out if the bill's aspirations are to be achieved.

A key issue in the establishment of the inquiry should be to ensure that it reflects the range of crofting community experiences and views from throughout the crofting communities and that it involves crofters. We identified a clear enthusiasm for crofting among those who gave evidence, but we also found worries about whether the system is being undermined. I welcome strongly the

minister's commitment today to establish such a review of crofting.

Our stage 1 report states:

"While the Bill may not create a free market in crofts, the concern is over whether it does enough to protect crofting from the market. The more free the trade is, the higher the prices are likely to be, and the more unreachable (particularly for local, young new entrants to crofting) in a relatively low wage economy. Many witnesses expressed fear that the basic intention of holding land in perpetuity is now being thwarted."

That is why we feel that immediate action must be taken on the inquiry so that proposed legislation can be introduced early in the next session of the Scottish Parliament. That is a key issue that must be addressed. Several colleagues have quoted comments by Ross Finnie that we felt fuelled crofters' concerns about the market. However, in formal evidence to the committee, the Deputy Minister for Environment and Rural Development stated:

"there is nothing in the bill that will introduce a free market in crofts. I do not favour and I will not introduce an unfettered market."—[*Official Report, Environment and Rural Development Committee*, 15 May 2006; c 3262.]

Ross Finnie made similar comments in his opening remarks. However, because the words were out there, we had to deal with the concerns. I welcome the commitment to establish an inquiry, but it is important that the Executive sets a speedy timescale and keeps the committee informed of progress throughout.

The committee also recommended that the minister issue directions to the Crofters Commission to address the problem areas that we identified in our report and, in the process, to help to re-establish the crofting communities' trust. We want crofters to engage effectively in the development of a modern vision of crofting; we want consultation on the commission's future priorities and that tighter regulatory framework to which the Deputy Minister for Environment and Rural Development referred in her evidence to the committee; we want the Crofters Commission's new focus to be worked out in the light of the revised legislative framework; and we want clear guidance on issues such as dampening the market in croft land, absenteeism, neglect and assignations to family and non-family members. As the Executive's written response did not specifically address the point about the need for such ministerial directions, I welcome Ross Finnie's initial comments to John Farquhar Munro this afternoon. It has been helpful to get on record an acceptance of that need and we look forward to the development of those directions.

As members have heard, colleagues on the committee wanted the Scottish Executive to take out of the bill certain particularly contentious

elements and issues that we felt had not been sufficiently worked through, particularly with regard to the status, role and operation of the Crofters Commission and the correct balance between crofting regulation and the promotion of policies that protect and enhance crofting.

We also wanted a lot more work to be carried out on the relationship between the crofting communities and the Crofters Commission. For example, how would such a relationship be structured? More important, how would the proposal for new local policies operate and how would crofters be involved in steering them and monitoring their implementation?

We also wanted the proper occupier proposal to be rethought. There was certainly not a lot of enthusiasm about its complexity and lack of clarity, and the Executive's response to our report reinforces that concern.

We were also concerned about the lack of co-ordination between the land use planning process and the retention of crofts, particularly in light of evidence about the loss of crofting properties on land to be developed for expensive housing. As such housing would be out of the reach of local communities, crofting land would be lost to future generations.

On the other hand, we do not want to wait for legislation on the ability to create new crofts; on interposed leases; and on the extension of crofting tenure outwith the crofting areas, which has to be introduced now. On our most recent visit, the people on Arran were enthusiastic about—indeed, were desperate for—the extension of those crofting powers. For that reason, I very much welcome the Executive's commitment to negotiate over and remove the elements of the bill on which consensus could not be reached.

I hope that the bill will reach stage 2. However, at that stage, a great deal of work will still need to be done on it. For example, we will need to carry out further scrutiny of many detailed issues, particularly with regard to the bill's operation. I look forward to that process, but I suspect that it will be hard.

I believe that the process that the bill has gone through stands as a good example of the Parliament in action. The committee has listened to people's concerns and the Executive has considered the issues that we have raised and agreed to our key recommendations. Members will not be surprised to learn that the committee was frustrated at how long it took to get the Executive's response, but we should acknowledge the complexity of this legislation and the length of our stage 1 report. However, I should also say that on one or two other matters I am still awaiting a

response—which, ideally, should reach us before stage 2.

It is up to us to take forward the really positive elements that remain in the bill and ensure that there is a vision for crofting in the 21st century. Our challenge is to get the bill right at stage 2; kick-start the discussion on the future of crofting; and examine the key difficult issues that other members have already mentioned.

15:23

John Farquhar Munro (Ross, Skye and Inverness West) (LD): I congratulate the convener of the Environment and Rural Development Committee, who seems to have an amazing grasp of crofting legislation. I thank her for her efforts on behalf of the crofters. As a result, the bill will be amended in light of the recommendations in the committee's stage 1 report.

The debates over the bill, which have raged since it was introduced, show that the crofting community is willing to fight to protect its way of life. Of course, for crofters, that is nothing new. However, although they still have a vital social and economic role to play, their future is certainly not as secure as we want it to be.

Amazingly, it is not just the crofters who recognise the importance of active crofting communities. Unusually—very unusually—a body called the Scottish Rural Property and Business Association, in its document entitled “100 steps towards a vibrant rural Scotland”, stresses the need to ensure that

“crofting remains a form of land tenure which sustains more remote communities through land-based activity, recognising the crofting estate as integral to the wider community.”

The SRPBA is right, and we should aspire to those aims. The key issues are maintaining “land-based activity” and recognising crofting

“as integral to the wider community.”

The challenge is to deliver legislation that will maintain crofting and so sustain rural communities across the Highlands and Islands. If we are able to do that, we will have achieved something remarkable. The debate has shown that, as introduced, the bill was not going to sustain crofting. Although it had some merit, parts of it needed major rethinking, but the sterling work of the committee and the clerks sorted out the good from the not so good, and they are to be congratulated on their efforts.

I welcome the minister's response to the committee's report. The bill, though slimmed down, will still retain sections that are acceptable, such as those on the formation of new crofts and

on the control of interposed leases. The suggested setting up of a committee of inquiry to examine areas of contention is a tremendous step forward. I sound a note of caution, however. The committee of inquiry must not be seen as just a talking shop, but must actually be made up of those who have a genuine knowledge of crofting and crofting law. Ministers need to look beyond the usual faces who appear all too often on such bodies, and I suggest that they bring in new experience, particularly in selecting the chair of that committee.

The proposal to transfer from the bill to the committee of inquiry's remit the sections that deal with the Crofters Commission is welcome. Although I would have liked to bring accountability to the commission sooner rather than later, I appreciate that vast changes in legislation at this stage, without consultation, would probably be unwise. However, I will continue to argue for the commission members—or at least a majority of them—to be directly, democratically elected and accountable to the crofters whom they represent.

Another major concern about the bill as introduced was that it would have accelerated, through the back door, the move to crofting tenancies being sold on the open market, which is already happening. Croft values would have been based on sites' development potential, at prices that real crofters could not afford. That is another issue that the inquiry must address. I was also concerned that the bill did too little to tackle the problem of absenteeism and dereliction. It was pointed out that existing legislation already gave the Crofters Commission some powers to tackle those problems, but that it was not using them. That is why I warmly welcome the minister's undertaking to use his powers to give ministerial directions to the commission and to instruct it to use its powers on absenteeism and dereliction. However, the inquiry also needs to examine that issue thoroughly.

Finally, I want to mention an issue that has been absent from any proposals but which could be said to have lit the fire under the whole debate—the development at Taynuilt. Although I accept that the Crofters Commission should not be allowed to alter the decision of a local authority, much of the heat of the argument over Taynuilt could have been avoided if the commission had been consulted earlier. By the time the local authority had given its approval, the commission felt that it was not in a position to intervene. I suggest that, in future, the commission should be a statutory consultee in planning decisions on crofting land.

As I said at the outset, I commend ministers for listening to the crofters and to the Environment and Rural Development Committee, for responding by agreeing to make changes to the bill and for setting up the committee of inquiry to

investigate issues on which consensus has not yet been reached. I am sure that, in the weeks and months ahead, as the debate is taken into the crofting communities, many of those issues will be resolved. I am sure that harmony and content will prevail.

15:31

Jim Mather (Highlands and Islands) (SNP): As we have heard, the bill attracted adverse comment and deep and stinging criticisms from the Environment and Rural Development Committee, which is to be commended for its work. The committee's position has been eloquently summarised by Rob Gibson and Sarah Boyack. Also, I commend John Farquhar Munro especially for pertinently identifying the situation at Taynuilt: that situation is, to say the least, unfortunate.

As I said, the bill attracted many adverse comments, not least from the National Trust for Scotland, which said that

“with its emphasis on development of croft land, diversification and the protection of individual rights, the Bill at best offers little to change the status quo, and at worst will accelerate the demise of crofting by failing to address the critical issues affecting crofting today.”

Just last week, an article in *The Scotsman* said:

“The most embarrassing aspect for the Executive is that the bill has had to be gutted and patched over just a week before it is due to come before parliament for the first time.”

Of course, we welcome the Executive's decision to address the problems through amendments and its proposed inquiry into crofting, but the Executive will have to answer for the delay, the cost and the damage to its credibility that have been caused by the false start. It will have to ensure that the inquiry is genuinely effective and that it produces recommendations that will protect crofting and keep more working-age people working in the Highlands and Islands. As Rob Gibson said, that inquiry will require a distinguished convener who is widely respected, but who is also above the current debate.

The inquiry will have to tell us why the original bill was so materially out of touch and what will be done to address key issues such as the lack of a vision for crofting. That is a serious omission, given that vision—a commonly understood and accepted worthy aim—and constancy of purpose towards fulfilling that vision are prerequisites to success in any venture in any sphere.

At the 11th hour, the Executive is instigating a wide-ranging inquiry into crofting issues. The inquiry will cover the market for crofts and the status, role and function of the Crofters Commission. The lack of a clearly defined role for the Crofters Commission has given rise to much dissatisfaction, but it is also resulting in paralysis.

According to the Executive,

“for the moment the Commission will not be empowered to develop and operate different local policies”

and

“will be unable to create, develop or operate its own grant schemes.”

That is an appalling state of affairs.

I note that the Environment and Rural Development Committee was astonished at the lack of an adequate register. We are in the information age, so that lack should be readily resolvable.

Many other issues arise, such as interposed leases and a clear legal framework for dealing with them. However, the most important point to make is that the creation of a free market for crofts—whether deliberate or inadvertent—could result in a free-for-all that will completely undermine the present system of crofting tenure and could ultimately mean the demise of crofting. The proposed amendments and the setting up of the inquiry must be evidence that the Executive is now willing to listen to concerns. Otherwise, I will fear for the future of crofting.

What we want in the next session of Parliament is a bill that will properly protect the interests of crofters, crofting communities and the wider communities that play host to crofting activity.

Elaine Smith: Does the member accept that the committee’s deliberations uncovered many of the issues that he has outlined? Instead of continually denigrating the Scottish Executive, could not the Scottish National Party be gracious enough to commend it for listening to the committee and acting on what it has said?

Jim Mather: Given the delays and the patchwork of good with the bad, I must focus on the fundamental flaws in what is an extremely unhelpful bill, which has caused great stress and anxiety. Those issues need to be addressed.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): We have heard John Farquhar Munro—who I think is one of only two members of Parliament who are crofters—say that some parts of the bill are welcome, so why oppose it? We have three quarters of a loaf of bread and the inquiry might lead to more of the loaf being produced.

Jim Mather: If the member had listened to Rob Gibson, he would have got that message loud and clear. It is important that progress is made and that we get the improvement and simplification that will allow crofting to continue to play its part in keeping working-age people in work in the Highlands and Islands, especially when Scotland is on the cusp of a new beginning that should give

younger working people who have been brought up in the Highlands or who appreciate the area’s potential the means to have a rewarding working future there.

I hope that we now have a basis for progress, which will be developed in the future. I expect members to play an important part in that process.

15:37

Eleanor Scott (Highlands and Islands) (Green): We have heard about a fine example of a committee doing its job of scrutinising a bill and reaching a conclusion on it. I add my thanks to everyone who gave evidence, to the committee clerks and to all who worked on the bill. Once the bill got to the committee, the process was exemplary.

The Executive has during stage 1 come in for a great deal of criticism, to some of which I add my voice. However, I am not critical of the Deputy Minister for Environment and Rural Development, Rhona Brankin, who fronted the bill and who had the sometimes unenviable job of appearing before the committee to answer its questions. I know that she is highly aware of crofting issues and that her commitment to crofting is not in doubt, so her life must have been made difficult by the media’s criticisms of the bill.

I do not, however, fully accept some of the criticisms that were made. I accept that the bill undoubtedly fails to address the existing free market in crofts and croft tenancies—although I point out that none of the witnesses from whom we heard suggested how the bill could address the issue directly—but I have never quite understood how the bill would make the situation worse, as has been suggested. Indeed, in some small ways, the bill might indirectly help to make the situation better by increasing the supply of crofts and regulating owner-occupied crofts, which has not been done in the past. I will talk more about that if I have time.

There are aspects of the bill that definitely deserve criticism. It gives the impression that it was thrown together and is poorly drafted: the proper occupier proposal, which appeared in the policy memorandum during stage 1, is an example. The Executive intimated that it was minded to introduce the concept of a proper occupier at stage 2. I accept that there was a good intention behind the proposal, which was to regulate owner-occupied crofts. I have said that I accept that such regulation is necessary, but as was said at the time, the impression was created that the bill was being knitted as we went along and that the proper occupier proposal was made primarily because there was an unwillingness to amend the definition of a crofter in the Crofters

(Scotland) Act 1993. My committee colleagues felt that if that act required to be amended, it should be amended once and for all and that the answer was not to introduce into legislation a completely new concept that no one liked the sound of but which was intended to simplify crofting law. As I said, the proper occupier proposal has been shelved.

There were other criticisms and I am heartened to see that the Executive has responded to them. It has responded to the desire to look holistically at crofting, to quantify what it has to offer and to distil a vision for crofting in the 21st century by undertaking to hold an inquiry, which I very much welcome. It was clear during evidence taking that there is no shared understanding of what crofting means, sometimes even among crofters. Some people who gave evidence focused on crofting as a way to provide housing in rural areas and others regard it from a land use and agricultural perspective—I adhere to that view—in respect of the possibility of carrying out enterprises on the land, such as small-scale horticultural processes.

All those views of crofting are valid in their own ways. In the traditional crofting counties, there has been not so much unemployment as under employment. It is usual in those areas for a person's living to be made up of various part-time jobs rather than one full-time one—crofting has traditionally been a component of that. Housing issues are also clearly difficult in many of the traditional crofting areas and there are opportunities for small-scale agricultural and horticultural enterprises. Crofting can, and does, make up an important thread in the fabric of rural life in those areas.

That leads me to one of the reasons why I want the bill to be amended and shortened and why I admire the deputy minister for her fortitude in sticking with the bill until now. The bill includes the provision to create new crofts, which is exciting in itself and will meet a need. As I said, increasing the supply of crofts might do a little to damp down the cost of crofts or croft assignments. However, the new provision is even more exciting in the light of the Executive's forestry strategy, which includes a commitment to the creation of forest crofts. That is a potentially exciting development that will include an aspect of crofting that, for some reason, did not feature largely in the evidence that we heard, which is the tradition of holding, managing and utilising land in common. That is done in traditional crofting communities in the form of common grazings. It is clear that common management of woodlands has much to offer.

That brings me to the other aspect that I am very much in favour of, which is the potential to extend crofting outwith the existing crofting counties—an awful lot of our forest estate lies outwith the

crofting counties. The committee heard evidence on that from Dumfries and Galloway, for example. Such areas could be offered much by the creation of forest crofts, which would give people the potential to live and work in forest areas, do forest-based rural activities and manage the forests in common for the good of the whole community. That is an exciting development. For that reason, if for no other, I suggest that we go with the bill in its shortened form.

Other members mentioned points that I wanted to make; John Farquhar Munro, for example, commented on planning. It is clear that the Crofters Commission should be a statutory consultee for planning decisions that would affect areas under crofting tenure. I want assurances from the minister in her summing up that that point has been taken account of for the Planning etc (Scotland) Bill, which is with the Communities Committee.

Also, the power to challenge neglect of crofts is important. I do not have time to say anything about interposed leases, but that issue is crucial.

I hope that crofters have been reassured by the parliamentary process and that they are reassured that Parliament and the Executive, through its response, are committed to crofting, have its best interests at heart and will not impose anything on crofting that it does not want. I hope also, because the Executive has responded so positively and constructively to the committee's stage 1 report, that Parliament will accept the general principles of the bill: it has much to offer. In looking to the future, the inquiry will be important, but we can make a start today.

15:44

Dave Petrie (Highlands and Islands) (Con): I am pleased that through the discussion on the bill the Scottish Parliament has finally shown its teeth. A bill that was so badly drawn and mishandled by the Executive has, in effect, been torn apart by the members of the Environment and Rural Development Committee, which has caused the Executive—as my good friend Ted Brocklebank mentioned earlier—to embark on one of the most embarrassing legislative climbdowns since devolution.

I compliment the committee and the clerks on their resilience and flexibility throughout the whole process. Our Highlands and Islands region plays host to Scotland's last remaining crofting communities; those communities are groupings that preserve many of the traditional Scots ways of life and which promote a sense of community for which many people who are raised in Scotland would be grateful. I am delighted that so much time and effort has been devoted by all parties to

an area whose percentage of the population is such that it could easily be ignored.

I have closely followed the passage of the bill and I fully support measures to promote and strengthen crofting communities. However, the Environment and Rural Development Committee's findings overwhelmingly demonstrate the mess that the Executive has made of the bill. Perhaps that is another sad reflection of the dominance that the current Government accords to urban issues. The bill bears little resemblance to what it will be when it has been amended to reflect the rushed proposals that the Executive set out last week in its response to the committee's stage 1 report. It might be better to start again from scratch, rather than paper over the cracks. A number of failings have been identified, pre-eminent among which is the Executive's failure to implement an inquiry into crofting before it began work on the bill.

I was interested that rather than consider introducing local representation on the Crofters Commission, as some people argued should happen, the Executive opted for reforms that would turn the commission into something of a quango. The Environment and Rural Development Committee concluded that it

"does not consider that the Bill sets out a coherent framework which is adequately thought through",

which sums up the situation perfectly. Therefore, I was pleased to hear last week that the Executive has decided to drop that aspect of the bill.

Particular aspects of the bill demonstrate that the Executive's law makers do not understand the areas over which they make laws; in particular, they do not understand that a great deal of crofting land is not cultivated. Current farming subsidies are not sufficient to make the cultivation of much of crofting land economically viable for tenants. The provisions in the bill on misuse or neglect do not take into consideration crofters' way of doing things.

It will come as no surprise to members that, as a Conservative, I whole-heartedly support the right to buy, which has had a positive impact on millions of households throughout the United Kingdom. However, crofting is another matter, which needs to be considered separately in that regard. There is an enormous temptation for crofters to buy their land and then to sell it on to developers for vast profit. The temptation is understandable, but such behaviour does nothing to protect or help crofting. The fact that crofters who want to sell can secure such high prices from developers makes it more difficult for genuine crofters to buy into the system. The bill would do nothing to rectify that situation, nor would the proposal that the Executive made at a late stage to amend the bill. The proposal, which would have created the new category of proper

occupier, was condemned by many groups, including the Environment and Rural Development Committee and the Scottish Crofting Foundation, and has been dropped by the Executive.

Mr Stone: Will the member give way?

Dave Petrie: I am sorry. I have an awful lot to get through.

The bill's proposals for a new system—and its ignoring of systems that are in place—do nothing to address the need to monitor the crofting system. There is such derisory regulation of crofting tenure that proposals would be ignored and we would have no way of ensuring that improvements were made. Those criticisms are not just my own. A representative of the SCF said:

"There has been no vision for what crofting will be after the bill."—[*Official Report, Environment and Rural Development Committee*, 19 April 2006; c 3041.]

The National Trust for Scotland said that

"the Bill at best offers little change to the status quo, and at worst accelerates the demise of the crofting system".

Eminent institutions such as the SCF and the NTS have no confidence in the bill. The evidence has stacked up against the Executive.

A commitment to the creation of new crofts would appear to benefit the crofting community, but a report by the NTS calls for better regulation of absenteeism and neglect of crofts, which would reduce the need for new crofting areas. Decisions could be made by ministers without the need for consultation, which would cause much disquiet, as I know from my experience of planning legislation. The Scottish Rural Property and Business Association said that the Executive's proposals would result in a system in which pockets of tenants throughout rural Scotland would have a right to buy that was different from that of their neighbours.

I am disappointed by the Executive's stubbornness in trying to push through an inherently flawed bill that received unprecedented condemnation and was not endorsed by the Environment and Rural Development Committee and crofting agencies.

Elaine Smith: Will the member give way?

Dave Petrie: I am sorry, but I am out of time.

The Executive rewrote and rejigged the bill in a reactive way, thereby producing a bill that has more holes than a wedge of Dutch cheese. The bill has no vision or support and would deliver no improvement. I will not support it and I implore members not to support it.

15:50

Mr Alasdair Morrison (Western Isles) (Lab): I am pleased that we are meeting just a few days after the Scottish Executive published a helpful and welcome response to the Environment and Rural Development Committee. The Executive's response represents a seismic shift in emphasis. I have no desire to retrace the steps that were so ably and competently covered by my colleagues, Elaine Smith, Sarah Boyack and, indeed, John Farquhar Munro.

After Parliament was established in 1999, one of its first duties was to take forward work that had been initiated by ministers from the old Scottish Office—ministers who had very capably pulled together a white paper for a land reform act, which is now on the statute book. Naturally, an age-old dream having been realised, it was not unreasonable to expect that the crofting bill that would follow would address outstanding but different matters, for example in simplifying what is recognised as a hugely complicated area of law.

After due process, the Environment and Rural Development Committee produced a report that enjoyed the support of the main parties; the minority parties—the Scottish National Party and the Green party—were also willing signatories. We had a situation in which nine members across the political spectrum were united. The entire committee concluded that the bill was—we used a most sophisticated legislative term—a hotch-potch. We did so not because we thought that it is a work of genius but, funnily enough, because it is a hotch-potch.

During our examination, witness after witness voiced concern about the bill, although most accepted that it contains good elements. Among the people we met were crofters, representatives from community-owned estates—from the oldest to the youngest community estates in the land—local authorities, the acclaimed historian Professor Jim Hunter, and the highly regarded commentator and former member of the United Kingdom Parliament, Brian Wilson. They all launched into various versions of the same theme: that the bill will irreparably damage a system of land tenure that has served the Highlands and Islands well for 120 years.

I wish to touch briefly on what is possibly a delicate issue and to try to address why the Executive found itself in an untenable situation for a good few months. The cause of crofting, the Parliament and the Scottish Executive were not well served by the decision to have as bill leader the man who was until recently the chief executive of the Crofters Commission. Mr Shane Rankin should never have been put in the position he was placed in; indeed, he should have been saved from himself. How on earth could someone

properly draft legislation that would so dramatically impact on an organisation of which he was chief executive? I am delighted that he has moved to a new job but, lo and behold, he finds himself at the back of the chamber, advising the ministerial team. There we have it. I have yet to hear a coherent explanation of why that decision was taken, but it has been taken, it has been resolved, and we are now on to different territory. I do not expect the minister to waste any time during summing up on explaining why that situation developed.

As recently as a week last Monday, I read in *The Herald* that the Crofters Commission's former chairman is still in denial. Sadly, David Green, a good friend of mine, speaking from the comfort of the new chair he has filled—chairman of the Cairngorms National Park Authority—still maintains that people's fears about the bill are unfounded. Is it any wonder that the process was so far removed from reality when the chief architects of the bill dismissed as blundering idiots the witnesses whom I have listed? That is a wholly unsatisfactory set of circumstances.

Happily, we live in different times. The Scottish Executive has agreed to ditch large swathes of the bill. That could not have been an easy decision for the ministers, but it is the proper decision and I applaud their courage. The document that they have brought to the chamber is an infinite improvement. I was delighted to hear Ross Finnie announce that a committee of inquiry will be established, which will effectively engage with all those who have an interest in crofting, and will report back to Parliament in the next session. In the interim, I hope that Ross Finnie and Rhona Brankin will instruct the Crofters Commission to get on with what it should have been doing since 1955—regulate—as well as producing maps among a range of other important activities. Another consistent call from the witnesses we met was that the Crofters Commission should do what it exists to do, which is to regulate. It is unusual to find people who are subject to regulation demanding that the regulator regulate with more vigour and fervour.

The bill is a useful and welcome starting point, but much remains to be done. Credibility must be restored to the Crofters Commission's work and actions. The commission does a lot of developmental work—good work, incidentally—and I wonder whether it would enjoy the confidence of the communities that it is meant to serve if its energies were focused on regulating rather than on developmental work.

I am looking forward to the stage 2 debate. I know that it will take place in a completely different atmosphere, in which there will be meaningful engagement with the Scottish Crofting Foundation

and in which its ideas will be explored, along with those of others. I am pleased to support the general principles of the Crofting Reform etc Bill.

15:56

Carolyn Leckie (Central Scotland) (SSP): I am sure that most members know that, having been brought up in the Gorbals and Castlemilk, I am no expert on crofting. There are not many crofts around there, although there is an area called Croftfoot, so there is a tenuous link.

I am a novice in the issue, so I am interested in the themes that are emerging from the debate. I congratulate the committee on the work that it has done. It is clear that the bill is going to have major surgery—if such surgery was to be conducted on a person, they would be lucky if the appendix was left—so I remain to be convinced that we are not just legislating on the hoof. Perhaps the committee of inquiry should do its work before more holistic legislation is put together.

The debate has illuminated how legislation is processed and introduced to Parliament and how Government works. I am really interested in where the bill came from and what kind of philosophy underpinned it. I might be wrong, but it strikes me that the only explanation is that quite a right-wing ideology lies at the centre of how Government works and is promoting the bill, along with other legislation to which I will return. It is clear that, whatever philosophy underpins the bill, it is completely at odds with the views of the people who know what they are doing on the issues, and it is at odds with the communities' views. I have not, however, read anything that explains to me what that philosophy was and where it came from.

The committee has done a great job of exposing the important issues, but it strikes me that the free-market ideology that is at the core of the bill got by without comment from Opposition parties during consideration of the Smoking, Health and Social Care (Scotland) Act 2005, which includes many measures that open up and enable further privatisation of, and the encroachment of the free market into, our national health service. I wish that we had had the same reaction and campaign on such issues as we have had on the Crofting Reform etc Bill.

The Deputy Minister for Environment and Rural Development (Rhona Brankin): I welcome Carolyn Leckie's new-found interest in crofting. Will she tell me where in the bill ministers would have been introducing a free market?

Carolyn Leckie: I am going by the comments of the experts—that is, the crofters—who read into the Executive's proposals that the bill would create that environment, which is why they are up in arms and the Executive is having to remove vast tracts

of the bill. I never claimed to be an expert, but I would prefer to go with their opinion than with the Executive's.

Perhaps members of the committee or somebody else who is more expert in the bill than I am will enlighten me; I am not sure that the issues that a committee of inquiry will examine and any conclusions at which it might arrive will not contradict some of what the Executive proposes to leave in the bill.

Whatever happens, the needs of people have to come first, particularly the communal interests of communities—certainly not the needs of landlords or the profit of speculators. I am really interested to find out who will be on the committee of inquiry and whose interests it will represent. Many questions need to be answered before anybody can take a definitive position on what the bill will finally look like.

I was interested in Ted Brocklebank's concerns about the free market in this aspect of life. I suppose that conservatism with a small C has overwhelmed the rabid free-market right wing of the Conservative party on this occasion. I am glad, and I welcome that. I just wish, however, that such concern was applied to green spaces and public assets that are owned by local authorities but which are, through the private finance initiative and public-private partnerships, being sold off all over the place for private profit and speculation.

I absolutely agree with John Farquhar Munro about the proposals for a committee of inquiry and its democratic accountability. That does not just apply to crofters; there are all sorts of issues around public assets and people's assets across the country, which need to come under some sort of genuine democratic control. I hope that the Executive will reassure us on those points.

Many big related issues must be addressed to give reassurance about how the bill will progress. Families who wish to live and work in crofting areas need to be protected. There is a need for guaranteed proportions of social housing, with disincentives against property speculation and the snapping up of properties as second homes. We need much tougher legislation in those areas—the Crofting Reform etc Bill is only one aspect of what needs to be done to protect homes in rural communities for future generations. We need planning legislation that favours people rather than the profits of big business. That will need to underpin any solutions for crofting.

I welcome the influence of the Environment and Rural Development Committee. In particular, its MSPs from the Executive parties have helped to bring about quite a radical change. It is probably one of the most radical about-turns that I have seen since being elected in 2003 and I wish that it

would happen more often. It is clear that Executive party MSPs have much more influence over the Executive than Opposition MSPs do, so I wish that they would use that influence more often. I hope that they use it tomorrow morning, for example, during the debate on Trident, which could effect fundamental change in our society. MSPs in the Executive parties have influence; I would like to see them using it.

16:03

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I acknowledge the contributions of Jim Mather and Rob Gibson to the debate. Their tone was possibly slightly churlish, but I recognise that they will be backing the bill at stage 1. The debate also puts my good friends, the Conservatives, nicely on the horizon. Just as the people of a Conservative persuasion opposed Gladstone's Crofters Holdings (Scotland) Act 1886, so, I understand, they will oppose this bill at stage 1. People will be interested to note that in a few months' time.

Let us consider where we are now. We have the bill as introduced before us—I used the expression “three quarters of a loaf”. The bill is good, and John Farquhar Munro told us why. He is an expert—he is a crofter. We heard from Alasdair Morrison, who is also steeped in the crofting tradition and knows more than most of us here.

We have a good bill, and it shows, with a meeting of minds between the Executive ministers and the Environment and Rural Development Committee. That must surely be a manifestation of one of the things that we do best in this place. We are getting there.

Many members have filled in the gaps with regard to what the committee of inquiry should do. One thing would be to examine closely market forces in crofts. We all know of examples of crofts changing hands for £100,000—Ted Brocklebank even cited a £200,000 example. I have said it before and I say it again: as a member representing a crofting constituency, I remain convinced that raw, untrammelled, unfettered market forces could be the death knell of crofting as we know it. However, I have also said, and I say again, that part of the solution will be proper supervision of the management of the land, whereby if an owner-occupier is not running the croft, a new tenant can be imposed. It is about the Crofters Commission having teeth and being prepared to use them. That is what the committee of inquiry must consider first and foremost as it embarks on its work. There are some aspects of life in which raw market forces cannot be allowed to prevail.

I acknowledge that considerable work will have to be done at stage 2 and wish members of the Environment and Rural Development Committee good luck in their endeavours.

John Farquhar Munro made wise mention of the possible election of some or all members of the commission. Rob Gibson, Eleanor Scott and I have all heard about that at the coalface from crofters in Sunderland, Caithness and Ross-shire. The election of commission members would go a long way towards restoring faith in a commission that has, for whatever reason, lost a degree of support in the wider crofting community.

If crofting is to work, we must have an empowered commission with powers that it is prepared to use, which enjoys the support of those it is in charge of and whom it represents—the crofters themselves.

I must be absolutely honest and tell the Deputy Minister for Environment and Rural Development that I was a little sceptical about forestry crofts until the Forestry Commission Scotland took me on a journey through Sutherland and pointed out areas north of Lairg, between Oykel Bridge and Assynt, where the Forestry Commission owns large tracts of land that could be made into nice working crofts. That is to be welcomed in every way.

This has been a difficult period, but the ministers have come forward with a workmanlike bill, which I think we should embrace and support, given all that it will bring us.

We are talking not about faddish or toy farming, which crofting must not become, but an historical way of life in my constituency and others, which is about a culture and a language. In a world that has become ever more globalised, we must say when we sell our tourism and other products, “Vive la différence.” Crofting is interesting, unique and, ultimately, supports the environment in the Highlands, so it must be protected at all costs.

We have a good bill and those of us who are returned will have a thoughtful inquiry in the next session. Work will have to be done. We must use the inquiry to build on what is a good bill.

16:07

Richard Lochhead (Moray) (SNP): As an SNP member and long-suffering member of the Environment and Rural Development Committee—I trust that I got those in the right order—I welcome the debate and the ministers' climbdown, in response to the committee's report, on the important issues that we are discussing. In many ways, this is a victory for the crofting communities, which expressed clearly their strength of feeling about some of the dangers that

they saw in the bill. It is a victory for the committee and shows the value of parliamentary committees when they work at their best. It is also a victory for the Scottish Parliament. I think that it was Jim Hunter who said that in the days before the Scottish Parliament this would not have happened; legislation would have been introduced at Westminster and put through the system, no matter the public response. Now we have our Scottish Parliament and what has happened with the bill is one of the best illustrations of its value.

The saga raises serious questions about the ministers' handling of the issue. The committee and Parliament received a strong message from ministers about the benefits of the bill to our crofting communities, but the committee got an equally strong contrary message from crofting communities themselves—the same communities that ministers were supposed to have consulted before they drew up the bill. It is clear that, as far as the ministers are concerned, the process was seriously flawed. Serious questions must be asked, given that the bill that was introduced was so wide of the mark.

I will say a few words about the complexity of the legislation on crofting. I hoped that when we established the Scottish Parliament, one of the things that we could do differently would be to make our legislation more accessible so that the people on whom it impacts could work with it and understand clearly what it was trying to achieve.

Mr Stone: Given that I represent a crofting constituency, will Richard Lochhead accept my reassurance that there was no evidence of ministers being unwilling to talk to the crofters involved?

Richard Lochhead: It is good to talk to the crofters involved, but it is more important to listen to what they say. It appears that that did not happen; otherwise, the bill would not have been so wide of the mark.

One concern that the committee expressed was about the level of complexity. The bill adds further layers to crofting legislation as opposed to simplifying what already exists, which is a difficulty. Matters were made even worse when proposed amendments were presented late. They stretched to several pages and made the bill even more complex. The committee, crofting communities and everyone else engaged in the debate had to wrestle with the complexity and wade through legislative treacle. We must do something about that and I hope that, once the inquiry reports back and a future bill is drafted, we can use the opportunity to simplify crofting legislation.

We received three clear messages in the evidence. The first message, as other members

have mentioned, was about the danger of having unfettered market forces at work in the crofting community. As introduced, the bill would promote those forces or at least maintain the danger, which is not what is wanted. Behind that message was the recurring theme of housing shortages in remote areas of Scotland and the temptation for crofters to sell their crofts or crofting land in what is a competitive market. As we know, housing in rural areas does not meet demand, which is why the debate occurred in the first place. I was concerned by that, because it seemed that the Crofting Reform etc Bill was a response to the housing situation rather than what was best for crofting in the 21st century. That is perhaps its fundamental flaw.

The second clear message from the crofting communities was that no vision was presented for crofting in the 21st century. Crofting is drastically different now from what it was like in the 19th century. My family and I spent our holiday in Harris at Luskintyre this summer, and I met many crofters while I was there. All of them held down other jobs locally as well as being crofters—mainly full-time jobs that provided their income, such as driving trucks or working in care homes. Crofting in the 21st century is clearly different from in the 19th century, which is why we should have considered our vision for it before introducing any bill. We put the cart before the horse, and now the ministers are paying the price.

Having said that, I welcome the inquiry. It is a great opportunity and I hope that it will travel round Scotland as the Napier commission did back in the 1880s. The SNP welcomes many provisions in the remaining parts of the bill, including those on the creation of new crofts and extending crofting tenure, which other members have mentioned.

Let me use Aberdeenshire as an example. If 17 members of the Westminster Parliament had voted differently on an amendment to the Crofters Holdings (Scotland) Act 1886, Aberdeenshire would also have been a crofting county. Given that we are supporting provisions for the creation of new crofts and that we know that certain parts of Scotland support that, we must ensure that other communities, whether they are in my constituency of Moray, in Aberdeenshire or elsewhere, are made aware of the potential benefits and opportunities of having crofts created in their areas. I hope that the inquiry will consider that, travel to such areas to ascertain the level of demand and explain to local communities the opportunities for new crofting areas.

The third message was scathing criticism of the Crofters Commission. It was not seen to be exercising its existing powers or to be accountable. That is a serious issue. I know that David Green is moving from the Crofters

Commission to the Cairngorms National Park Authority—a good job if you can get it. That is because its convener is moving on to Scottish Natural Heritage to become its chairman at £45,000 a year for 12 days a month—another good job if you can get it.

The state of the Crofters Commission and the fact that we are playing quango chairs raise some serious issues. We must do what we can to ensure that the Scottish Parliament is consulted on the appointments and is able to hold the appointees to account. For example, the Scottish Parliament's only involvement in the appointment of the chairman of SNH was a copy of the minister's press release being passed to the clerk to the Environment and Rural Development Committee to distribute to members. In the 21st century, when we are supposed to be promoting democracy and accountability, the Parliament should have a say in quango appointments.

Rhona Brankin: I want to clarify that point. The system for public appointments in Scotland is well set out and clear. Is Richard Lochhead criticising it?

The Deputy Presiding Officer (Murray Tosh): You should be winding up, Mr Lochhead.

Richard Lochhead: The minister raises a separate debate that must be had, but we must hold appointees to account more. Crofters said that they felt that the Crofters Commission was unaccountable and not doing its job properly and that they could do little about that.

Once the committee of inquiry has reported and we come back to Parliament, I hope that we will have a proper vision for crofting in the 21st century, so that we can have thriving crofting communities in which people have the opportunity to stay on the land and we can support fragile communities. Crofts should not simply be sold to the highest bidder—whether that is a London barrister or anyone else—as holiday homes. As part of the overall debate, we must address the wider issues and not just crofting. We must ensure that the structures that surround crofting are accountable and democratic.

16:15

Maureen Macmillan (Highlands and Islands) (Lab): As other members have done—although some of them were somewhat churlish—I thank the minister and the deputy minister for agreeing to the committee's proposal to establish an inquiry into the future of crofting and the Crofters Commission's role. The desire for that was strongly expressed by many witnesses who felt that the bill did not address the challenges that crofting now faces. Those challenges were

undreamed of in the 1950s, 1970s, 1990s and even when the bill was first drafted four years ago.

The issue was not so much what the bill contains as the fact that it does not address the new problems. That was the elephant in the room when consultations took place. Never before in the crofting counties has there been such demand for croft houses in the most remote locations, not to work them as crofts, but to use them as second homes or retirement homes. Frank Rennie, who re-established the Scottish Crofters Union, said in a Scottish Socialist Society pamphlet in 1985:

"The land changes hands for millions of pounds so that the new owners can say they own a piece of the Highlands."

We seem to see that now in a new guise.

Demand for rural housing has never been such that people were prepared to bid over the odds for a croft assignation or crofters were tempted to seek planning permission, decroft and sell house sites, as happened at Taynuilt, with the Crofters Commission seeming to be unable to do anything but wring its hands, since the Scottish Land Court ruled that planning decisions take precedence over the commission's power to refuse decrofting.

The day on which the committee's report was published was the same day as the advert appeared in the *Oban Times & West Highland Times* for the dozen or so luxury homes. How ironic is that? I read that newspaper in Auchtertyre with the Scottish Crofting Foundation folks and we marvelled over the juxtaposition, but that is the market at work. The question is: how do we provide protection from a runaway market? Such a market will greatly damage the cohesion of crofting communities and could pose problems for the trusts, which became community landlords following the enactment of the crofting right to buy.

We urgently need to deal with planning. The Planning etc (Scotland) Bill is in progress and the Deputy Minister for Communities is aware that the Environment and Rural Development Committee seeks to make the Crofters Commission a statutory consultee in the planning process. We would like firm written assurances that that will happen.

Much in the bill is good. The creation of new crofts will ease overall demand. The tightening of regulations on family assignations and the new powers for the commission to deal with tenants who neglect their crofts should increase the availability of croft tenancies. However, as Rob Gibson said, if we are to deal with neglect, we must support crofters with CCAGS grants and LFASS payments, which I have discussed with the Deputy Minister for Environment and Rural Development. It is important that crofters should obtain that support.

The provision that deals with interposed leases is welcome, but the concern remains that it will fail in its intention. That must be thoroughly examined, because we do not want to pass legislation that is not fit for purpose.

One huge point of argument has been the regulation of owner-occupiers as a remedy for speculation in crofts. Does the commission have the power to regulate owner-occupiers? The Crofting Reform (Scotland) Act 1976 gave crofters the right to buy. At that time, the crofting community was deeply divided over the right. Some predicted the break-up of communities, which did not happen, but many crofters welcomed the right as a defence against bad landlords, and crofters value it. However, comparatively few sought to buy—those in Shetland were the exception.

Since the 1976 act was passed, opinions have differed about the owner-occupier's duties and the commission's power to deal with owner-occupier neglect. A stand-off has developed between the purists, who refuse on principle to contemplate any amendment to underpin the commission's powers—they insist that such powers already exist, and they may be right—and those who believe in a belt-and-braces approach. Therefore, a technical stage 2 amendment was offered to bolster the commission's powers of regulation over owner-occupiers. However, the term "proper occupier" was not particularly liked. Some people who originally supported the amendment changed their minds because they thought that it was not fit for purpose. The committee suggested amending the definition of "crofter" in the Crofters (Scotland) Act 1993, but the Executive rejected that suggestion as being too time consuming. I would like the Executive to think again about that. I do not know whether it is possible to amend the Crofting Reform (Scotland) Act 1976, which established owner-occupiers, so that the duties of owner-occupiers are clarified; otherwise, I suspect that a court decision will be needed to resolve matters. We must ensure that the legislation is robust if we want to regulate owner-occupiers.

The final thread that runs through the debate is the relationship between the crofters and the commission. A strong perception exists that the commission's touch is too light and that it is too remote and is not facing up to 21st century challenges. There is nothing new in the criticisms that have been made of the commission. In the 1985 pamphlet to which I referred, Margaret MacPherson—whom Rhona Brankin will know well; we were in the same constituency party for many years—said:

"If crofting does survive it will be in spite of the Commission not because of it."

That was said when the commission refused to dig in its heels over the purchase of the Waternish estate in Skye. For goodness' sake, let us once and for all bridge the gulf that seems to exist between crofters and the commission. Doing so will be facilitated by a prompt directive from the Executive to the commission to use its existing powers.

We now have a bill that everyone can sign up to. It will mean real benefits for the crofting community and I look forward to the subsequent inquiry and the ideas that will flow from it. Margaret MacPherson said that some people may ask whether the crofting way of life is worth preserving. We know the answer to that question.

The Presiding Officer (Mr George Reid): We come to closing speeches. We have around eight minutes in hand, so I encourage members to take interventions and run on for a minute or so.

16:22

Nora Radcliffe (Gordon) (LD): Crofting has been an essential factor in ensuring the economic and social vitality of communities in the crofting counties for many years. Aberdeenshire was nearly one of the crofting counties. In 1886, the question whether it would opt in or out was finely balanced. There is certainly local interest in the bill's provisions for expanding crofting tenure outwith the current crofting counties. I am particularly interested in that aspect of the bill.

For many years, crofting has successfully kept people living and working in some of the most remote and rural areas of Scotland. However, today's world is very different from the world of 1886. Various legislative changes relating to crofting tenure have had an effect, although some effects have been less welcome than others. Wide consensus exists on the need to update the crofting law and the management of crofting. The fact that there is no consensus on some of the Executive's proposals does not reflect on the effort or consideration that has gone into them, but is rather the result of the complexity of the issues that are involved and the recognition by all sides of the importance of getting things right.

As the minister said at the start of the debate, the Environment and Rural Development Committee has spent a great deal of time trying to tease out the issues. The process has pulled out concerns that were not articulated during the earlier consultation, which demonstrates the value of the way in which the Parliament and its committees go about their work.

Addressing the questions of how to deal with the market value of crofts and how to reconcile the imperatives of buyers and sellers has involved an iterative process. The proper occupier proposals

that were made late in the process were intended to bring about reconciliation but, as many members have said, they have not won the support that would be needed to progress them.

There was widespread support and an enthusiastic welcome for many parts of the bill, and I look forward to progressing those through stage 2 to deliver several key aspects of the original bill. Those include interposed leases; powers for the Crofters Commission to challenge neglect; the creation of new crofts without the inhibition of the right to buy; the extension of crofting tenure; and an accurate and comprehensive register of crofts. The last of those, in particular, will be an essential tool in moving forward some of the crofting agenda. The fact that there is no accurate and comprehensive register of crofts at the moment is attributable to several different factors. It does not help to try to apportion blame for why there has not been such a register so far; what is important is that we find a way of achieving that.

The Executive has taken on board the committee's concerns about the aspects of the bill that have not won support. Along with others, I welcome the fact that those aspects will be examined further before being taken forward. I am sure that, with more work, it will be possible to define the objectives of crofting and to find suitable ways in which to achieve regulation of the market.

Mr Stone: Does Nora Radcliffe agree that the record of what land has been decrofted throughout the Highlands—and by what means—is patchy, to say the least? Does she also agree that there is work to be done to find out who owns what land and what they can do with it?

Nora Radcliffe: I agree absolutely with Jamie Stone. The tools exist to do the job, but it will be a lengthy and expensive job to do it properly, requiring money and resources. Nevertheless, it is a job that needs to be done.

I am sorry to say that I found Rob Gibson's speech unrelentingly negative and quite depressing, although I am glad that he supports the committee's recommendations that we proceed with parts of the bill. Ted Brocklebank's speech was not much cheerier. I do not think that the crofting community will welcome the Tories' suggestion that the bill be abandoned; nobody wants to throw the baby out with the bath water.

Elaine Smith's speech reflected rather better the tenor and tone of the process so far, as did the speech of Sarah Boyack, the committee's convener. I echo her thanks to everyone who helped the committee through a wide-ranging process of hearing and understanding a great deal of evidence, much of which was quite technical.

John Farquhar Munro was generous in his praise of the convener and articulated the determination of crofters to maintain their way of life. He outlined eloquently the concerns of the crofters.

Jim Mather complained about a degree of paralysis. I do not think that anyone is ecstatic about the delay in progressing some of the bill's proposals, but I think that people would rather wait and get it right.

Eleanor Scott fairly pointed out that there is an existing market in crofts and that the bill would not make the situation any worse. She mentioned the superficially attractive idea of amending the definition of "crofter" in earlier legislation. However, as usual, when it is looked into in more depth, the simple answer is anything but simple. I agreed with her comments on some of the positive outcomes that the bill will produce.

Dave Petrie rightly identified the fact that many of the crofters' concerns emerged only through the evidence that was given to the committee. There is a real desire for many of the proposals in the bill to be taken forward, and there is no support other than in the Tory ranks for junking the whole bill.

Like John Farquhar Munro, Alasdair Morrison can speak with some authority on crofting and his support carries weight.

Jamie Stone returned to the vexed question of unfettered market forces and the danger that they pose to crofting. He also highlighted the pivotal role of the Crofters Commission.

Richard Lochhead spoke about a climbdown and a victory for the committee and Parliament. I think that there has been a victory for the Executive, too. What Richard Lochhead would describe as a climbdown I would describe as a constructive response.

Maureen Macmillan gave a well-informed speech about the effects of the unprecedented pressure that there has been on rural houses in recent years. She noted that the planning system is a vital part of the whole—a point that was also made by Carolyn Leckie. Maureen Macmillan also highlighted the pivotal role of the Crofters Commission.

The Liberal Democrat manifesto of 2003 made a commitment to implement a crofting reform bill. Most people want the parts of the bill on which there is agreement to be progressed, and I am pleased that we will deliver on our commitment. However, there is still much more work to be done before the task is wholly accomplished. I commend the Executive for recognising the emerging consensus of the crofting community and for its constructive response to the committee's stage 1 report.

I invite the chamber to support the motion.

16:30

Mr Jamie McGrigor (Highlands and Islands) (Con): Crofting and crofters are very dear to me. Crofters have struggled for centuries to maintain a tough way of life, from which is derived much of our Highland culture—the music, the poetry and the song. Crofters’ huge practical knowledge of livestock agriculture and of the biodiversity of their neighbourhoods is invaluable. They were important to our past and are important to the future. It would be a sad day if Scotland were to lose its crofters.

However, having experienced the recent debacle in Taynuilt—where the best land, in the middle of a crofting township, was used for the development of new housing, despite the fact that young crofters were queuing up for it—I have realised that crofting, left undefended against open market forces, would quickly be swept away and would become part of Scotland’s history. It is extraordinary that, whereas on the day in question the developers appeared at the public hearing in Taynuilt with a notable Queen’s counsel at their side, the Crofters Commission did not have its lawyer—or any other—with it, since apparently he was on loan to the Executive.

Nora Radcliffe: Will the member take an intervention?

Mr McGrigor: Not at the moment.

As a member of the cross-party group in the Scottish Parliament on crofting, I have spent much time with members of the Scottish Crofting Foundation, individual crofters and crofting associations. For years, many have called for an evaluation of what crofting means and of what it should mean for the future. Surely that evaluation should have preceded the introduction of the bill. We must ask why it did not. If it had, we could have legislated sensibly to help crofting. It did not, so now we cannot. There was no evaluation, only a draft bill that few seemed to want and which no one would admit to having written or asked for. Alasdair Morrison has just told us who wrote the bill, but I cannot believe that he did it on his own. The member could have helped him, if he had so wished.

I have described the background to the Environment and Rural Development Committee’s report on the bill, from which I will quote. Paragraph 325 states:

“There has been criticism of what the Bill does not do, and a concern that it represents a ‘hotch-potch’ that does not seem to point to a vision for crofting. It has certainly not been able to command any sense of widespread support amongst those affected by it.”

Paragraph 326 states:

“The Scottish Crofting Foundation stated that the Bill’s fundamental flaws outweigh its positives, and that new opportunities offered by the Bill should not be used to gloss over deficiencies.”

It continues:

“A significant portion of witnesses argued that the Bill should, therefore, be withdrawn—as proceeding with a Bill on the basis that it is better than nothing is not an acceptable approach.”

I agree.

The conclusions of the good committee report would have been useful if we had had them before the bill was drafted. They would surely have been reached much earlier if the Executive had taken any notice of what Sir Crispin Agnew and John MacKintosh said in 1998. The Executive could have listened to Becky Shaw and the Scottish Crofting Foundation when the first white paper was published in 2002, but again, it did not. Nor does it appear that much attention was paid to the deliberations in 2005, before the bill was introduced. Rob Gibson was right to say that much time has been spent on false trails and that the true evidence seems to have been ignored. The bill in its current form is indeed a hotch-potch that is not worthy of the Parliament. We need practical solutions to practical crofting problems.

Rob Gibson: One of the paragraphs that Jamie McGrigor quoted from the report refers to witnesses suggesting that the bill should not proceed. However, he did not quote the next sentence of the paragraph, which states:

“However, they also expressed anxiety that this may mean that the opportunity for reform may be lost for many years.”

Surely making a start through the bill is better than making rhetorical points.

Mr McGrigor: I am afraid that I disagree. We should not proceed with the bare remnants of a hotch-potch, as that would be dishonest. Instead, we should go back and start again.

We need practical solutions. That is why, two years ago, I instigated a members’ business debate on the bull hire scheme, which is important to the crofting community. On that day, I was promised action by the honourable minister, Allan Wilson. Members can read what he said at the time. Those were good words but, in reality, the number of available bulls has dropped from 196 last year to 118 now. There are fewer bulls to choose from and they are far more expensive. If the Executive is supportive of crofting, why has that been allowed to happen? The extraordinary lack of vision with regard to the scheme will soon result in inferior cattle and even less income for crofters, who struggle to survive on the ludicrously low prices that their cattle and sheep fetch at

auction markets. If I may say so, that is the main problem that crofters face.

We must keep the crofting counties agricultural grants scheme separate from the new land management contracts, or the money for crofters will disappear into bigger farmers' pockets. CCAGS grants may be a tiny part of the national agriculture budget, but they are hugely important to crofting townships.

Crofting land must be treated specially, or it will disappear. Housing development should be restricted heavily in the arable or inby areas, which are the best agricultural land, but it could be encouraged in the rougher common-grazing areas. That might mean a need to help crofters with access roads and water and electricity infrastructure to encourage new housing in areas that are away from main roads. Such measures would produce new houses, new crofts and new communities—the opposite of a Highland clearance—which would be real support for crofting. Glens that are full of ruins would be repopulated, which would indeed be a journey back from the other side of sorrow.

The committee's report brings a refreshing honesty to the political process in the Parliament, because it admits that great mistakes were made in the preparation of the bill. I agree with Eleanor Scott that the committee did its job well. Let us not proceed with the barely acceptable rump of a hotch-potch; let us go back to the drawing board to carry out a real evaluation of the needs of crofting in the 21st century, consider new suggestions and come back in the next session of Parliament with a bill that is genuinely useful to crofting.

16:38

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): I add my congratulations to the committee members on their work. They had a difficult task over a long period that involved going to many parts of the country. I joined the committee when it met in my constituency in Inverness. A word of congratulation is due also to the people who serve on the cross-party group in the Scottish Parliament on crofting, which I think has not been mentioned yet today, although many of its members are here to listen to the debate. The group is one of the well-attended cross-party groups in the Parliament. I am sure that its work made a significant impact and helped to bring about the current situation. I thank all the members of the group who participated in that work.

The debate has swirled round the issue of whether the Executive's proposals should be viewed as a climbdown and an embarrassment or as a sign that the Executive is prepared to listen.

At the end of the day, that is perhaps not important from the perspective of thinking about where we go now. I well remember first climbing the Aonach Eagach—the climb down and return to the car park was extremely welcome. Such a safe place to be, for a minister or anybody else, is also a good place to start looking forward.

It is unfortunate that the Conservatives have decided to oppose the bill, not least for a reason that has not yet been mentioned, although that is understandable because it relates primarily to my constituency. That reason is the evidence of Hamish Jack in speaking on behalf of the Spey Valley Crofters Association. He pointed out the anomalous situation of many of his colleagues who are farmers in Strathspey. They could have registered as crofters in 1955 but, as Mr Jack told committee members, they chose not to do so, perhaps because they were worried about offending their landlord. As a result, many small areas of land—which, in some cases, are smaller than the croft units beside them—do not benefit from being registered.

Because the provisions on smallholdings apply to areas outwith crofting counties such as Inverness-shire, there is a slight risk that we will not be able to address in this bill the problems that Mr Jack and others face. However, by voting for the bill to move to stage 2, the SNP will at least be able to lodge amendments. Indeed, I fully intend to do so.

Sarah Boyack rose—

Mr Brocklebank rose—

Fergus Ewing: Perhaps I can be ungentlemanly and take Ted Brocklebank's intervention first.

Mr Brocklebank: The Conservatives might well be the only members in the Parliament who will vote this evening to reject the bill's general principles in their entirety. However, we will not be alone in feeling that way, given the great number of crofters who said in evidence to the committee that the Executive should start the bill from scratch. Furthermore, I suggest that the line that Mr Ewing takes will not be followed by the *West Highland Free Press* at the end of the week.

That said, given the minister's comment that the inquiry is unlikely to produce any outcome before the next election, does Mr Ewing not agree that, in any case, all these matters will be carried into the new session and that it makes sense to start with a clean sheet?

Fergus Ewing: I totally disagree. After all, some measures in the bill, modest though they might be, are worthy of support.

My point is very simple: supporting the bill might not be a perfect solution, but allowing it to progress to stage 2 means that I, as a

constituency member, can stand up for my constituents and attempt to rectify a long-standing grievance. I will do just that.

Does Sarah Boyack still wish to make an intervention?

Sarah Boyack: Yes—probably an historic one, because I want to express my whole-hearted support for Fergus Ewing's comments. That might never happen again.

If the Scottish Parliament can pass five pieces of legislation on housing and three on transport, why can we not have two on crofting? Surely the key point is to get ahead with the new crofts and all the other good measures to which Fergus Ewing referred, and to come back later to deal with the more difficult issues.

Fergus Ewing: I have absolutely no objection to having two acts of Parliament on crofting, although it would be better to think through these matters in a single piece of legislation. I look forward to playing my part in the committee's stage 2 deliberations, and I hope that I will secure votes from all parties in the new wave of consensus that is sweeping through the chamber. You might have noticed over the years, Presiding Officer, that I do not experience such warm breaths of approval in every debate that I contribute to.

I am particularly pleased that the issue that I tried to take up on behalf on a number of constituents seems to have been successfully resolved. I refer, of course, to the status of Crofters Commission staff. When I spoke to crofters in Lochaber and throughout my constituency about the bill, I endeavoured to point out that the staff are the ones who will have to deliver whatever system the Parliament passes. The staff were greatly concerned about the prospect of losing civil service status, and I very much welcome the fact that that threat has at least been lifted. As far as that matter is concerned, I must thank the minister. She impressed people with her appearance at the meeting of the Environment and Rural Development Committee in Inverness, at which her points were very well made and accepted. We are very grateful for what I hope is at least a respite.

I hope that by suggesting people who might serve on the committee of inquiry, I am not giving them the black spot. However, we all recognise that Sir Crispin Agnew's knowledge of crofting law is unsurpassed. In my days as a solicitor, I engaged his services, and no one could have done a more thorough job as an advocate or could have taken more care over learning the detail of cases and completing his work in a thoroughly professional manner. I am not aware that he has any axe to grind and I think that he would make an excellent chairman of the committee of inquiry.

Given that the staff of the Crofters Commission are concerned that the good news that they have received might be only a respite and given the concern, which I hope has not been exaggerated, that SEERAD might have an agenda that it will be reluctant to abandon, I suggest that a member of the staff in Inverness—perhaps one of the local staff representatives—could serve on the committee of inquiry. The danger is that, if there is not a member of staff on the committee, the staff may feel that the committee is, once again, determining their fate without their having a say or an influence, that the matter will come back to the table and that they will lose their status and become a quango. I hope that that concern will be addressed.

Another concern, which was well expressed by the Scottish Crofting Foundation in its briefing to committee members in August, is funding. Today we are talking about crofting law, but what about crofting funding? The concern relates to the rural development programme and to the possibility of crofting funding being subsumed into land management contracts. That is a complex area, but I wanted to flag up the issue in this debate because a lot of people will read the *Official Report*. Crofting financing schemes have had a long history and they must continue. If we lose them and everything is subsumed into the LMC process, crofters will be competing in a tight environment, in tier 3 of the rural development programme; there are many concerns about that.

Eleanor Scott's points about forest crofts were well made, but I would like to give the minister some gentle advice. He has probably had too much advice from me today, and I know that there is such a thing as overkill, but I am slightly concerned that the efforts of the Forestry Commission and of Forest Enterprise, which I broadly support, tend to produce programmes that are extremely complicated. One would almost need Crispin Agnew to submit one's application for benefits under some of the housing schemes, in which about eight or nine steps are involved. I remember an SNP manifesto setting out seven steps to independence, and after the election most of us decided that that was around five or six too many. There is an unfortunate similarity, from the minister's perspective, between that and some of the housing schemes that the Forestry Commission has come up with. The schemes are worthy, but perhaps they are overly complex; I hope that we can have a look at that issue.

I have some more time, so—

Ross Finnie: Take us through the seven steps.

The Presiding Officer: No, please do not.

Fergus Ewing: I will not take members through the seven steps. I am better versed in the seven

pillars of wisdom, but I am not sure that that pertains directly to the topic of the day, so we shall leave that for now.

I conclude by sharing with the Parliament the fact that, back in 1992, when I was campaigning and going round many of the crofting areas, including Mallaig, I had a campaign video called, "Fergus Ewing: the video". I played a leading role in that video, it has to be said, but one of the more captivating cameo roles was played by a man who was well known in Mallaig and who, sadly, passed away recently. The late Archie McLellan, who could not be matched for his knowledge of crofting history and Highland history, pointed out to the viewers of the video, as I am sure they will remember, that it was not so very long ago that the Highland clearances took place, and that the purpose of crofting law was to ensure that people were not forced off the land. That remains its purpose. There are, of course, other ways of helping people to stay in their own parts of the Highlands, but crofting law and the crofting system support a way of life that I am sure we all wish to protect, cherish and strengthen. I very much hope that we can achieve that.

16:49

The Deputy Minister for Environment and Rural Development (Rhona Brankin): I welcome to the chamber members of the cross-party group in the Scottish Parliament on crofting. I pay tribute to the Scottish Crofting Foundation and to its chair, Norman Leask, for the on-going constructive engagement that has been possible to try to get the bill right. I also pay tribute to the Environment and Rural Development Committee for its work in supporting the bill.

We all recognise the need to sustain crofting, and this afternoon I have heard a commitment to sustaining and supporting crofting from members throughout the chamber. Crofting is a unique way of life with its own culture, and it takes a unique approach to land management and small-scale agriculture.

We all acknowledge that crofting has a special place in Scotland's history and in the hearts and minds of people in the communities of the Highlands and Islands. I lived for more than 25 years in the Highlands and I am a passionate believer that crofting has succeeded in maintaining populations in remote and island communities. Indeed, Mr Petrie, my former neighbour on the Black Isle, will have been somewhat taken aback at being described as "urban".

I have heard a commitment and a passion for setting crofting on a sustainable path into the future. That commitment and passion are shared by ministers. Developing legislation for crofting

has not been easy—not because crofters and their representatives are unclear or unsure what they want, but because crofting legislation has developed layer upon layer for decades. Although consolidating all the crofting legislation would have been preferable and much tidier, that undertaking would have been mammoth, risky and even more complicated. Each layer of crofting legislation in the past has had to make compromises in an effort to create provisions that do the best for crofters while recognising earlier crofting law and the impact of other legislation and statutory obligations. Many members have acknowledged some of the challenges that are involved in changing crofting legislation.

Because different philosophies lie at the heart of much of the debate on crofting, the compromises become more involved as time goes on. The question whether crofting is a tenancy-based system, or a mixed system of tenancy and owner-occupation, has clearly been at the heart of much of the discussion over recent months. As members have said, the question has rattled around since the 1970s. It became obvious during the stage 1 inquiry that the question cannot be answered easily. It is essential, therefore, that it is put at the heart of the committee of inquiry that was announced earlier by my colleague Ross Finnie.

Some proposals in the bill have found widespread support, and those proposals must go forward for the good of crofting and crofting communities. I appeal to the Conservatives, even at this late stage, to support the bill. I urge them not to play politics with crofting; it is far too important for that. I appeal to the party to support the bill.

The Scottish Crofting Foundation helpfully wrote to me as recently as September 14, setting out its thoughts on what should be withdrawn from the bill and what should be retained. The foundation thought that the provisions relating to the Crofters Commission should be amended to provide for elections to the board. That issue has been raised by several members this afternoon. It will be examined by the committee of inquiry, which will be expected to consider how the commission's quasi-judicial role can be reconciled with the need for crofters to be heard by the commission and to influence the decisions that they should influence.

The foundation took the view that the provisions permitting the commission to charge for the mapping of crofts should be removed. Those provisions will be removed, but we will retain the provisions that will enable the commission to require crofters to provide the information that will be critical to ensuring that the register of crofts is accurate and comprehensive. The register is too important to leave in limbo any longer. We will take action now.

The foundation wished certain proposals on new crofts—proposals extending crofting tenure, giving the commission the power to challenge neglect, tightening the definition of family, and permitting the purchase of interposed leases—to remain in the bill. All those proposals will be retained.

The foundation wanted aspects of the proper occupier proposals, and local policies and local panels, to be retained. The proper occupier proposals sought to address the issue of the market for crofts. Those proposals came from an expert panel comprising crofters, crofting lawyers and academics who had considered the market. As a result, we introduced a draft amendment. However, it is clear from the committee's report that there was no consensus that that was the best way of approaching the underlying issues. We will therefore ask the committee of inquiry to consider the market issues and make recommendations.

The uncertainty that was expressed by the foundation about local panels focused on whether the panels would be elected. That issue is part of the wider debate about the membership of the commission board. We think that it would be confusing to legislate to establish local panels now, when their role and function will be examined by the inquiry.

I very much hope that we are addressing the Scottish Crofting Foundation's concerns over the bill. However, I know that the foundation continues to have a long-standing anxiety that it wishes to be addressed in the bill. For many months, the foundation has said that it wants the Crofters Commission to have

"A duty to use, albeit sensitively and with discretion, the powers that are available to them to regulate the crofting system."

The bill sets out in proposed new section 1A of the Crofters (Scotland) Act 1993 a general duty of regulating crofting tenure, but we will withdraw that section and ask the inquiry to consider the issue behind the foundation's concern. At the heart of that concern seems to be a belief that the commission has failed to use its full powers and that it has too much discretion about the action that it can take against absentees or other abusers of the crofting system. Those issues are central to the future role, status and constitution of the commission and they must be examined by the inquiry. I repeat Ross Finnie's commitment that ministers will consider giving directions to the commission in the intervening period.

Mr McGrigor: Does the minister agree that keeping agriculture in crofting is essential?

Rhona Brankin: Of course—agriculture is central to crofting. Maureen Macmillan, Jamie McGrigor and other members have mentioned

grants to crofters, which are outwith the purview of the bill and about which concerns have been expressed during the consultation on the Scottish rural development programme. I have met Maureen Macmillan, and Ross Finnie and I are well aware of some of the concerns that exist. We will consider the matter as part of the consultation on the Scottish rural development programme.

John Farquhar Munro and Maureen Macmillan were among the members who referred to the planning situation that arose in Taynuilt. I have had discussions with Malcolm Chisholm, who is the minister responsible for planning, with a view to having the Crofters Commission designated as a statutory consultee in the planning process. I understand that ministers aim to achieve that goal through secondary legislation under the Planning etc (Scotland) Bill.

It is correct and appropriate that much is being made of the inquiry that has been announced to address the concerns of the Environment and Rural Development Committee, crofting communities and MSPs. It is inevitable that the legislative process is drawn out and is sometimes driven by the minute concerns of solicitors, policy makers and parliamentary draftsmen, but it has become obvious during stage 1 consideration that there are major philosophical issues behind the bill that need to be considered in a way that is practical and which engages crofters and crofting communities as fully as possible.

It is important that the committee of inquiry has a degree of independence and that its members have sufficient crofting knowledge and experience to ensure that their conclusions will reassure rather than alarm stakeholders. Members have made suggestions about the committee's membership, which is to be welcomed.

The inquiry must happen quickly because crofting communities and crofting evolve constantly. We cannot keep chasing the ideal solution while issues and priorities change. We must obtain clear recommendations from the inquiry early in the next session of Parliament to allow the Executive's commitment to be completed for the good of crofting.

The amendments that we will lodge to withdraw sections of the bill will make it a stronger and clearer piece of legislation, which will deal with key issues now and advance the Executive's commitment to crofters and crofting communities. By instigating the committee of inquiry, we have signalled our continuing commitment to sustaining crofting. I urge members—especially those who belong to the Conservative party, which is the only party that says that it will not lend its support—to support the general principles of the Crofting Reform etc Bill. Crofting is too important an issue to play politics with.

Crofting Reform etc Bill: Financial Resolution

16:59

The Presiding Officer (Mr George Reid): The next item of business is consideration of motion S2M-4562, in the name of Tom McCabe, on the financial resolution in respect of the Crofting Reform etc Bill.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Crofting Reform etc. Bill, agrees to any expenditure or increase in expenditure of a kind referred to in Rule 9.12.3(b)(iii) of the Parliament's Standing Orders arising in consequence of the Act.—
[Rhona Brankin.]

The Presiding Officer: The question on the motion will be put at decision time.

Business Motions

16:59

The Presiding Officer (Mr George Reid): The next item of business is consideration of business motions S2M-4857, S2M-4867, S2M-4866, S2M-4868 and S2M-4869, in the name of Margaret Curran, on behalf of the Parliamentary Bureau.

Motions moved,

That the Parliament agrees the following revision to the programme of business for Thursday 28 September 2006—
after,

followed by Stage 1 Debate: St Andrew's Day Bank Holiday (Scotland) Bill

insert,

followed by Financial Resolution: Legal Profession and Legal Aid (Scotland) Bill

followed by Standards and Public Appointments Committee Motion on Breach of the Code of Conduct for Members of the Scottish Parliament.

That the Parliament agrees that, for the purpose of allowing the Parliament to meet at 9.00 am on Wednesday 25 October 2006, Rule 2.2.3 be suspended.

That the Parliament agrees—

(a) the following programme of business—

Wednesday 4 October 2006

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Environment and Rural Development Committee Debate – 8th Report 2006, Report on an Inquiry into the Food Supply Chain

followed by European and External Relations Committee Debate – 3rd Report 2006, Report on an Inquiry into Possible Co-operation Between Scotland and Ireland

followed by Business Motion

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 5 October 2006

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—
Finance and Public Services and Communities;

Education and Young People,
Tourism, Culture and Sport

2.55 pm Procedures Committee Debate – 4th
Report 2006, Motions and Decisions,
and 5th Report 2006, Consultation
Report on Parliamentary Time

followed by Legislative Consent Motion:
Legislative and Regulatory Reform
Bill – UK Legislation

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 25 October 2006

9:00 am Time for Reflection

followed by Parliamentary Bureau Motions

followed by Education Committee Debate – 7th
Report 2006, Early Years

followed by Local Government and Transport
Committee Debate – 10th Report
2006, Report on Inquiry into Freight
Transport in Scotland

2.30 pm Parliamentary Bureau Motions

followed by Stage 3 Proceedings: Tourist Boards
(Scotland) Bill

followed by Independents' Group Business

followed by Business Motion

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 26 October 2006

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—
Health and Community Care;
Environment and Rural
Development;

2.55 pm Executive Business

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

and b) that the period for members to submit their names
for selection for Question Times on 26 October 2006
should end at 12.00 noon on Wednesday 4 October 2006.

That the Parliament agrees that the timetable for
completion of consideration of the Environmental Levy on
Plastic Bags (Scotland) Bill at Stage 1 be extended to 3
November 2006.

That the Parliament agrees that consideration of the
Prostitution (Public Places) (Scotland) Bill at Stage 1 be
completed by 15 December 2006.—[*Ms Margaret Curran.*]

Motions agreed to.

Parliamentary Bureau Motions

17:02

The Presiding Officer (Mr George Reid): The next item of business is consideration of motions S2M-4858 to S2M-4861, in the name of Margaret Curran, on behalf of the Parliamentary Bureau, on the approval of Scottish statutory instruments.

Motions moved,

That the Parliament agrees that the draft Community Right to Buy (Definition of Excluded Land) (Scotland) Order 2006 be approved.

That the Parliament agrees that the draft Transfer of Functions to the Shetland Transport Partnership Order 2006 be approved.

That the Parliament agrees that the draft Transfer of Functions to the South-West of Scotland Transport Partnership Order 2006 be approved.

That the Parliament agrees that the draft Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 be approved.—[*Ms Margaret Curran.*]

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

Decision Time

17:02

The Presiding Officer (Mr George Reid): There are three questions to be put as a result of today's business. The first question is, that motion S2M-4710, in the name of Ross Finnie, on the general principles of the Crofting Reform etc Bill, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baird, Shiona (North East Scotland) (Green)
 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)
 Byrne, Ms Rosemary (South of Scotland) (Sol)
 Canavan, Dennis (Falkirk West) (Ind)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Gibson, Rob (Highlands and Islands) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Jackson, Dr Sylvia (Stirling) (Lab)
 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)
 Lochhead, Richard (Moray) (SNP)
 Lyon, George (Argyll and Bute) (LD)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)

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

AGAINST

Aitken, Bill (Glasgow) (Con)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brownlee, Derek (South of Scotland) (Con)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Ind)
 Petrie, Dave (Highlands and Islands) (Con)
 Tosh, Murray (West of Scotland) (Con)

ABSTENTIONS

Leckie, Carolyn (Central Scotland) (SSP)

The Presiding Officer: The result of the division is: For 96, Against 17, Abstentions 1.

Motion agreed to.

That the Parliament agrees to the general principles of the Crofting Reform etc. Bill.

The Presiding Officer: The second question is, that motion S2M-4562, in the name of Tom McCabe, on the financial resolution in respect of the Crofting Reform etc Bill, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baird, Shiona (North East Scotland) (Green)
 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)
 Byrne, Ms Rosemary (South of Scotland) (Sol)
 Canavan, Dennis (Falkirk West) (Ind)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Gibson, Rob (Highlands and Islands) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Jackson, Dr Sylvia (Stirling) (Lab)
 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)
 Lochhead, Richard (Moray) (SNP)
 Lyon, George (Argyll and Bute) (LD)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 Mather, Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 May, Christine (Central Fife) (Lab)

McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McFee, Mr Bruce (West of Scotland) (SNP)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Morgan, Alasdair (South of Scotland) (SNP)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Neil, Alex (Central Scotland) (SNP)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)
 Robison, Shona (Dundee East) (SNP)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Scott, Tavish (Shetland) (LD)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinburne, John (Central Scotland) (SSCUP)
 Swinney, Mr John (North Tayside) (SNP)
 Wallace, Mr Jim (Orkney) (LD)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brownlee, Derek (South of Scotland) (Con)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Ind)
 Petrie, Dave (Highlands and Islands) (Con)
 Tosh, Murray (West of Scotland) (Con)

ABSTENTIONS

Leckie, Carolyn (Central Scotland) (SSP)

The Presiding Officer: The result of the division is: For 95, Against 17, Abstentions 1.

Motion agreed to.

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Crofting Reform etc. Bill, agrees to any expenditure or increase in expenditure of a kind referred to in Rule 9.12.3(b)(iii) of the Parliament's Standing Orders arising in consequence of the Act.

The Presiding Officer: I propose to put a single question on motions S2M-4858 to S2M-4861 inclusive, on the approval of Scottish statutory instruments.

The third question is, that motions S2M-4858 to S2M-4861 inclusive, in the name of Margaret Curran, on behalf of the Parliamentary Bureau, on the approval of Scottish statutory instruments, be agreed to.

Motions agreed to.

That the Parliament agrees that the draft Community Right to Buy (Definition of Excluded Land) (Scotland) Order 2006 be approved.

That the Parliament agrees that the draft Transfer of Functions to the Shetland Transport Partnership Order 2006 be approved.

That the Parliament agrees that the draft Transfer of Functions to the South-West of Scotland Transport Partnership Order 2006 be approved.

That the Parliament agrees that the draft Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006 be approved.

Glasgow Crossrail

The Deputy Presiding Officer (Murray Tosh):

The final item of business is a members' business debate on motion S2M-4688, in the name of Bill Butler, on the Glasgow crossrail scheme. The debate will be concluded without any question being put.

Motion debated,

That the Parliament welcomes the progress that has been made to modernise Scotland's rail infrastructure, the most recent example of which was the agreement to the general principles of the Bill to establish the Glasgow Airport Rail Link (GARL) on 21 June 2006; notes the points contained in the Glasgow Airport Rail Link Bill Committee's preliminary stage report which highlight the national and local economic and transport benefits of the proposed Glasgow Crossrail scheme if introduced in conjunction with the GARL project; recognises the added value which the proposed crossrail scheme would bring not only to Glasgow but to Scotland's rail transport infrastructure; acknowledges that the establishment of the scheme would bridge the missing link in Scotland's rail network; realises that the scheme would further strengthen Glasgow's bid to host the 2014 Commonwealth Games, and believes that the compelling economic and transport case for Glasgow Crossrail is such that the Scottish Executive should commit to the implementation of the project.

17:06

Bill Butler (Glasgow Anniesland) (Lab): As a Glasgow constituency member and convener of the Scottish Parliament cross-party group on Glasgow crossrail, I am delighted to have secured this debate on a proposal that, if implemented, would bring significant benefits to the lives of my constituents in Glasgow Anniesland and rail users throughout Glasgow and the west of Scotland, as well as to Scotland's national rail infrastructure.

I am sure that the Minister for Transport is in full agreement with what his wise predecessor said when he announced an award of £500,000 from the Executive to conduct the feasibility study into the Glasgow crossrail project. He said:

"The scheme could bring very significant benefits not only to Glasgow but also to the whole of Scotland.

This scheme has the potential to deliver major improvements to the Scottish rail network, allowing the north and east of Scotland to connect with Glasgow and the South West."

Those were the wise words of Nicol Stephen on 25 November 2003. I am sure that in his summing up the minister will agree that that was a sound analysis.

I acknowledge the efforts of Councillor Alistair Watson and everyone at Strathclyde partnership for transport in their work to promote the crossrail project, complete the feasibility study and prepare a detailed and sound economic and technical case for the project's implementation. I also place on

the record my thanks to colleagues in the cross-party group and to members who supported the motion.

The commitment to support a number of feasibility studies for rail improvement schemes such as Glasgow crossrail was contained in the 2003 partnership agreement. I welcome the fulfilment of that commitment. The purpose of this debate is to stress the extensive and substantial benefits that crossrail would bring and to urge the Executive to take the next step and give its whole-hearted commitment to the Glasgow crossrail project's implementation. I hope that the minister will give members comfort on that point.

I am sure members remember that a clear, consistent and enthusiastic endorsement of crossrail is a feature of the Glasgow Airport Rail Link Bill Committee's report on the preliminary stage of the Glasgow Airport Rail Link Bill. The report explicitly emphasises the importance of progressing crossrail in conjunction with GARL. During the parliamentary debate on GARL on 21 June, members—and not just those who represent the people of Glasgow—echoed their support for crossrail.

In its preliminary stage report, the GARL committee expressed concern about low projected patronage figures for the airport rail link. It is perfectly clear that the establishment of the Glasgow crossrail scheme would enable passengers from throughout Scotland to enjoy a direct connection to Glasgow airport without having to change at Glasgow Central station or travel from Glasgow Queen Street station to Glasgow Central station if they were coming from the north or east of the country. The crossrail scheme has a significant role to play in increasing the number of passengers who would use the Glasgow airport rail link.

The so-called missing link between Glasgow Central and Queen Street stations is more than just an inconvenient 15-minute walk for passengers. It is a decisive split in Scotland's rail network—an avoidable gap in our passenger rail services. The Glasgow crossrail scheme is of strategic importance to our rail network. It would allow direct journeys from the north to the south and from the east to the west of the country. The cost of linking Glasgow Central and Glasgow Queen Street stations would be insignificant compared to the positive effects of a scheme that offers such widespread and fundamental benefits to the rail network.

Value for money is one of the most compelling arguments in crossrail's favour. Crossrail would not involve the construction of miles and miles of new track and infrastructure. The construction work needed would, in many areas, involve improvements to, and the renewal of, existing rail

lines and infrastructure. We would see the construction of new stations at Glasgow Cross and the Gorbals; the laying of new track at High Street; the reinstatement of the Strathbungo link; and the building of new sidings at Kelvinhaugh. Further renewal and upgrading of the city union line from West Street to High Street junction, and between Muirhouse and Langside junctions, would also be required. The fact that crossrail makes the most of existing rail infrastructure, much of which is currently underused or not used at all, is another factor in its favour. It would mean minimal impact on the operational rail network while the necessary construction work was undertaken.

The crossrail scheme proposed by SPT is practicable and attainable. Previous suggestions to improve cross-Glasgow travel, such as a cross-city tunnel link, would be hugely expensive and impracticable. The proposed crossrail scheme offers significant benefits at a fraction of the cost of such a utopian project. The investment required to make crossrail a reality is projected by SPT to be between £115 million and £187 million. It would open up the possibility of a wide range of new rail connections across Scotland, integrating the rail network and speeding up journey times, with the result that we would be able to persuade more people to leave their cars at home and take the train as a more attractive transport option. I contend that the key environmental benefit of crossrail will be its impact in introducing sustainable and credible alternatives to car journeys throughout the west of Scotland. That is a very desirable objective.

The project would significantly improve the Glasgow conurbation's rail links. It would support economic regeneration in some of Glasgow's poorest and most disadvantaged areas. It would, without doubt, improve transport access into Glasgow city centre, lead to the creation of modern new stations in the city and connect with the subway at West Street. If given the go-ahead soon, crossrail would further strengthen Glasgow's bid to host the 2014 Commonwealth games—a bid that has received strong backing from the Scottish Executive, and quite right too. Crossrail would provide a modernised, fast and reliable rail network, which would be hugely advantageous to the bid and to the many thousands of potential visitors to Glasgow if the bid is successful.

There is strong cross-party support for Glasgow crossrail and widespread recognition that the scheme is one of the most important strategic rail infrastructure projects in Scotland—a scheme of national importance. It would not be an overstatement to say that it could revolutionise Scotland's rail network. It is for all those compelling reasons—economic, environmental and transport—that I urge the Scottish Executive

to cast off its inhibitions and give a commitment to undertake the construction of Glasgow crossrail.

17:14

Ms Sandra White (Glasgow) (SNP): I thank Bill Butler for securing the debate—a debate that has been raging for about 30 years. One of the first debates in the Parliament was on the subject of crossrail. There has been a feasibility study, for which I did some research. Nothing has changed. We desperately need crossrail. We have been dragging our heels over it for 30 years. I thank Alistair Watson, SPT and all the other so-called amateurs who provided us with information on crossrail. Crossrail is desperately needed, not just by Glasgow but, as Bill Butler said so eloquently, by the whole conurbation. Crossrail has been years in the waiting and everyone knows the facts.

In 2002, an excellent demand study was completed. It said that we should go ahead and have crossrail. Then a central Scotland transport corridor study was done in 2003 and a technical feasibility study in 2005. In fact, crossrail has been studied so much that it is a wonder that it has not been studied completely out of the Parliament. However, Bill Butler and others in the cross-party group on Glasgow crossrail have been pushing hard to ensure that the Executive realises that the project must be completed.

The technical feasibility study must be adhered to. The crossrail project has the potential to accommodate services that could radiate not only throughout Glasgow and its conurbation but throughout Scotland. We must remember that not only Glasgow, but the whole of Scotland, would benefit from crossrail.

The technical feasibility study, which I think is an Executive paper, says that crossrail can be delivered by 2011-12. If we are talking about the Commonwealth games coming to Glasgow in 2014, we must get crossrail on the drawing board as quickly as possible. In fact, we should really have it on the drawing board now to ensure that it is ready for the 2014 Commonwealth games.

I mentioned that the crossrail project has been a long time in coming, even to reach the Parliament and go through various committees, but I must also mention that it fulfils all the criteria to help the city to expand and reach its full social and economic potential. Crossrail would connect the rail network and subway north and south of the Clyde. The low-level station at Queen Street would also become more useful with crossrail, which would also provide increased integration with the subway system at the West Street station.

The crossrail system would support social inclusion projects, because areas such as the Gorbals and Oatlands would benefit from being

able to link into it. That must be good for the economy of Glasgow and the conurbation, but one of the most telling aspects of the scheme is that some of the areas that the system would connect have low car use. If the crossrail connection existed, the people there would be able to access the city centre and other areas. That would mean that they would not be so socially excluded and we would not need to use cars as much.

In March, I wrote to Malcolm Reed, who was the director general of SPT and is now the chief executive of Transport Scotland, and pled with him to ensure that the crossrail scheme was included in the strategic planning review. I finished my letter by saying that

“it would be organisational neglect”

if the crossrail was not put on the cards as quickly as possible. I repeat that to him and the minister. If we do not go ahead with crossrail, not only Glasgow but other places will suffer. I beg the minister to consider it and give us a definite date when the project will be completed.

17:17

Mr Charlie Gordon (Glasgow Cathcart) (Lab):

I will not say that I would not have started from here, but I would certainly have started sooner. Somewhere in my archives, I have a document from 1973, when the then Greater Glasgow Passenger Transport Executive examined the crossrail proposal in a wider study called the Clyde rail study. To be fair to Strathclyde Regional Council, which became the passenger transport authority in the west of Scotland soon afterwards, many great strategic rail projects were delivered.

When I became Strathclyde Regional Council's convener of roads and transport in 1994, crossrail was my rail priority, but the railways were in the middle of privatisation and the regional council was abolished within two years. Labour may have won the general election in 1997, but Gordon Brown—perhaps members remember him—froze the financial commitments at the previous Government's level for the initial two years of the Labour Government. That took us to 1999; along came devolution, and some people wanted to consider everything afresh.

For various reasons, there was a loss of momentum. However, as an aside, I will mention that I enjoyed a successful negotiation back in the 1990s with Councillor Pat Lally—perhaps members remember him—who agreed to sell SPT the Mercat building for the sum of £1 for the purposes of the proposed Glasgow Cross railway station.

More recently, I have said in previous railways and aviation debates that it was unfortunate that

SPT was pressured to submit the Glasgow Airport Link Rail Bill separately from one on Glasgow crossrail. It was inevitable that the Glasgow Airport Link Rail Bill Committee would try to re-establish that link. It is one thing to have a shuttle train service from Glasgow Central to Glasgow airport. That will certainly help. However, it would be a much more significant step to open up that link to Glasgow airport with crossrail in place, which could bring in train services from anywhere in the country.

We have had enough of studies, as has been said. I am not a big fan of studies and certainly not of having too many of them. They can be a symptom of paralysis by analysis—when people are not quite sure what to do about something, they tend to want to study it a bit further. As a bit of a transport anorak, I have looked at the history of big transport projects in this country and it seems to me that the big decisions have always been taken at opportune moments by politicians. Officials can take things so far and they can present options and carry out studies, but it is more a question of political commitment and will. To be fair, that has begun to make its presence felt in the Parliament in recent months with regard to other projects.

We must make up for the missed opportunity of the past couple of years of devolution with regard to crossrail and build up a head of steam. I am heartened by the strength and breadth of the cross-party group on Glasgow crossrail. In these exciting times for railways, and potentially crossrail, I would like to hear a commitment in the debate from politicians of all parties that, at the very least, they will try to ensure that a commitment to crossrail is included in their manifestos for next May's election. If we can build that sort of consensus and support behind the project—which is justifiable in its own right anyway—we will be doing the right thing for the Scottish people.

17:21

Bill Aitken (Glasgow) (Con): First, I congratulate Bill Butler on securing the debate and thank him for circulating the appropriate correspondence, which has been very helpful.

Those of us who represent Glasgow would claim that it is a successful city. However, it could be a much more successful city in so many ways. One of the inhibiting features about Glasgow's development has undoubtedly been the dislocation between the rail services provided in the north and the south of the city. There is also a north-south divide among bus services. In many parts of the city, going from east to west is fine, whereas going from north to south can be problematic. The argument for the crossrail link is

compelling, as it would improve those communications.

I spent the weekend in Vienna and elsewhere in Austria. I was astonished at the integrated transport system in that city. The streetcar services have a close relationship to the railway stations and the bus services. Anyone crossing Vienna will have very little walking to do. That might be a pity, because it is an attractive and beautiful city, but it does much to promote business and support the economic approach that the Austrians have adopted and it helps to make the city easy to live in.

The crossrail link would tie in the north and south sides of the city. As Bill Butler has said, it would reduce the inhibiting factor against people coming from east and central Scotland to use Glasgow airport. Fifteen minutes is a fairly lengthy walk, as Bill Butler suggests, and it is a very lengthy walk for people trying to get from Queen Street to Central station to catch the airport train if they are carrying a lot of luggage and have two young children in hand. Crossrail would ease that problem significantly. It would make Glasgow airport much more attractive and it would help to supply many other important services to the city using additional stations.

As one who spent many a long and weary hour toiling over the Edinburgh Tram (Line Two) Bill, I suggest to the Minister for Transport—without wishing to deepen any Glasgow-Edinburgh divide—that Glasgow should be getting some more transport assistance. The amount of money that we are discussing, £187 million at present prices, is not significant compared with the amounts that have been committed to the Edinburgh tramlines and the proposed railway connection to Edinburgh airport. Perhaps Glasgow is not being terribly greedy in asking for a little bit of assistance here.

My colleague John Scott, who apologises for not being able to be here, given that he takes a keen interest in crossrail, acknowledges that its benefits will extend beyond the city to places such as Ayrshire and Renfrewshire, increasing economic opportunities.

Glasgow crossrail is an essential project, which, as Bill Butler said, will significantly increase Glasgow's attractiveness to those who will decide where the Commonwealth games will be held. That in itself would be a tremendous economic fillip to the city. I urge the minister and the Executive to look closely at what is proposed.

17:25

Ms Wendy Alexander (Paisley North) (Lab): I congratulate Bill Butler on his motion. As I was listening to Bill Aitken describing his weekend, it

struck me that, as he was walking around Austria thinking about the connectivity of the west of Scotland, I was that mum pushing her two small children along the boardwalk in front of Braehead thinking about the connectivity of the west of Scotland.

Glasgow crossrail is not just for Glasgow but is of regional benefit to the whole of Renfrewshire, the Ayrshire corridor and down to the south of Scotland. It also has significant regeneration benefits to the whole area around the boardwalk that I was walking along on Saturday and the whole Clyde gateway stretching from the west of the city centre to the Erskine bridge and beyond.

The significant thing about crossrail for us as a national Parliament is that it also has strategic benefits. In the past year, our enterprise agencies have stressed the role of city regions in driving growth and the importance of creating a single labour market, which can be made possible by quality transport links. I am struck by the fact that Glasgow crossrail is the single Scottish scheme that best realises the benefits of our existing rail network. That alone should put it at the top of the national priority list. As we look ahead and reflect on the relatively minor costs that are associated with this relatively minor infrastructure improvement, we have to think about the wider economic benefits that it would bring.

Sustainability has moved up the agenda of all politicians—here, as elsewhere—in the few years since we agreed the M74 northern extension. That is a piece of road infrastructure linking Glasgow to the wider metropolitan area to the west and south. In an age where we are all, rightly, more aware of the significance of sustainability, we need to match that vital road improvement with rail improvements that give people public transport choices and more sustainable alternatives.

I will dwell for a moment on the experience of the M74 northern extension. Last week I had cause, for a different reason, to talk to the district valuer, who told me about the length of time that is involved, even once projects have been given the go-ahead, in the compulsory purchase process and in starting and completing the works. Given the length of time that is associated with the completion of infrastructure works, the Scottish Executive, by pledging its support for crossrail today or in the months to come, is not committing to make the project happen now, but to let us move to the next stage.

As the minister reflects on the debate, I encourage him to consider for a moment the counterfactual of not going ahead today. Given what we know about the regional economic and regeneration benefits, we do not want to look back in future on the minister, Executive or Parliament

producing just another of a range of studies dating back 30 years.

We have moved on the road improvements in the west of Scotland. It is time to move on the rail improvements in the west of Scotland.

17:30

Patrick Harvie (Glasgow) (Green): I add my congratulations to Bill Butler on securing the debate and on his work in bringing together the cross-party group on Glasgow crossrail.

I was looking forward to the debate, as I thought that it would be another opportunity to talk about a scheme for which I have great enthusiasm and to push the Minister for Transport to go that little bit further. I am sure that the minister was looking forward to it as well—I think that secretly he enjoys hearing the Green party criticise his transport policy. However, when I opened the “National Planning Framework for Scotland: Monitoring Report 06” last week, my heart sank and I realised that yet again I would have to speak about the lack of support shown for crossrail.

The report’s purpose is to inform the review and revision process for the next national planning framework. There are eight paragraphs about internal connectivity, but once again it is a document without a single word about the Glasgow crossrail scheme. It talks about more speculative projects further in the future—such as the high-speed rail link to the south, which we would all like but which is not happening yet—but it does not say anything about crossrail, for which there is already clear case and detailed proposals that can be examined. As Wendy Alexander said, it is a strategically significant rail project—perhaps the most strategically significant in Scotland—but there is not a word about it in that document.

That reflects the different priorities that have been attached to crossrail and projects such as the M74 extension. I think that Wendy Alexander implicitly acknowledged that the M74 extension is environmentally damaging, as the local public inquiry explicitly reported. I would prefer that we did not simply match an environmentally damaging project with a more environmentally benign project, such as improvements to our rail infrastructure; I would prefer that we did the latter instead of the former. However, there is different political weight and momentum behind such projects. Labour and Liberal Democrat ministers have consistently given their backing to one, but are not yet able to do the same for the other. I hope that we will hear a little more from the minister today.

As I argued in the recent debate on the Glasgow airport rail link, we need to consider our priorities. What are our objectives in spending large

amounts of money on transport infrastructure? In the world as we find it, our top priority can only be tackling climate change and ensuring that in future generations there is a civilisation that can enjoy the benefits of the infrastructure and services that we put in place. Next we have to look at the local environment—pollution, congestion and the risk of road traffic accidents that comes from the additional congestion that people in Glasgow suffer. Then we consider economic development, and finally we look at how we project ourselves, whether that is in relation to Commonwealth games bids or tourism, for example. That should be the order of priorities, and it is clear that, if it was, the crossrail scheme would get a tick in the box long before the minister came to think about the M74.

I hope that the monitoring report is the last shiny document that I read without an endorsement of crossrail.

17:34

Donald Gorrie (Central Scotland) (LD): I want to provide some non-Glasgow support for crossrail.

Our Victorian ancestors had enormous energy and created most of the railway engines and great railway lines. Unfortunately, because of the competitive nature of the system, the railway lines did not meet together properly in both Edinburgh and Glasgow. The situation in Edinburgh has been reasonably sorted out through the closure of one station, although the other one is grossly overcongested—that is another problem for the minister to deal with. In Glasgow, we still have to deal with the fact that we have a network that does not net.

Crossrail is a vital part of the Scottish railway network. In recent weeks, we have discussed railway systems for Glasgow airport and Edinburgh airport, both of which would benefit enormously from crossrail, as has been said. With crossrail in Glasgow, the rather ambitious system of interconnections for Edinburgh airport would connect all parts of Scotland. People could catch one train from the north-east to the south-west, from the west to the east and so on. Crossrail would hugely increase the value of the two airports and interconnectivity with them.

The people whom I seek to represent in Central Scotland would benefit greatly from crossrail. People from Falkirk could connect with trains to Ayrshire and so on that emanated from Glasgow Central station. People from all over Lanarkshire could travel easily in one go to the Highlands, Ayrshire, Fife or wherever they wanted to go. Crossrail is an essential part of the network. Rather like Patrick Harvie, I honestly do not see

why it is not higher up the priority list of things that we should do.

I will give another reason why I strongly support crossrail. It would be unfair to say that it is a cheap and cheerful solution, but it is a sensible and practical solution that is not overelaborate. It would not involve building the world's longest tunnel under Glasgow at huge expense and it would solve the problems adequately with the minimum expense. It would also provide a good basis for Glasgow to apply for and host satisfactorily the Commonwealth games.

From all sorts of points of view, crossrail is a good thing. I hope that the Executive will put more enthusiasm into its support and provide more practical support than it has managed hitherto.

17:37

Paul Martin (Glasgow Springburn) (Lab): Like other members, I congratulate Bill Butler on securing the debate. Everyone acknowledges that he has been a champion of crossrail, which is an important project that will affect the future of not only Glasgow but north and east Scotland, as many members have said.

Charlie Gordon referred to 1973, which I was thinking about. I remember Christmas 1973, when I became the proud owner of a train set. I am sure that we all recall from our youth that in any train set parts were missing and some parts had to be purchased later. I draw an analogy between that and the crossrail project. As was amplified in the recent debate on the Glasgow airport rail link, the rail link will be effective only if the missing link—the crossrail project—is supplied.

We have made the case for crossrail based on the economic benefits for Glasgow. All of us who were Glasgow councillors in the difficult Tory years acknowledge how far Glasgow came in those years and has come in recent years. The importance of sustaining that growth and regeneration cannot be overestimated.

Donald Gorrie made the point well that the crossrail project would involve minimal investment. It is not just a fancy project that would deliver for the whole of Scotland; it would deliver value for money.

Patrick Harvie talked about shiny documents. I am no longer concerned about what shiny documents say; I have had enough of them. We talk about being environmentally friendly, but continue to produce such documents. I say to the minister that an environmentally friendly document that is committed to the crossrail project should be produced.

I seek from the minister absolute clarity about the process that will be followed to approve the

project, the processes that have been followed to date and how matters will progress. The cross-party group on Glasgow crossrail has on a number of occasions discussed clarity about where we are going and the decision-making process to determine whether the project will progress.

Charlie Gordon made the point very well that we have had enough of transport studies. Let us move forward. If the Executive does not support the project, it must make that clear; if it supports it, it must clarify how it will take it forward.

17:41

Phil Gallie (South of Scotland) (Con): This has been a consensual debate—I disagree with little that members have said. However, I would like to hold Patrick Harvie to account. He referred to environmental aspects of the M74 extension. We should remember that we are also talking about routes into Ayrshire. He should consider the huge environmental benefits that the M77 has brought to the south side of Glasgow. Perhaps then he will drop his shades a little and recognise that the M74 extension could also result in benefits.

I fully endorse what Glasgow members have said, but perhaps Ayrshire would benefit as much as, if not more than, Glasgow from a crossrail scheme. There has been a lot of talk about Glasgow and Edinburgh rail links, but there is also an airport at Prestwick, to which a rail line runs. Crossrail would provide connectivity, take passengers right across the country and open up Prestwick airport to Scotland as a whole. Prestwick airport made a massive commitment to and investment in its rail link and railway station, although there was support from the Government of the day and other sources.

It has been said that small amounts of money would be needed for the crossrail project. Hundreds of millions of pounds is not a small sum, but such investment could result in a massive return, given the possibility of economic development and environmental benefits. We have considered many railway projects, which I have welcomed, but the crossrail link could result in the best financial outcome of all the projects that we have considered.

I agree with the Glasgow members, and particularly with Bill Butler. The issue goes far wider than Glasgow. The crossrail project would serve Ayrshire and would certainly serve me—I always use my car to travel from Ayr to Edinburgh. The break in the line between Glasgow Central station and Glasgow Queen Street station is considerably off-putting. Going from station to station and waiting for the connecting train takes at least half an hour. The crossrail project would

bring massive benefits, and I urge the minister to consider it sympathetically.

17:43

Mr Frank McAveety (Glasgow Shettleston) (Lab): I, too, thank Bill Butler for lodging the motion. I echo the points that members have made.

I do not want to mention 1973, because the minister is relatively youthful and will probably claim that he cannot remember it. However, it is critical that we learn from commitments that were made in the past. Charlie Gordon mentioned many commitments that were given in principle but were not fulfilled because of a lack of resources. I know that Phil Gallie, like Charlie Gordon and I, recognises the role that the policies of Strathclyde Regional Council's socialist administration played in providing benefits to the people of Ayrshire, and I look forward to him commending the former regional council in future speeches.

Members have touched on the key issues of connectivity, economic growth, helping regeneration areas and being environmentally friendly. In a sense, Glasgow crossrail is a win-win project for all the political parties—even for those of us who are a bit more careful with public money. I hope that the minister will bear that in mind when considering long-term investment. We are speaking about between £115 million and £187 million, which is less than 3 per cent of annual expenditure in Scotland. Over the period of time for which we judge public sector projects such as crossrail, the project's positive value for money can be demonstrated. That will obviously be part of any debate about the feasibility of the project and its business plan, on which we already have some sound evidence.

I will touch on three issues that relate to my constituency, regarding connectivity between the north and the south. First, my parliamentary seat causes difficulties, because it is called Glasgow Shettleston. It is inconceivable that someone in the Gorbals, Oatlands or Govanhill would see parts of the city to the north of the river or to the east of the Gorbals as being part of the same seat.

Secondly, I have the added disadvantage—which I have mentioned before—that my father was from the Gorbals and my mother was from north of the river. If, on Friday nights, when the fights would usually break out, there had been slightly better connectivity between the areas north and south of the river, I would not have been left awkwardly traipsing around Glasgow when she stormed out in disgust at his comments or behaviour.

The third critical issue is the commitment to the regeneration of areas that I and Paul Martin, who

also serves the east end of Glasgow, have known all our adult lives. Many of those blighted areas would be transformed by having connections at the High Street, Dalmarnock—for the Commonwealth games village in 2014—and the development in the Laurieston area of the Gorbals. There is a real opportunity for a bit of vision and partnership, including partnership with some of the folk who produced documents in the recent past that omitted to mention that potential.

It is not an either/or situation—either we get the M74 or we get Glasgow crossrail. The debate is about what is necessary. We should be asking what connectivity is necessary for Glasgow and Scotland to enable the economic regeneration of many blighted areas. On those grounds, I believe that we can genuinely make a difference.

I am fond of quoting folk. I will quote Antonio Gramsci again, just for the fun of it. When we look at the business plan for the crossrail project, let us not have “pessimism of the intellect”; let us have more “optimism of the will”. Perhaps the minister can deliver on the commitments of 1973, which were touched on by Charlie Gordon—and where is he now?

17:47

The Minister for Transport (Tavish Scott): All I can remember about 1973 is that it was the year in which Scotland qualified for the football world cup in West Germany.

I am from the Charlie Gordon school of politics. I am not in the same party as him, but I am from the school of politics that says that we are here to make decisions and not endlessly to review, analyse and call for more studies. I accept his point and understand the frustration that many members have expressed at the length of time for which the project has been on the books. It has been analysed, considered and talked about. I will address the process that has to be gone through for any capital transport project—Paul Martin asked a fair question about that.

I acknowledge Bill Butler's leadership on the issue in Parliament, both through his convenership of the cross-party group on Glasgow crossrail and through his raising the issue in the chamber on numerous occasions, although in truth the issue got a fair hearing in the preliminary stage debate on the Glasgow Airport Rail Link Bill before the summer recess, and it has been raised in other ways. It is important to stress that the arguments that are made by Mr Butler and his colleagues throughout Parliament help immensely in consideration of the issue.

I appreciate Sandra White's support for Bill Butler's motion. Last week, the Scottish National Party was opposed to major rail investment in

Scotland, so it is important that it is supporting it today.

I think that Bill Aitken and Patrick Harvie, in a different way, accept that our investment in the west and in Glasgow is not just about a rail package but—as Wendy Alexander and others said—about the major investment that we are making in the M74 and other roads.

As Mr Butler said, the Strathclyde partnership for transport's proposals would not introduce a direct link from Glasgow Central to Queen Street; instead, the proposal is to provide a link from stations south of the city, via a new station at Glasgow Cross, to Queen Street low-level station.

As we set out in the partnership agreement, the Executive has supported with a grant of £0.5 million the feasibility work on Glasgow crossrail that is being undertaken by SPT. Work to date has reassured us that the project is technically feasible. It is estimated that it will cost between £115 million and £187 million at outturn prices. As SPT said recently in its statement of the case for crossrail, there are issues that need to be resolved in confirming the demand for crossrail services, and in respect of the interface between crossrail and major rail infrastructure works, which is important. At the risk of incurring Parliament's wrath, I note that that work is being undertaken by SPT and is due to be completed by March 2007. That will lay the foundation for the business case for crossrail.

I intend later this autumn to set out our vision for Scotland's railways, as part of our national transport strategy. That will provide—I hope in a glossy document—the framework within which we will develop projects such as crossrail through the strategic transport projects review. To answer directly one question that was asked, the framework will prioritise transport projects for future spending. That is the process that members seek.

Glasgow already has an extensive transport network that provides excellent local, regional and international accessibility. By 2014, an additional £1 billion will have been spent on enhancements to the transport infrastructure, including the completion of the airport rail link. Transport Scotland has been working with Glasgow City Council and Strathclyde partnership for transport on the preparation of Scotland's bid to host the 2014 Commonwealth games, and will continue to do so to ensure that the bid proposals are realistic and deliverable. I take seriously the points that members have made this evening about the importance of the crossrail project in that context.

Two thirds of all First ScotRail journeys—about 50 million journeys each year—are within the Strathclyde region, which makes it the most

heavily used commuter rail network outside London. The new Larkhall to Milngavie line provides a north to south-east cross-Glasgow service and the number of passengers on the line in its first year of operation has been one third higher than the projections. Trains have been refurbished across the region to provide better passenger facilities. Closed-circuit television coverage and car parking have been extended at a number of stations, and we have plans to improve in the near future customer information systems at Queen Street.

The further work on crossrail will update previous studies of demand and will assess the positive impacts of making easier some links to onward services for some passengers, and the negative impacts of making longer journeys into the centre of Glasgow for others. It will also set out how crossrail would operate in the context of an expanded rail network—including the Airdrie to Bathgate line and the Glasgow airport rail link—and how reliability of services around Glasgow can be maintained as services expand.

I accept that, despite all the investment that we are making, there remain a number of concerns about rail connections in the city, including concerns about there being two separate major terminating stations in Glasgow—at Glasgow Central and Queen Street—with no direct connection between them. There are also concerns about restricted capacity and congestion at both stations, and about the lack of direct links from the south and west of Glasgow to the north and east, which Mr Gallie raised. There are also concerns about the speed and frequency of connections between Glasgow and Edinburgh.

Our vision for Scotland's railways will set out ways in which we can address such issues. I envisage a package of enhancements to improve links into and across Glasgow, which will build on the substantial current investment. Glasgow crossrail can be part of that vision for Scotland's transport future.

Meeting closed at 17:54.

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