

MEETING OF THE PARLIAMENT

Wednesday 13 December 2006
(*Afternoon*)

Session 2

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CONTENTS

Wednesday 13 December 2006

Debates

Col.

TIME FOR REFLECTION	30365
LOCAL GOVERNMENT FINANCE SETTLEMENT	30367
<i>Statement—[Mr Tom McCabe].</i>	
The Minister for Finance and Public Service Reform (Mr Tom McCabe).....	30367
FISHERIES	30386
<i>Motion moved—[Ross Finnie].</i>	
<i>Amendment moved—[Richard Lochhead].</i>	
<i>Amendment moved—[Mr Ted Brocklebank].</i>	
<i>Amendment moved—[Mr Mark Ruskell].</i>	
The Minister for Environment and Rural Development (Ross Finnie).....	30386
Richard Lochhead (Moray) (SNP)	30390
Mr Ted Brocklebank (Mid Scotland and Fife) (Con).....	30393
Mr Mark Ruskell (Mid Scotland and Fife) (Green).....	30396
Mr Alasdair Morrison (Western Isles) (Lab).....	30398
Ms Maureen Watt (North East Scotland) (SNP).....	30401
Euan Robson (Roxburgh and Berwickshire) (LD)	30403
Richard Baker (North East Scotland) (Lab).....	30405
Mr Jamie McGrigor (Highlands and Islands) (Con)	30407
Rob Gibson (Highlands and Islands) (SNP)	30409
Mr Jim Wallace (Orkney) (LD)	30411
Maureen Macmillan (Highlands and Islands) (Lab).....	30412
Eleanor Scott (Highlands and Islands) (Green).....	30414
Iain Smith (North East Fife) (LD)	30416
Alex Johnstone (North East Scotland) (Con)	30419
Stewart Stevenson (Banff and Buchan) (SNP)	30421
Ross Finnie.....	30423
POINT OF ORDER	30429
BUSINESS MOTIONS	30431
<i>Motions moved—[Ms Margaret Curran]—and agreed to.</i>	
PARLIAMENTARY BUREAU MOTIONS	30433
<i>Motions moved—[Ms Margaret Curran].</i>	
DECISION TIME	30434
STONE OF DESTINY	30441
<i>Motion debated—[Murdo Fraser].</i>	
Murdo Fraser (Mid Scotland and Fife) (Con).....	30441
Mr John Swinney (North Tayside) (SNP)	30443
Donald Gorrie (Central Scotland) (LD)	30445
Mr Mark Ruskell (Mid Scotland and Fife) (Green).....	30446
The Minister for Tourism, Culture and Sport (Patricia Ferguson)	30447

Scottish Parliament

Wednesday 13 December 2006

(Afternoon)

[THE PRESIDING OFFICER *opened the meeting at 14:00*]

Time for Reflection

The Presiding Officer (Mr George Reid): Good afternoon. Our first item of business today is time for reflection. Our time for reflection leader is Father Daniel Fitzpatrick of St Charles, Paisley.

Father Daniel Fitzpatrick (St Charles, Paisley): Recently, I was in the garden with my mum, admiring her magnolia bush, which is about as old as I am and just about better looking. Every year it provides a beautiful display, but it is now a bit of a monster. My mum is hesitant to cut off some of its more wayward branches, because she is afraid that the whole tree will stop flowering. That reluctance, although strange to some, is because when my mum first bought the tree it would not flower. Advice was duly sought, but several moves to different parts of the garden, new feeds and fertilisers, and a variety of other green-fingered advice failed. After all that effort, it was decided that the magnolia had to go, for something faster flowering. Other distractions intervened, however, and the bush was forgotten about. Two summers later, left to its own devices, it finally flowered, and it is now her pride and joy in the garden.

The story of my mum's magnolia finds many echoes in the teachings of Jesus. Jesus encourages a patient, measured approach to situations. Although he is often advised to intervene immediately, Christ responds with the need to wait and see. If what you have done is right, then be prepared for a long wait before you see the fruits of your labours, is the attitude of the gospel. St Paul took that attitude when he realised that others would often reap the reward for the work that he had done.

We live in a world that is results driven, but which is often blinkered by a short-term approach. We live and die by performance indicators, star ratings, league tables and popularity contests. Life, however, is a long-term business. Building new attitudes, new behaviours and even a new Scotland cannot be achieved overnight. Constant tinkering, as many a football manager has found out, is rarely an effective solution to our problems. When many clamour for something to be done, doing nothing requires a strength of mind that can come only from inner strength and a deep

conviction that what you have begun is the right thing.

May Christ give you, our leaders, the strength to do the right thing and the courage to stay the course, even if it is others after you who will reap the reward. Amen.

Local Government Finance Settlement

The Presiding Officer (Mr George Reid): The next item of business is a statement by Tom McCabe, on the local government finance settlement 2007-08. The minister will take questions at the end of his statement, therefore there should be no interruptions.

14:03

The Minister for Finance and Public Service Reform (Mr Tom McCabe): Through this statement, I am pleased to provide details of the local government finance settlement for 2007-08, the domestic rate poundage for 2007-08 and the small business rates relief supplement for 2007-08.

In my statement to Parliament on the 2006-07 settlement just over a year ago, I said that we were determined to secure improvements in the quality of public services for the benefit of everyone living and working in Scotland. During the past year, we have engaged in dialogue and debate about how our reform agenda should develop, not just with individuals and organisations in public services but with others, including the users of those services. One thing has become abundantly clear from professionals, service users and the third sector—few people believe that the status quo is an option.

Constructive steady change has taken place and will continue. There is real willingness on all sides to embrace the changes that still need to happen and to explore how best to take them forward. We might not be overgoverned in Scotland, but there is increasing acknowledgement that we are overmanaged.

By all accounts, we are making real progress, but we fully acknowledge that there is a long way to go. One area in which change is contributing to progress is the much more positive relationship that we are developing with local government. I have made no secret of local government's key role in delivering many of our vital public services. I very much welcome the progress that councils are making in improving the quality of those services and in delivering better value for money from the resources at their disposal. Councils recognise the further action that they can take to live within their means while they strive to deliver the quality of services that people in Scotland expect and deserve. Part of the equation is the level of funding that we provide to local government. Last year, the funding that we provided, together with the careful management that councils exercised over those resources,

allowed councils to set the lowest average council tax rise since devolution.

I fully acknowledge that, even with all the progress that councils have made, a range of pressures and challenges has developed since the original 2007-08 funding levels were set earlier in the spending review. I have made it clear on a number of occasions that I am prepared to discuss with local authorities the possibility of additional funding for 2007-08, but I have also made it clear that we will not simply hand over additional funding without any conditions. Taxpayers fund our public services and they have a right to know what they will get in return. That is why I have consistently said that we would link extra funding to further progress on efficiencies and to other specific outcomes.

Local government has responded positively to that approach. We have had a number of extremely constructive discussions with the Convention of Scottish Local Authorities and with individual councils over the course of this year. The Improvement Service has provided us with the evidence that was needed to show that local government is tackling the drive for greater efficiency with some endeavour. It is with regard to that excellent performance that I am announcing today's provisional figures, although I acknowledge that, working together, there is still much more that we can achieve.

Today's provisional figures will enable councils to get ahead with setting their budgets for 2007-08 and will afford them the opportunity to comment on any details that require clarification. The figures will be finalised during the parliamentary debate in early February next year. The debate will provide the statutory basis for the revenue support grant payments to be made during 2007-08.

Against that positive background, I can set out the revised level of Scottish Executive grant support for local government in 2007-08. Local government will benefit from an additional package of measures worth more than £250 million. That will include an extra £157 million in revenue support for core services and an extra £61 million in capital grant. The figure also includes £19 million that we are making available for a new firelink communications system for the fire and rescue services, and £7 million for e-planning. In addition, because of the actions that we are taking on business rates, local government will benefit from a repeating windfall of approximately £10 million a year.

The new core settlement figures, which build on the previously announced figures, mean that total revenue funding for local government in 2007-08 will rise to £8.7 billion. That is an increase on last year of £393 million or 4.7 per cent. The £61 million of extra funding for capital means that the

total support that the Executive will provide to local authorities next year for capital will be more than £900 million. In total, therefore, in 2007-08 local government will receive core and non-core funding amounting to £10.2 billion.

In return for that additional funding, councils have given assurances in the following areas. They will continue to bear down on council tax levels, not just in 2007-08 but in the following three years, putting the taxpayers first and offering the costed stability that the taxpayer deserves. They will act to build on the steady improvement in council tax collection and push collection rates even higher. They will work to develop more effective asset management strategies for all councils, and they will produce a regular report on progress, including outcomes and targets. They will also increase the level of efficiency savings that they seek to deliver by the end of 2007-08 by a sum that is at least as great as the extra capital grant that we are providing today.

It is important that councils will work with the Executive to establish once and for all the resources that they are spending on delivering free personal care and how effectively those resources are being used. They will do that so that people throughout Scotland receive the same high standard of service. They will put taxpayers first and offer the reassurance and stability that they deserve. In other words, by linking the extra finance to specific outcomes, we are sending a clear signal about the constructive and progressive relationship between central and local government in Scotland, as we work together to deliver the quality services to which the people of Scotland aspire.

Of course, we will be guided in our future actions by the success that we see in all those areas, but I can confirm that it is our intention that the £157 million of additional resources will be baselined in future years. So, providing that local authorities deliver on their part of the bargain—and I know that they will—the £157 million will be included in future local government budgets, not just for 2008-09 but for the years beyond.

Those amounts build upon the substantial sums that have been invested in local government in previous years. So, as the current spending review period comes to an end, the sums that I have announced today will mean that total funding for local government will have increased by almost £3.2 billion since 1999-2000—an increase of 57.9 per cent.

Later today, I will forward an information pack to all members, which will include some key facts on local government finance, a summary table showing what each council will receive in 2007-08, a copy of my statement and a copy of the letter that is being sent to COSLA to coincide with the

statement, setting out the terms of our agreement and the conditions that we have attached to the additional funding.

I turn now to non-domestic rates. I can announce the non-domestic poundage rate and the small business rate relief supplement for 2007-08. One of the key factors that will help to determine our future prosperity is the success of our economy. Growing the economy is, rightly, our number 1 priority, and we are committed to ensuring that Scotland is populated by successful businesses that drive the kind of economic growth that will assist us in closing not only the all-important opportunity gap but that substantial fiscal gap that others try so hard to deny. We are helping business in a variety of ways—by creating business improvement districts, for example—and, within the resources available to us, we are continually seeking to target rate relief where it will achieve the maximum benefit.

I said in my statement last year that we would remove the existing gap between the Scottish and English poundage rates. In April, we halved the gap with England, and I confirm today that from 1 April 2007 we intend to remove the gap completely. The new poundage rate for 2007-08 will therefore be 44.1p. That new rate for Scotland represents a decrease of 0.8p from 2006-07. A technical note explaining how the figure was derived will be published shortly on the Scottish Executive website.

The 2005 non-domestic rating revaluation showed us that, on average, rateable values in Scotland had increased by 13.3 per cent, compared with 17.7 per cent in England. As a result of our policy of limiting rate increases, the rates burden on Scottish businesses relative to English businesses had already begun falling before we committed to equalising our poundage rate. That trend, in conjunction with the latest poundage rate, will mean that businesses here have significantly reduced operating costs. That will provide them with an all-important competitive edge. I now look to the business community to show that, in the interests of this country's economic competitiveness, it can take full advantage of the opportunity.

I am also pleased to announce that the small business rate relief scheme will continue in its present form and that, in line with our pledge to equalise the rate with England, the supplement on the poundage rate that is payable by larger businesses to cover the additional cost of the scheme will reduce from the rate in 2006-07 to 0.3p. The scheme benefits about 70 per cent of non-domestic subjects in Scotland. They will continue to receive relief up to the rate of 50 per cent. However, I want to assure Parliament and the business community in Scotland that we will

continue our search to see what more we can do to support business, especially small business.

In conclusion, today's announcements see us build upon what are already record levels of investment and continue our record of providing above-inflation increases for local government in each year since devolution began. Those actions will contribute towards closing the opportunity gap by drawing more people into economic activity. That underlines our commitment to provide the best, costed, dependable and sustainable services for the Scottish people and to create the best opportunities for businesses, not only those already in Scotland but those that wish to invest here in the future. I commend the statement to Parliament.

The Presiding Officer: The minister will now take questions on the issues raised in his statement, for which I will allow about 45 minutes.

Mr John Swinney (North Tayside) (SNP): I welcome the minister's statement and the advance copy of it that he provided for me.

I also welcome the fact that at long last, after much asking, the minister has begun to respond to the financial pressures on local government and on council tax payers and has offered more resources than he had planned. I also welcome the minister's admission that there are not the appropriate resources to implement free personal care, which this Parliament demanded but which, over time, the Executive has not delivered.

I will ask the minister about one detail that is missing from his statement, which is his prediction for the expected council tax increase in Scotland. Last year, he predicted that the increase would be 2.5 per cent, but it was 3.3 per cent. Will the minister say what his expectation is for the council tax increase? Does he recognise that, since Labour came to power in 1997, the council tax in Scotland has increased by 60 per cent, which represents an increase of four times the rate of inflation in that period?

The minister allows certain areas of Government to retain their efficiency savings. Does he accept that the time has come to allow local authorities to retain efficiency savings, instead of undermining their baseline budgets—as he has done for the past few years—and to deliver, as the Scottish National Party has promised, a freeze on council tax for the hard-pressed council tax payers of Scotland? If not, will the minister preside over another punishing increase in the council tax for the council tax payers of Scotland?

Mr McCabe: Oh, no, no—Mr Swinney is too late. He should not bother welcoming what I have announced today, when a few weeks ago it was a bribe. Along with all other members, I remember the headlines on the front of the papers saying we

were to bribe local authorities, but today Mr Swinney welcomes the increase in resources for local government. At the same time as he welcomes that increase, he and his colleagues call daily for increased expenditure and, in the same breath, tell us that they will freeze taxes. There is no consistency. Mr Swinney clearly did not listen to the statement and clearly he does not listen to the people of Scotland, who will respond appropriately to what his party says.

Derek Brownlee (South of Scotland) (Con): I, too, thank the minister for his statement and for the provision of an advance copy of it. I can only hope that I am more successful than Mr Swinney was in eliciting some answers from him.

The minister says that he has negotiated with local government on council tax rates, so I presume that he has some idea what "bear down" will mean. Perhaps he could tell us. He says that councils have experienced some pressures and challenges since the last spending review. Will he tell us what they are, how much they have cost councils and how many of them have been imposed by the Executive?

I welcome the restoration of the uniform business rate, but will he confirm how much extra Scottish businesses have paid in business rates as a result of his Executive's decision to increase business rates in the first place? Is the figure around £1 billion?

Mr McCabe: The member might get better answers if he asked better questions than Mr Swinney did, but he has not done very well, so he has failed that test.

It is remarkable that a Conservative representative will stand up in the Parliament to ask how much extra business has paid. I will tell Mr Brownlee when business paid extra—when it suffered under his party's Administration, when it had to pay for the 3 million people who were unemployed in this country, when there was a loss of opportunity and when there were lost generations. The difference in the life experience of people in Scotland over the past seven years has been remarkable, and they remember that well. In the light of today's statement, they will remember once again who best looks after their interests. That is another test that Mr Brownlee will fail.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): The Liberal Democrats welcome the Executive's move to reduce business rates to the level south of the border, but we are disappointed that the minister has not felt able to reduce them even more. Does the minister agree with Liberal Democrat members that if he went further and reduced business rates to below the English level, as requested by the Federation of

Small Businesses and the Scottish Chambers Of Commerce, that would give Scottish businesses a welcome competitive edge?

Mr McCabe: There are many ways in which we can give a competitive edge to Scottish business. The Executive has demonstrated time and again that we are determined to give Scottish businesses a competitive edge and that we follow through on that determination.

During my statement, I made it quite clear that we are determined to continue our search for ways in which we can enthuse business, grow the economy and bring more people into economic activity. That is the core of the Executive's being. Too many people have been excluded from economic activity for too long, so we will continue to examine what measures can be taken to ensure that they are brought into economic activity, so that they can make their own choices and we can grow the Scottish economy.

Dr Elaine Murray (Dumfries) (Lab): Judging from the long faces of members in certain parties, one would not believe that it was good news that was being announced.

I welcome the additional £250 million for local government and the fact that £157 million of revenue support will be baselined in future settlements. I also welcome the reduction in business rates. In previous parliamentary discussions about the business rate poundage, finance ministers have explained that the multiplier must be taken into account. Can the minister advise us whether the business rate multiplier in Scotland is still lower than the business rate multiplier south of the border and whether Scottish businesses have a competitive edge over those south of the border because of the reduction in the poundage?

Mr McCabe: I welcome the member's sincere acknowledgement of this afternoon's announcement.

I made it clear that, due to successive actions of the Executive, a competitive edge is now being given to Scottish business—indeed, that edge has been given for some time. We will not stop there. We will continue to search for ways in which to sharpen that competitive edge. As I said earlier, that is what will grow our economy.

Mark Ballard (Lothians) (Green): The additional core funding for local authorities is welcome. However, does the minister recognise that the additional funding justifies what the Finance Committee and other committees have been saying for the past few years, which is that council services have been dramatically underfunded over that time? In order to find the funding that they need to deliver statutory services

such as children's services, councils have had to raid other budgets, particularly community care.

Arthur Midwinter highlighted a gap between the £416 million that is spent on children's services and the £255 million that the Executive gives local authorities for those services. Surely that gives the lie to what the First Minister said to my colleague Robin Harper at First Minister's question time in October, that there was enough money in core funding to meet children's services needs. When will the minister ensure that core services such as children's services are properly funded and meet the entire gap that Arthur Midwinter highlighted? When will he acknowledge that the underfunding has been going on for years?

Mr McCabe: First and foremost, since Mr Midwinter expressed his view, we have demonstrated that a wide range of funding is making its way towards children's services. That funding will not merely bridge the gap—it will more than bridge it. We have demonstrated clearly that significant investment is going towards children's services in Scotland.

I am glad that Mr Ballard has acknowledged the increases that I announced today. However, I would be happier if he had acknowledged that they came about as a result of a constructive dialogue between central and local government. They came about because both are determined to work together in the interests of Scotland. Local government recognises that a substantial move is being made in the right direction. It will put the resources to good effect. People throughout Scotland will feel the benefit of that. It is time that politicians in Scotland recognised that.

Jim Mather (Highlands and Islands) (SNP): Given that the Executive's efficient government initiative is in total disarray, with the minister being unable to tell the chamber anything other than the gross savings—he cannot tell us what the savings are or set out the baseline outcomes before or after the efficiencies—what steps will he take to measure the effect of the initiative on council tax payers, business rate payers and the wider economy?

In addition, given what the minister said about bringing more people into the economy, how does he reconcile that with the fact that, in February 2003, 240,000 of economically inactive people wanted to work, but only 185,000 of them now want to work? What will he do differently? How will that change?

Mr McCabe: I know what is in disarray. The SNP's campaign director, Angus "Taxman" Robertson, says that taxes will rise under the SNP. Mr Salmond hears about it only at the last minute, falls out of a bistro in Fulham and says, "No, no, no. We're going to hold taxes steady." That is what is in disarray.

Fiona Hyslop is calling for more funding for services, Angus Council is doing likewise and John Swinney is calling for more money for everything. At the same time, the SNP is saying that it will freeze taxes. It is just not possible to square that. People in Scotland are beginning to see that the real disarray is in the SNP. That is having an impact on people's views, which is why the SNP will make no progress whatever come May.

Mr Duncan McNeil (Greenock and Inverclyde) (Lab): The minister mentioned welcome incentives for businesses in Scotland, especially small businesses. However, if businesses were burdened with administering the local income tax proposals, what impact would that tax have on them and the Scottish economy?

Mr McCabe: There would be an impact on businesses, and they have expressed concern about yet again being used as unpaid tax collectors, which would have a significant impact on the competitiveness of our economy.

However, the impact of local income tax would be felt long before we got to businesses. The SNP has said, "6.5 per cent is too much; people would never stick to that, so we would limit it to 3 per cent," but they forgot to mention that that would create a £1 billion black hole in the funding of local services. In its panic, the SNP compounded that felony by announcing that it would freeze council tax—there goes another £100 million. What could we buy with £1.1 billion? *[Interruption.]*

The Presiding Officer: Order.

Mr McCabe: I will tell members what the SNP could not buy. It could not buy a new Victoria hospital or Stobhill hospital in Glasgow and it could not build the infrastructure that we have planned for Scotland. That would be the impact, which not only businesses but the economy would feel. That is the chaos into which this country would be plunged if people decided to tinker—even for one second—with the nonsense that comes from the SNP. Businesses have a lot to worry about and so does everyone else.

Mr David Davidson (North East Scotland) (Con): Tom McCabe likes to portray himself as Father Christmas, but for some councils he is still regarded as Mr Scrooge. What will the minister do about levels of deprivation in the Aberdeen City Council and Aberdeenshire Council areas, which have some of the worst figures in Scotland? Why, after all these years, can he still not tell us what is spent on free personal care, and why there is not yet a uniform national service? Finally, I give him another chance to answer this question: how much extra have Scottish businesses paid since Jack McConnell increased business rates?

Mr McCabe: The Conservatives cannot make up their minds. Either they want local democracy or they want central control. Which is it?

As I said in my statement, since 1999-2000 we have increased the resources available to local government by 57.9 per cent. We have distributed the money under a system that is agreed with COSLA, so the appropriate amounts went to the areas that Mr Davidson mentioned. I know for a fact that since devolution the experiences of the people in those areas have been considerably different from their experiences prior to devolution. Their experiences prior to devolution were the Conservatives' fault, as the people in those areas know.

Tommy Sheridan (Glasgow) (Sol): Presiding Officer, this is not your fault, but trying to get an answer from the minister is becoming a bit of a farce. I hope that if I ask specific questions he will give specific answers.

Can the minister tell us the average increase in funding across the 32 local authorities? Can he confirm that for the seventh year running the funding increase for Glasgow will be less than the average increase for the whole of Scotland?

Does the minister think that the settlement will provide enough resources to address the scourge and tragedy of rising homelessness? Since 2001, homelessness has increased by some 44 per cent in South Lanarkshire—the minister's area; by 219 per cent in North Lanarkshire; and by 38 per cent across Scotland as a whole. Will the funding settlement tackle that scourge or will we again hear empty rhetoric from the Executive on homelessness?

Mr McCabe: Not only has the Parliament not heard empty rhetoric on homelessness, it has produced the most progressive legislation on homelessness of just about any Parliament in Europe. There has been increased investment in social housing and an expansion of the social rented sector, which we will continue. We are determined to continue to work with housing providers and to alleviate the tragedy of homelessness. The additional money for local government that I announced today will of course make a contribution towards that.

I suggest that the city of Glasgow is in a better state now than it has been in for a generation—it is booming and is acknowledged to be driving the economic progress that the country is making. The city will receive a funding increase of 4.1 per cent. I am sure that people there will recognise the totality of funding that comes from the Executive and the way in which that helps the city to meet its ambitions and do more for its citizens than has been done for a very long time indeed. People such as Mr Sheridan should acknowledge that

willingly. They should not come to the Parliament and try deliberately to dispirit the people of Glasgow; instead, they should tell them once again, as we do regularly, backed up by our actions, that we are determined to see that city flourish as a result of the resources that we give it together with the outstanding political leadership that it now has.

Nora Radcliffe (Gordon) (LD): I agree with the minister on the key role of local authorities. I welcome the increase in funding, especially as it is to be baselined, as Dr Murray said. To be parochial, I welcome the convergence of funding levels between that for Aberdeenshire and the Scottish average in the settlement. Will the full amount that is being announced today be allocated through the grant-aided expenditure distribution formula, or will any of it be top sliced to address some of the glaring mismatches that are thrown up by that complex formula or meet any shortfall that may be identified by local authorities that are delivering free personal care properly and fully?

Mr McCabe: On that last point, an important part of the discussions that we have with local government is an examination of the totality of the spend on care services in Scotland. That issue does not relate only to the money that has been made available for free personal care, which is in addition to the considerable sums of money that were in the past available for people who received care services for free, who were the majority of those who received such services. We will continue earnestly to examine expenditure patterns and methods of service delivery and try our best to ensure uniformity of service throughout Scotland; to ensure that any uncertainty about the policy is removed; and to ensure that not only the users of services but their families have greater reassurance on the long-term commitment to the services.

I confirm that the money that is to be baselined will be distributed through the methodology that is agreed with COSLA. I also confirm that I have made it clear to COSLA that I want to continue discussions on a review of the distribution formula to see how we can reflect better some of the emerging circumstances in different parts of Scotland.

Mr Alasdair Morrison (Western Isles) (Lab): On behalf of my constituents, I warmly welcome the content of the minister's statement. The Scottish National Party has stated that it would cap local income tax at 3 per cent, but the nationalists do not even know the earning levels of council constituents; nor do they know what such a scheme would cost to administer. With regard to the capping level, which, incidentally, would leave a black hole of £1.1 billion in public finances, will

the minister explain to me, the Parliament and, more important, my constituents—who enjoy the benefit of ever-improving public services—the consequences of that fallacy and policy and how it would impact on other citizens in Scotland?

The Presiding Officer: Mr McCabe, you will answer for your statement, not for another party's policies.

Mr McCabe: Quite so, Presiding Officer. However, although we have announced today a positive funding package for local government that is costed and deliverable, it is important to stress that that is set against the prospect for the people of Scotland—who I think will warmly welcome today's announcement—of an uncosted policy and a situation in which a range of services would no longer be deliverable. It is important that it is clear to the people of Scotland that the people who promise to freeze tax levels are the same people who, when they manage to run a council, deliver the highest tax levels of any area in Scotland.

As we properly consider—[*Interruption.*]

The Presiding Officer: Order.

Mr McCabe: As we properly consider the stability of funding for services at local level, it is worth our reminding people that the two councils in Scotland with the highest council tax increases last year—5.1 and 5.3 per cent—were both controlled by the SNP: high taxers who are pretending to people that they would be no-taxers.

Brian Adam (Aberdeen North) (SNP): Given that the Minister for Finance and Public Service Reform has suddenly rediscovered numbers and percentages, can he tell us what he expects the average rise in council tax levels across the board in Scotland to be next year? Given his close relationship and discussions about the funding formula with COSLA, can he tell us how the changes that he has announced today will address COSLA's concerns about the funding formula for GAE for social work, especially in light of the additional costs of providing free personal care?

Mr McCabe: I assure Parliament that the statement that I have made today will be warmly welcomed by the Convention of Scottish Local Authorities. The scaremongering that is taking place on the SNP benches today is as irrelevant as it always is. I confirm to Parliament that, as I said in my statement, the Convention of Scottish Local Authorities is committed to exerting downward pressure on council tax levels, not only in the year for which the announcement has been made but in the three ensuing years. That offers a degree of stability and reassurance that is better than the situation that we have experienced for some time. When the average tax rate increase is announced by people in local government, who are the proper people to make that

announcement, some SNP members will do their best to forget the questions that they have asked this afternoon.

Margaret Jamieson (Kilmarnock and Loudoun) (Lab): I thank the minister for the announcement that he has made today. Will he detail his vision of public service reform and the role of local government in 2007 and beyond? Will he also address the question of those local authorities that do not complete the required returns for free personal care, which has led to differing levels of provision across Scotland?

Mr McCabe: We work closely with local government to ensure that the information that it provides is accurate and timeous. We are already engaged in in-depth discussions about lifting the burden of regulation and inspection, and about the accuracy and quality of the information that local government provides to us. Local government has made an absolute commitment to work with us to improve that, in order that we and councils may have a better fix on the overall position both financially and in terms of the quality of service that is being delivered to people in Scotland.

Quality and sustainability of service drives our vision for public service reform. That vision is based on a frank exchange with local government; on seeing not just local government but the entire public service as partners; and on being determined to work together to create a new structure that serves people in Scotland better. Importantly, it is also based on honesty with delivery agents, be they in local government or in any other part of the public service. It is dishonest to suggest—I make it clear that we do not suggest it—that at the same time as cutting taxes we can raise the level of services. It is dishonest to suggest that a hole of £1 billion in the funding of local services would not cause chaos in our local communities—it would. That is the danger posed by political parties that make false promises in desperation, because they see not only their opponents but the public in Scotland coming after them at some pace.

Dave Petrie (Highlands and Islands) (Con): This is quite a straightforward question, so I hope that I will get an answer to it—I am optimistic about that.

I turn to the acknowledged council tax collection problems. Does the minister agree with the Burt review that the inclusion of water and sewerage charges in council tax bills has an adverse effect on collection rates, which are only 93.3 per cent in this country in comparison with 96.5 per cent in England? Accordingly, does he agree that if, as we have suggested, Scottish Water were saved by mutualisation, that would increase council tax collection rates and save the public purse millions of pounds?

Mr McCabe: I can confirm that we are prepared to consider a variety of recommendations in the Burt review. Before the report was published, I had discussions with local government about the collection of water charges. There is no universal view from local government. Some local authorities are keen to continue with the existing arrangements, and some feel that they are a constraint on their ability to maximise the amount of council tax that they can collect from the people whom they represent. Our mind is open on that. There is different evidence, and different views, on the matter throughout Scotland. I think that that is healthy and reflects democratic expression in the different circumstances that exist in different parts of Scotland. We would certainly not rule out the recommendation, which is just one part of the report that we are considering, on which we will pronounce in due course.

I correct any misinterpretation—intended or otherwise—about the overall level of collection of the council tax in Scotland. Collection rates have been increasing and continue to increase. Local government has worked hard to improve the figures. We know that more can be done. Local authorities have acknowledged that they can do more and have told us that they will put specific actions in place to improve the level of collection. I welcome that and I think that the honest, hard-working people who make an effort year on year to pay the tax will welcome the fact that, more and more, authorities will pursue the people who can afford to pay and that we will do as much as we can to assist those people who are challenged in their ability to pay.

Stewart Stevenson (Banff and Buchan) (SNP): When Sir William Rae, the chief constable of Strathclyde police, came to talk to the budget at a joint meeting of the Justice 1 Committee and the Justice 2 Committee, he told us that the numbers of police are at a temporarily high level and that they will fall after the retirements that will take place over the next couple of years. In the draft budget—for the avoidance of doubt, I refer to page 156, line 13, word 5—the minister says that the Executive will

“maintain record levels of police officers”.

Is Sir William Rae wrong, or was that a false promise by the minister?

Mr McCabe: It was far from a false promise. Communities the length and breadth of Scotland are experiencing the benefit of record numbers of police officers. Anyone can look at the figures for the police and retirements that might or might not take place. I know Willie Rae quite well. He did not retire at the earliest opportunity and has worked past the normal retirement age. That facility is available to every single police officer in Scotland, so it is not possible for anyone to say what

individual decisions will be taken by individual police officers as they approach the earliest point at which they can retire.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): Does the minister accept that the increased investment will be welcomed in the Borders and that there should be no excuse for the Conservative-led Scottish Borders Council to carry on with its cuts in teaching staff and social care? Given that the overall investment in local government equates to about 20 per cent of all local government expenditure, and given the fact that local authorities will be elected in a different way in the future, does he also accept that this is not the time to talk about fiscal devolution or autonomy in this Parliament in isolation and that we should enter into the debate more radically by devolving more fiscal responsibility to our local authorities too?

Mr McCabe: There is no excuse for a Conservative council in the Borders, never mind an excuse for the things that it does. By its actions, the council proves that on a daily basis. However, I think that it will be appropriately judged next May.

Some people talk about fiscal autonomy because they are scared to mention the word "independence". It is a cover for their reason for existence and so, under the cloak of just having a nice, cosy debate, they talk about fiscal autonomy.

Stewart Stevenson: Independence, independence, independence.

Mr McCabe: Mr Stevenson will not get Alex Salmond to mention it as much as that at the right time.

The direction of travel that this Executive wants to go in involves a different approach being taken to the relationship between central and local government—one that collapses funding streams, moves to more of an outcome-based settlement between central and local government and acknowledges that, once we have agreed a financial envelope with local government, we should be more prepared to allow local authorities to find ways to deliver the outcomes. That is the kind of mature relationship that we are trying to develop. There are many people in local government who are excited by that. After the May election, when sensible people are returned to the Executive benches, that relationship will flourish and there will be a far more adult relationship between central and local government.

Marlyn Glen (North East Scotland) (Lab): The minister has said a few things already about the black hole that would follow the introduction of local income tax. Can he expand on how it might be possible to fill such a hole? Would it simply be a matter of raising more taxes?

The Presiding Officer: We must have questions on the statement that the minister made. Minister, you may make a quick response.

Mr McCabe: In short, if there is a £1 billion deficit in the funding of public services, there will be considerable pain. Common sense tells us that. I could spend the rest of the afternoon explaining the ways in which people would feel that pain. *[Interruption.]*

The Presiding Officer: Order.

Mr McCabe: I do not want to scare people in Scotland unnecessarily, because there is no prospect of the people who promote that £1 billion black hole being able to implement it.

Tricia Marwick (Mid Scotland and Fife) (SNP): Is the minister aware that the external auditor has said that Fife Council is in a precarious financial position? Can he tell us whether that is because of continual underfunding over the past eight years by the Labour-Liberal Executive or because of mismanagement by Fife's Labour councillors? Further, does that explain why nearly two thirds of Fife's Labour councillors are jumping ship before the next election, or is the reason for that the fact that they have read the writing on the wall and understand that there will be an SNP administration in Fife as well as an SNP Administration in the Scottish Parliament?

Mr McCabe: I do not know whether that question was directly related to the statement either, Presiding Officer.

The Presiding Officer: No, it was not.

Mr McCabe: In any case, it was nonsense.

David McLetchie (Edinburgh Pentlands) (Con): Does the minister expect, as a result of the settlement that he has announced today, that the average council tax increase in Scotland next year will be higher or lower than 3 per cent?

Mr McCabe: It is inappropriate for me to stand here and try to set council tax levels before councils have even had a chance to consider the totality of their budgets this year. I can, however, tell Mr McLetchie that council tax levels in Scotland will be considerably more reassuring and attractive than they ever were under a Conservative Government.

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): I thank the Presiding Officer for the opportunity to question the minister on his statement. I hope that the Presiding Officer will allow Labour back benchers to make political points, as Opposition members have done.

The Presiding Officer: Careful.

Cathie Craigie: I welcome the minister's announcement on increased funding for local

government. I certainly welcome the 5 per cent increase for North Lanarkshire Council. I can measure the effects of the increased investment from the Scottish Executive on services in my local community, including schools and services for the elderly.

I seek clarification on the additional funding for free personal care. That is welcome, but will the minister expand on how he expects local authorities to spend the additional money? Does he expect to give them stronger guidance on how it should be spent?

Mr McCabe: Through discussions in which COSLA will willingly engage, and through examination not only of spending patterns but of methods of service delivery, we will find much more information about personal care and the best practice that can be applied. We will do our best to ensure that best practice is disseminated throughout Scotland to introduce the reassurance and stability that many people want.

Patrick Harvie (Glasgow) (Green): Like Tommy Sheridan, I hoped to ask a question about the impact of the announcement on specific local authorities, so I regret that the minister decided to release the table after we have questioned him rather than before. If he had released it earlier, that would have allowed me to ask my question. Instead, I will ask a different question.

Many people will welcome the extra money for local authorities and many council tax payers will welcome the smaller council tax increases if they come about, although we have still not heard a prediction on that. However, in the longer term, is there a danger in a continually decreasing proportion of council spending being raised by councils? What proportion does the minister expect that to decrease to in the coming years? Is there a level below which it should not fall?

Mr McCabe: That is impossible to predict. We are looking at the funding of local services and the methods of raising and collecting local taxes. Until that work is finished, no one can confidently predict what the percentages will be. However, some considerable research has been done—most recently by the Burt review—that shows that people in Scotland are less concerned about the split between local and central funding and more concerned about how the totality of funding is applied and what they get back from it.

I am glad that there is acknowledgement that the increases that I announced today will benefit people throughout Scotland, who will see a real difference. That is exactly what we intend and I know that our colleagues in local government are every bit as determined as we are that people feel the best effects of the increases not only this year but in the years to come.

The Presiding Officer: I would not normally call members who come in significantly after a ministerial statement, but today we have time. I call Carolyn Leckie.

Carolyn Leckie (Central Scotland) (SSP): Thank you, Presiding Officer. I apologise for being late. I read the minister's statement, which was provided in advance.

Will the minister take the opportunity to help me blast the myth that Scotland's businesses are overtaxed? He has allowed for a handout to business of at least £280 million between 2006 and 2008. Fifteen years ago, the top 10 businesses in Scotland made £3 billion in profits. They now make £13 billion in profits, which represents an increase of 330 per cent, while in the same period the state pension rose by only 60 per cent.

Can the minister confirm that women will achieve equal pay through the settlement, or will they continue to be expected to subsidise public services, to subsidise inequality and to subsidise handouts to big business? Will it be women who pay for the handouts to big business, or will they achieve equal pay? My question is specific and simple—will they or will they not?

Mr McCabe: Given that local authorities have today been awarded considerable additional resources, it is self-evident that those resources will assist them as they seek to meet their equal-pay obligations and the obligations that they brought upon themselves when they signed the single-status agreement.

Women throughout the country—not only women in local authorities—will benefit from what I have announced. The measures will improve services, including care services, and people—male and female—who receive those services will feel benefits in many ways not only this year but in years to come. The benefits will be not only financial, as people will benefit from the determination that local government has shown time and again to improve the breadth and quality of the services that it delivers.

Miss Leckie commented on business in Scotland. We are 100 per cent committed to expanding business and helping business to grow the economy. More people will be brought into economic activities as a result of that growth and the number of people who are excluded from society will be reduced—certain groups have been excluded from our society for generations. That is what we are about, and a successful business community will help us to achieve such things. We are determined to stay on that path until as many people as possible are in beneficial economic activities. That is in their interests and in society's interests.

John Swinburne (Central Scotland) (SSCUP):

I apologise for my late arrival, which was due to a school visit to which I was committed.

Will the minister recognise people's ability to pay and the situation in which the poorest pensioners, who have been means tested, find themselves? He has already done so in reducing water rates by 25 per cent, but will he go the whole hog and, by removing the water rates element from council tax bills, not plunge pensioners who have been means tested and are on the poverty borderline back into poverty? Their council tax is already paid. Why should people who live on the breadline then be asked to pay an average of £354?

Mr McCabe: I know that Mr Swinburne is being sincere and that he would be the first to recognise the considerable efforts that have been made, through initiatives that have been taken by the Chancellor of the Exchequer and initiatives such as the warm deal and free central heating programmes in Scotland, to alleviate the burdens on pensioners who qualify for benefits under means-testing arrangements. A lot of progress has been made—indeed, I have seen such progress in my constituency.

I give an assurance that when we examine methods of levying local taxation, the progress that can be made in lifting burdens from pensioners who face genuine challenges in meeting their obligations will be at the forefront of our minds. We have never forgotten and we never will forget that tackling such matters is one of the reasons why we are in politics. Many pensioners in Scotland recognise the action that has already been taken, and they can look forward to more being taken.

Fisheries

The Deputy Presiding Officer (Trish Godman): The next item of business is a debate on motion S2M-5303, in the name of Ross Finnie, on fisheries.

15:04

The Minister for Environment and Rural Development (Ross Finnie): Those with a keen interest in fisheries will have welcomed the warm-up before this important debate.

The European Union fisheries council will meet on Tuesday, Wednesday and Thursday next week to take its annual decisions on fishing opportunities for the year ahead. As always, it will be an important occasion for Scotland's fishing sector, so I welcome the opportunity to set out the prospects for the negotiations and to seek the Parliament's support for what I aim to achieve. The negotiations take place against the background of the scientific advice from the International Council for the Exploration of the Sea, the results of the EU-Norway negotiations, the coastal state negotiations and the European Commission's proposals.

I will start with a brief summary of the science and the decisions that have already been taken. The key, as always for Scotland, is cod. Although the advice on North sea cod is more positive than before, ICES continues to advise that cod stocks are outside their safe biological limits and recommends zero catches. That advice will, once again, dominate the proceedings for Scotland, given the mixed nature of our white-fish fishery.

There is more encouraging news on other stocks. The advice on monkfish supports the approach that we have advocated for some time of a higher total allowable catch. It also supports the extended scientific programme and the constant effort that we have made. The advice on Rockall haddock points to a significant increase in the stock.

On nephrops, there has been some scientific to-ing and fro-ing. In 2005, we negotiated significant increases on the basis of the new advice from the Commission's scientific, technical and economic committee for fisheries. This year, ICES has suggested another methodology, which would have resulted in a sharp cut in the TAC, particularly in the North sea. However, the Commission's advisers have rejected that methodology and have stuck to their 2005 methodology. If accepted, that latest advice would mean a minor cut in the North sea TAC but an increase in the west coast TAC.

Richard Lochhead (Moray) (SNP): The minister will be aware that the prospect of a cut in days at sea and in the quota for the prawn sector is causing enormous concern around Scotland's coasts. Has he had any feedback from the European Commission on its approach to its own scientific advice, which is in Scotland's favour?

Ross Finnie: Richard Lochhead says that the scientific advice is in Scotland's favour. I repeat that the scientific advice on cod is quite clear. It states—

Richard Lochhead: I asked about prawns.

Ross Finnie: I am sorry. We understand that, subsequent to the ICES advice on prawns, the STECF has reiterated its position. We believe that that is the position that will be arrived at. It is certainly the position that we are adopting. The Commission has not made a specific statement, as you know, although it was still calling for a cut. However, the STECF has explicitly reiterated its advice.

The decisions taken in the external negotiations have been mixed. The cut of 14 per cent in the North sea cod quota was too high and could lead to an increase in unwanted discards, particularly in non-targeted fisheries. That issue continues to give us considerable concern.

Mr Jim Wallace (Orkney) (LD): I hear what the minister says about his concern about the outcome of the EU-Norway talks and the 14 per cent cut in the cod quota. Is he aware of any member state that was in favour of that cut? If no member state was in favour, how come officials can agree it when the member states do not? Is there any chance that he can say to the Commission, "You may have agreed it, but we are not agreeing it"?

Ross Finnie: No member state supported the original proposal for a 25 per cent cut, but I regret to say that, as the negotiations proceeded on a downward track to a 15 per cent cut and finally arrived at a 14 per cent cut, other member states indicated that they were prepared to accept the revised proposal. That is why, after a long process, the negotiations came to an end without our being able to convince other member states that the 14 per cent cut remained too high.

Other decisions, however, were of real importance to us, such as the agreement in the coastal states negotiations of a 13 per cent increase in the mackerel quota, although a modest reduction had appeared to be on the cards. In the EU-Norway negotiations, we achieved a 6.4 per cent increase in the haddock quota, which was entirely consistent with the revisions to the management plan—which included a clause to ensure future stability for catchers and processors—and with the mortality rate in the

plan, which had been reviewed and revised. We resisted the cuts proposed for whiting and secured a quota level for North sea herring that the Executive and the industry agreed was right to safeguard the future of that fishery.

In a number of important ways, this year has been different from past years. First, Scotland has achieved unprecedented consensus on what needs to be done to produce an industry for the longer term and to concentrate on the value that we can obtain from each fish that we land. That is not just the work of the Executive; it is far more the work of a wide group of stakeholders, including processors and fishers. It is an approach that has been welcomed by the Commission and could be particularly helpful for arguing the environmental case contained in the sea-FAR strategy.

Mr Mark Ruskell (Mid Scotland and Fife) (Green): It is important that we regenerate fishing communities as well as fish stocks. How will the European fisheries fund that comes to the United Kingdom be split? Can we rightfully expect two thirds of that fund to come to Scotland?

Ross Finnie: The allocation of the new European fisheries fund has not been determined and will not be discussed at the December council. I accept Mark Ruskell's point that there are other issues; nevertheless, the value that we obtain for the fish is extremely important for the economy of the local communities.

The second major change is that we have by and large overcome the black-fish problem. We have presented to the Commission clear evidence of a step change in behaviour. In our opinion, illegal Scottish landings are at a negligible level. Again, that is significant in our negotiations, not just in Europe but with third parties and other coastal states. Thirdly, we have put increased resources into focusing on the external negotiations, because 57 per cent of the fish that is landed in Scotland is now part of international—not just European Union—negotiations. Of course, come the December talks, we still have a large amount of work to do. As I have said in recent years, as long as cod remains outside its safe biological limit, the Scottish white-fish fleet, with the mixed nature of its fishery, will suffer problems trying to reconcile the scientific evidence and the imperative for a sustainable fishery for the catchers and for the communities they serve. The restrictions that flow from the application of the cod recovery plan inevitably impact on parts of those fleets, even those that do not target cod. Indeed, we have no particular fishery that targets cod.

Ms Maureen Watt (North East Scotland) (SNP): Will the minister tell us what percentage of the white-fish catch over the past year has been cod?

Ross Finnie: In terms of value, it remains a substantial figure. I do not have the percentage at my fingertips, but if I find it I will perhaps deal with it when I wind up.

In the proposals that were put on the table last Monday we appear to have drifted to a position beyond what is said by scientists. We do not appear to be accepting the compelling scientific advice, particularly on nephrops. As I said to Richard Lochhead, we believe that there is movement on the nephrops fishery, but I will be pressing hard to get an early conclusion on the STECF advice, which was the basis on which we settled last year.

I am not prepared to accept the proposal for a 25 per cent cut in days at sea. That is not just about rejecting the science out of hand. That figure is a global figure applied to the whole of the North sea. The figures on the reduction in the level of effort, particularly in the Scottish sector and in the 100mm mesh fishery, have been coming down. However, the Commission is to some extent correct that there are other fisheries where the level of effort has not been reduced, such as the 70mm to 99mm mesh. There are issues there that will have to be addressed. I will come back to that.

Richard Lochhead: Does the minister accept that the proposed measures would have an impact on not just the catching sector but the onshore sector? Fish processors will also be hit hard if there is a cutback in the number of days at sea for vessels.

The Deputy Presiding Officer: Minister, you have about one minute in which to wind up.

Ross Finnie: It would be absolutely amazing if a catch quota did not affect processors, so I accept that point totally.

I will argue for substantial increases in the Rockall haddock quota, as suggested by the science, and I will press for stability. We will do what we can to ensure that we secure the recovery of cod. We have already made significant efforts on that. I also believe that the measures need to be rebalanced—as I tried to point out before Richard Lochhead's intervention—away from the white-fish fleet towards other, smaller-mesh fisheries. Only in that way can we ensure that all fleets make the sort of contribution to cod recovery that the Scottish white-fish fleet has made in recent years.

In conclusion, I repeat that the state of the cod stocks and the proposals on the table make it difficult, but we have a strong case on which we have worked extremely hard at a technical level. We have tried hard to ensure that all our points are on the table for both the Commission and its technical people. We have also worked hard to ensure that we secure support, as we have done,

for many of our positions from both the industry and environmental groups. The Parliament's support for the approach that we have taken throughout the autumn and into next week would make our case all the more compelling.

I move,

That the Parliament supports the Scottish Executive in its efforts to negotiate the best possible outcome from the EU Fisheries Council in December 2006, an outcome that delivers sustainable fisheries and a fair deal for Scotland's fishermen and fishing communities.

15:16

Richard Lochhead (Moray) (SNP): On behalf of the Scottish National Party, I welcome today's debate and I use this opportunity to pay tribute to the men in our fishing industry. In particular, I pay tribute to the men at sea who—as many of our communities have found out to their cost in the past year or so—have often had to pay the ultimate sacrifice to bring fish to our tables.

We welcome the debate as we prepare for the Labour-Liberal Democrat coalition's eighth December fisheries council in Brussels. The outcome of those negotiations will impact on one of Scotland's most vital sectors. Even after the difficult times of recent years, fish landings alone in Scotland are valued at more than £0.33 billion. That does not take into account the value that is added to Scottish seafood by the processing sector.

Although the industry has benefited from fair fish prices this year, it is a pity that the catching sector's turnover has been undermined by the expenses of fuel costs and of acquiring quota. Given that quota must often be leased, not just from other fishermen but from companies, I hope that when the minister winds up the debate he will address the question of why our catching sector is still required to lease such fishing rights from private companies. That is not right. Those profits could have regenerated the existing fishing fleet, which is aging.

Despite past assurances that the fishing industry would be allowed to sail into calmer waters after the enormous sacrifices of previous years, our fishing communities once again face an anxious 10 days as they await the outcome of negotiations, given the backdrop that the European Commission has painted in recent months. The catching sector needs an assurance that it will be given not only quota, but enough time at sea to catch that quota. Our processing sector needs an assurance that it will be able to benefit from continuity of supply and that no more jobs will be lost in our vital onshore sector. We cannot afford to lose any more vital skills from our fish processing sector. The fishing industry's difficulties of recent years have hit the

onshore sector hard. That is why I raised that issue in my intervention.

Our fishing industry has been promised time and again that it would receive due reward for the sacrifices that it has made. It was told that it would be rewarded with stability and certainty. However, yet again as this year's negotiations approach, our fishing communities face uncertainty and instability.

Mr Alasdair Morrison (Western Isles) (Lab)
rose—

Ross Finnie: Will the member give way?

Richard Lochhead: I will take an intervention from the minister.

Ross Finnie: Let us just take a step back. Is the member completely ignoring the scientific advice on the state of the stocks? Had we not taken the steps that we did, our fishing industry would, regrettably, be in a very much worse position. The Scottish fishing industry deserves credit for the steps that it has taken. However, the reward to which the member referred will be when we have the stocks balanced with the opportunities.

Richard Lochhead: I was about to come to those very points. When the European Commission proposed in July a 25 per cent across-the-board cut for quota and effort, there was an outcry from not only the fishing communities, but the minister himself, so I am surprised by his intervention.

Then we had the November talks with the Norwegians about joint stocks and the 14 per cent cut in the cod quota. Even the minister described that decision as "particularly disappointing", which he reiterated in his opening speech. The SNP's point is vindicated by the minister's words in previous weeks. Last week, the first proposal for next week's talks was made by the European Commission. Once again, it has reiterated its proposals for draconian cuts that will hit Scotland's fishing communities extremely hard and, as I mentioned in my intervention on the minister, the prawn fleet in particular, which is threatened with a 25 per cent cut in effort. That would devastate the prawn fleet at a time when Scottish prawn stocks are at a healthy level. It would be ludicrous if that fishery's effort was cut back further. We welcome the minister's support to try to ensure that that does not happen. The minister described those latest EC proposals as "controversial, provocative and confrontational."

The industry and ministers are once again on the back foot. Ten days before the talks, the industry is fighting for survival. We should be debating in this chamber, as well as with the European Union, the long-term management of Scotland's fishing resources. However, because of

the way in which decision making happens in Brussels, we are talking instead about several sections of the industry fighting for their survival. That has implications for public perception.

Despite the talk of cuts that emanates constantly from the European Commission, Scotland's key stocks are in a healthy position. Haddock stocks are at record levels and prawn stocks are in a healthy position, as are many of our pelagic stocks, as the minister commented. Yet, because of the cod recovery plan that the Commission has described as failing, the cod problem will dominate the talks in 10 days' time, which will have implications for the fleets that catch cod as a bycatch.

Ross Finnie: Surely, surely, surely Richard Lochhead cannot go on talking about the fact that haddock and nephrops are healthy and not recognise that cod can be caught in both those fisheries. It is logical that if we are concerned about cod, we have a problem in both the haddock and the nephrops fisheries.

Richard Lochhead: Again, I return to the minister's own comments in which he described the Commission's proposals as "provocative and confrontational" and "particularly disappointing".

We have a mixed fishery and, time and again, the European Commission shows willingness to sacrifice the other fleets in Scottish waters in a vain attempt to save the cod when it has admitted that the cod recovery plan needs to be reviewed. That will happen next year. Why on earth then are we talking about more draconian cuts hitting Scotland's fishing sector 10 days before the negotiations when the review of the cod recovery plan will happen in a few months? The Commission refuses to swallow its pride. In evidence to the Environment and Rural Development Committee last week, the minister made that very point. He said in his submission:

"the Commission has staked its credibility as a fisheries manager on the recovery of cod."

It seems that the European Commission is willing to adopt a scorched earth policy to prevent itself from having to swallow its pride over its failed cod recovery plan. We cannot afford to sacrifice all the other sectors of the industry on the altar of the cod recovery plan, which has failed. Climate change and other factors influence the location of cod stocks. We saw the report of two weeks ago in which it was verified that climate change is impacting on the location of cod stocks.

I will conclude with two further points. If we manage Scotland's waters properly, we can have a prosperous future and our fishing communities can go from strength to strength. That means changing the existing system of fisheries management in Scottish waters. Scotland

accounts for 25 per cent of European Union waters, yet of all the countries round the table deciding the future of Scotland's fishing communities, we have the least say. That has to change so that we can make fishing a priority in Scotland and give the industry a prosperous future.

I move amendment S2M-5303.2, to insert at end:

"calls for a deal that provides Scotland's fishing communities with a sustainable share of fishing opportunities and adequate time at sea to allow the industry's quota to be caught and demands that any deal to the contrary is rejected; notes with regret that the failed Common Fisheries Policy continues to deliver remote, inflexible and draconian fisheries management that results in ongoing instability and uncertainty for our catching and fish processing sectors, and believes that, since over two-thirds of UK fish landings are in Scotland, Scotland's fisheries minister should be designated as the official lead minister for the United Kingdom in EU negotiations."

15:24

Mr Ted Brocklebank (Mid Scotland and Fife) (Con): The Conservatives welcome today's debate. I understand that congratulations are in order, or perhaps the word should be "commiserations", because Ross Finnie is now the longest-serving fisheries minister in the EU. I commend the minister on his stamina and his infinite patience. I wish that I could commend him on his success rate but, as he knows better than most, negotiations with European fisheries ministers tend to be one-way traffic.

In the seven years for which Ross Finnie has been at the helm, nearly 1,100 Scottish fishing boats have been deregistered, including those that were decommissioned—that is three boats for every week that he has been in charge. Some 3,000 fishermen have been forced to leave the sea and around 1,000 fish-processing jobs have disappeared. Last Wednesday, Aberdeen—which is the United Kingdom's main processing centre—saw only half a box of fish landed at the home port.

Reduced quotas have meant only 12 days a month at sea for most boats. The dedicated white-fish fleet has been reduced by two thirds. Whereas other EU countries such as Spain and Ireland, and non-EU countries such as Iceland and the Faroes, have seen their fleets grow and prosper, the UK industry has continued to decline, especially in the white-fish sector.

Mr Ruskell: Will the member give way?

Ross Finnie: Will the member take an intervention?

Mr Brocklebank: Yes, Mr Finnie.

Ross Finnie: Will the member tell us which of the fleets that he mentioned actually have cod in the middle of their fishery? Will he tell us about mixed fisheries? This is not about singling out Scotland. We have responded to the scientific situation on cod—that is the issue. If Mr Brocklebank is telling the chamber that the Conservative party would ignore the science, he should be good and honest enough to tell us now.

Mr Brocklebank: The minister asks which other countries have mixed fisheries. The answer is easy: Iceland, the Faroes and Norway all have mixed fisheries and all handle their fisheries management infinitely more successfully than we do in the European Union.

It would be churlish to deny that during 2006 some Scots fishermen have prospered. The increase in nephrops quotas secured at last year's summit has brought some stability. Given that catching effort has been cut by two thirds, and given the abundance of haddock, the hugely truncated white-fish fleet has had a reasonable year. Fishermen report plenty of fish at sea. But, as ever, the European Commission cannot leave well alone. In pursuit of the cod recovery plan—a strategy that has led to virtually no recovery in cod biomass since its introduction six years ago—the warning shots have already been fired from Brussels, as we have heard. In prospect are still further swingeing cuts in cod quotas; a possible 25 per cent cut in days at sea; and, since cod can be taken as bycatch, nephrop quotas are also under siege. A year after they were increased by 32 per cent, this December could see prawn quotas slashed by up to half that. Like the grand old Duke of York, we have marched our prawn fishermen up to the top of the hill, and now the EU ministers would like to march them straight back down again.

How can hard-pressed fishermen and processors plan for the future against that kind of rollercoaster background? It is hardly surprising that the minister himself has labelled the Commission's opening shots as "provocative and confrontational." He believed that there was a new and constructive approach among ministers to securing agreement, so it is little wonder that he described the Commission's opening stance as "profoundly disappointing." Profoundly disappointing yes, but surprising, no.

After all the years during which the minister has trekked to Brussels, the only surprise—if we consider the EU's law of diminishing returns—is that the minister is still surprised. Still, around 21 December, I have no doubt that Ross Finnie will emerge waving a bit of paper to tell us what a victory he has achieved against overwhelming odds. As we have seen before in such negotiations, the victories are about how little he

has had to concede rather than about how much he has achieved.

We on this side of the chamber wish the minister every success in his efforts. Fishermen all over Scotland—not least the prawn fishermen in Pittenweem in my part of the country—will be on tenterhooks until they know what kind of future they can look forward to next year.

I do not subscribe to the view attributed to Richard Lochhead that the minister lacks backbone; what he lacks is a negotiating position. I have been attacked over the years for stating that, without a backstop negotiating stance, the minister has an impossible task at December summits. He may disagree with my view that the long-term future of the UK fishing industry lies outwith the common fisheries policy, but I cannot imagine that that stance—shared by at least one other Opposition party—has been totally unhelpful to Messrs Bradshaw and Finnie in concentrating the minds of obdurate EU ministerial colleagues in recent December summits. If the minister disagrees, perhaps he can tell us how British ministers can ever negotiate successfully with states who know that there is no ultimate sanction and who have no national interest in conceding us a solitary extra herring.

The minister has been quoted as saying, somewhat forlornly, that it is now time for the Commission to change the way in which it does business. But why should it? There is nothing that UK ministers can do to make it change its ways. However, we are where we are—at least until the next UK elections.

The minister must live up to his boast of championing the best interests of Scottish fishermen—especially those in the processing sector, some of whom are represented in the public gallery today. They are going through gruelling economic times. Because of bad weather, 20 per cent of this year's haddock quota has not been caught. Similarly, 8,000 tonnes of nephrops have not been caught. The quota arrangements do not allow things to be carried forwards, so Scottish processors face ruin and their staff face the dole because they cannot get supplies of fish species that are there in abundance.

The minister must resist any attempt to cut the nephrops quota. There should have been a 10 per cent increase in the total allowable catch of monkfish in July this year, and he must achieve that in December. Most important, he dare not come back with any further reduction in days at sea. What the minister must fight for is a period of consolidation. He must demand an end to the haemorrhaging of Scottish fishery jobs. What our fishermen and processors need is light at the end of a long tunnel of despair, and the hope that one

day, with the support of all parties, they can begin the task of rebuilding that once-proud Scottish industry.

I move amendment S2M-5303.1, to leave out from “an outcome” to end and insert:

“urges the Minister for Environment and Rural Development to resist all attempts to reduce nephrops and cod quotas and to press for increased haddock and monkfish quotas to secure a sustainable future for our remaining fishermen and particularly for the beleaguered processing sector and for the coastal communities dependent on fish, but ultimately believes that the only solution for Scottish fishing is to bring back control and management of the industry to Scotland.”

15:30

Mr Mark Ruskell (Mid Scotland and Fife) (Green): This annual debate on the deliberations of the fisheries council is always a story of how science is woven with politics into the fabric of the common fisheries policy. It is also a story of tragedy—the tragedy of the economic hardship that is faced by fishing communities. However, there can be no greater tragedy for people in a fishing community such as Cellardyke or Anstruther than to lose their loved ones so cruelly to nature. The thoughts of members must be with all those families as we approach Christmas and new year.

We owe it to all fishing communities to weave a better type of politics into the common fisheries policy—one that is imaginative and strong and which does not play to short-term fears, but guides and supports fishing communities towards a future for fishermen and the ecology that they are inextricably part of. Once again, we have heard in the chamber the fantasy politics of withdrawal from the CFP being raised as a figurehead. Even if that were practical—and it is not—it paints a fantasy in which no tough choices have to be made and in which withdrawal will somehow instantly result in fish returning in their droves to Scottish waters. It ignores the fact that those countries that are not in the CFP have also had to make hard choices about effort reduction, just as many other countries, including Scotland, have had to make drastic cuts within the CFP. Those are decisions that Richard Lochhead would have to face if he was a minister—unless, of course, he palmed off fisheries to the Lib Dems, as Labour has done.

Withdrawal may be the politics of fantasy, but reform of the CFP must become the politics of reality, and reform is desperately slow. The minister is right to boast about the expertise and knowledge that we have in Scotland, particularly in the Fisheries Research Services, but where is the innovative thinking on introducing bycatch quotas and the important role for on-board observers, which the Executive could put into the mix? The Executive's sustainable framework for fisheries

recognises bycatch quotas, but this is not a game of I spy. We are looking for action, not recognition.

Ross Finnie: I recognise that bycatch quotas might play a role, but it would be helpful if Mr Ruskell could explain how, at the moment, he would incorporate bycatch quotas in the common fisheries policy, while at the same time retaining the relative stability that is important to Scottish interests.

Mr Ruskell: It is a question for the minister, working in tandem with the industry and with the FRS to develop a full package, not just bycatch quotas. We need a shift away from total allowable catches, which we know are, in fact, total allowable landings, towards a genuine ecosystem-based approach. That is what the minister is committing to in his strategy, but where is the delivery? He needs to start looking at the maximum sustainable yield—that is how we can work a bycatch quota—that may be taken year after year, not just what we can get away with this year. That is the kind of shift in thinking that we need.

We await a meaningful closed-area proposal for the North sea—one that allows regeneration of the type that was seen in the Gulf of Castellammare in the 1990s, which led to a 700 per cent increase in stocks. Where is the proposal to close areas of the North sea? Where is the proposal to close the Rockall bank, about which there is not even any argument among those in the fisheries community?

Regional advisory councils represent a genuine opportunity to improve the CFP from where it matters, with genuine bottom-up policy development, so that fishermen, processors and scientists can work together rather than against one another. I recognise that there are different opinions on the matter. Ultimately, there will be as many opinions on the best way to run a fishery as there are people involved, but we must start somewhere. We must continue to support RACs as well as sea-FAR, the advisory and reference group in which the minister plays a strong role.

The debate desperately requires to be broadened, because we are missing a trick. The politics of desperation is coming from the SNP and the Tories, and the politics of managerialism is coming from the Lib Dems and Labour. Somewhere along the line we have forgotten that fish are food, just like any other food that we buy and eat. We have made good progress in food debates in the chamber in recent years, and it is recognised that good, healthy, local food that supports the economy is also good for the environment. If we can learn anything from the absurdity of the Dawnfresh prawn-mile debacle, it is that we need a public sector that supports local food. From that platform, we could rebuild local

food economies that work alongside international trade. It is obvious that we will not achieve that through withdrawal from the CFP or by increasing quotas to the point of stock collapse.

We must work with what we have got. We must work with the European fisheries fund and with eco-labelling. I hope that we will have about £9 million a year, if we get our two thirds—as we rightfully should do in Scotland—from that fund. We can do a lot with that money, which will provide an opportunity for us to turn the corner by enabling us to get our seafood into schools; to raise standards through eco-labelling under the Marine Stewardship Council; and to give the Scottish fleet the highest standards in the world. We must look to diversify into tourism, support environmental initiatives, rebuild jobs, strengthen the value added within the supply chain and provide local marketing and labelling. Dare I say to the SNP that the fund could even link into the establishment of a marine national park? It is good economic news for our fishing communities, which I welcome with relish.

We must help communities to weather the storm while stocks recover and lead them to a prosperous future rather than to ecological and economic ruin. That road starts with a vision, but it must turn into reality soon. Let us start to deliver that reality now for communities. Let us give them a positive and sustainable future.

I move amendment S2M-5303.3, to insert at end:

“and affirms that this outcome can best be achieved by shifting to long-term ecosystem-based management plans aimed towards achieving maximum sustainable yield, by making use of bycatch quotas and more technical measures in order to reduce discards and mortality in fisheries with high bycatch levels, by making innovative use of the European Fisheries Fund to support fishermen and associated communities and by supporting bottom-up approaches including the use of regional advisory councils, and urges the Executive to ensure that Scottish fishermen’s adaptability and sacrifices are not undermined by short-term pressures.”

15:37

Mr Alasdair Morrison (Western Isles) (Lab): Before I raise issues that are exercising fishermen and processors in the Western Isles, I ask Mr Finnie to reflect on the years during which he has been representing Scottish fishermen in Brussels. This month’s negotiations will be Mr Finnie’s eighth appearance in Brussels. It goes without saying that everyone—or at least every right-thinking person—in the chamber wishes him well.

When Mr Finnie sums up, I would appreciate it if he could explain what would have happened to Scotland’s fishing communities had he and his United Kingdom counterpart gone to Brussels year after year advocating the irresponsible policies of

the Scottish nationalist party. Can he draw on his experience and try to quantify what would have happened to fishermen's jobs and processors' jobs had he not rightly advanced policies that recognised the undeniable fact that too many boats were chasing too few fish? Where would our fishermen and our processors be today?

Mr Brocklebank: I appreciate and understand what Alasdair Morrison is saying, but why was it only the UK that had too many vessels chasing too few fish? Why did Spain not have too many vessels chasing too few fish? Why did Ireland not have too many vessels chasing too few fish? Why, uniquely, was this country in that position so that we had to be penalised?

Mr Morrison: A fallacy that is being advanced by both the Tories and the Scottish nationalists is that only Scotland had to reduce fishing effort. I pose the same question that I posed to the nationalists: where would we be had we maintained fishing levels and effort levels at 1,100 boats? I think that Mr Brocklebank mentioned that figure. Where would our fishing communities be today? They would not exist.

Given that Mr Finnie is Europe's longest-serving fisheries minister—I thank Mr Brocklebank for his research—he will be well able to reflect on and analyse the impact of what were and are short-term populist policies, which can be summed up as incoherent ravings.

I turn to matters of importance in my constituency. This afternoon, I had one of my regular and productive discussions with the secretary of the Western Isles Fishermen's Association, Duncan MacInnes. He told me that as a direct consequence of a change to a system whereby all sellers and buyers of prawns in Scotland are now required to register, the Western Isles has seen a 30 per cent increase in the price of prawn tails. The new system, which was introduced earlier this year, means that everything that is landed, bought and sold is recorded. It has greatly benefited the trawling sector in the Hebrides and I am sure that it will have had an equally beneficial effect on other island communities.

I hope that the minister will argue for and be able to secure the same quota levels that were obtained last year, which were 18,000 tonnes for the west coast. That plea, unlike the ravings of the nationalists, is based on science. The call to maintain those quota levels is based on the ever-improving methods of assessing stocks, which include the use of underwater television cameras. As well as showing exactly what is on the fishing grounds, that method of assessment allows scientists to return to the grounds to compare and contrast what they find with previous situations

and enables proper analyses of the size and quantities of prawn stocks to be carried out.

I am happy to report that the value of prawns that are landed in the Western Isles has increased. Fishermen landed more prawns in the first eight months of 2006 than they did in the 12 months of 2005. Importantly, those increases are sustainable because size and quality continue to improve. The number of fishermen in employment remains stable, as does the number of people who are employed on land in the processing sector.

I turn briefly to the west coast monkfish quota levels. I want to probe with the minister the possibility of securing an increase in that fishery. Again, that request is based firmly on excellent collaborative work between the industry and scientists. I hope that such sensible working practices and methods of analysing the precise state of our fishing stocks will bear good fruit in the negotiations in the form of an increase in quota levels for what, as the minister knows, is a key, high-value stock. I look forward to hearing what he says about that in his summing up.

The nationalists' amendment once again betrays their obsession with constitutional niceties. They simply do not appreciate the fact that all European negotiation is about teamwork. Our team will consist of Ross Finnie and Ben Bradshaw. On occasion, when appropriate, Ross Finnie will raise the flag for the United Kingdom and, by definition, for Scotland. As someone who represents a fishing community, I do not care what number is on Ross Finnie's shirt when he negotiates a deal for our fishermen. I and all right-thinking people should be concerned about the result that Mr Finnie and Mr Bradshaw will secure for Scotland's fishing communities. We must put the long-term interests of our fishing communities before any perceived short-term political gain. That means being robust at the negotiating table and, on occasion, being brutally honest about previous practices in fishing. If we are not, not only do we con ourselves but we betray the people whom we represent.

Talking about betraying the people whom we represent, for the umpteenth time I ask Mr Rob Gibson of Scottish nationalist fame why he failed to support the fishing industry in the Western Isles almost three years ago, when—

The Deputy Presiding Officer: You should be finishing now.

Mr Morrison: —the then Deputy Minister for Environment and Rural Development, Allan Wilson, made a proposal to protect Western Isles fishermen from the predatory fishing practices of boats from the east coast of Scotland. Will he stand up and explain to the Parliament why he and his party betrayed Western Isles fishermen?

It goes without saying that I wish Mr Finnie and Mr Bradshaw the very best in a week's time.

15:44

Ms Maureen Watt (North East Scotland) (SNP): As someone who, until now, has listened to the annual fisheries debate from the outside, I have always been fascinated by the annual fishing round talks in December. I have wondered who on earth set up the talks at this time of year—it was obviously men, who do not face the frenzy of Christmas preparation—and whether the minister is so well organised that he does his Christmas shopping at the summer sales, although he might visit the Belgian Christmas markets en route. Perhaps he can tell me later.

My first foray into the political arena as a candidate in the mid-70s was to support the fishermen during their blockade of ports and to tackle the EU fisheries minister, who at the time was the Finnish member, Mr Gundelach. I asked him whether he was happy that, as a result of his proposals, in his retirement he would be looking across the North sea at desolate fishing villages and towns. Unfortunately, as Mr Gundelach died of an asthma attack at work in Brussels, he did not see his retirement. However, over the past 30 years, those same towns and villages in the north-east of Scotland have struggled for survival.

As I said, the Scottish fishing industry has had to fight for its survival, not because of the elements, lack of fish or lack of the ability to invest in the industry but because it has had to battle with unsympathetic Governments at all levels and an EU bureaucracy that does not have the will to see our industry survive.

Ross Finnie: Although we do not target cod, it accounts for about 20 per cent of our catch, which is a significant figure. Does the member accept that the issue is one not of bureaucracy, but of the need to take cognisance of the science on cod, which has a material effect on our fishery? Having a 20 per cent catch in a non-targeted species is a material consideration.

Ms Watt: I am grateful to the minister for giving me the percentage of cod that is caught. I will deal with the question later in my speech.

As I said, the fishing industry has had to battle against the unfavourable terms that various Governments have set. The industry is asking for the right to life. Throughout all the turmoil of decommissioning, quotas and cuts in days at sea, it has complied with every regulation. For that, the industry was promised that things would get better, but they have not. The industry has complied with habitat directives, hygiene regulations and whatever other directive has been thrown at it. However, because of a lack of ability

to plan ahead—which every industry should expect to be able to do—it faces having to crisis manage, every single day.

On behalf of the Scottish fishing sector, I say to the minister that he needs to strike out on his own at the talks. The fish processors, some of whom are with us in the gallery, are trying to do exactly what the Executive wants of Scottish industry: they are growing their markets, going for niche markets, and promoting the quality and Scottishness of their products. However, EU regulation prevents them from doing that, even within the TAC.

As other members have said, this year, boats will be able to take only about 80 per cent of their quota. The remaining 20 per cent, which represents about £30 million, has not yet been caught as a result of the tight regulations on days at sea. There is concern that no frozen fish is being stored to meet market demand over the winter. Other sectors have three-year budgeting arrangements and the fishing industry needs a similar ability to carry over days at sea and quotas which would ensure continuity of supply for markets.

The fish processors can find a market for the quota of fish that is caught. However, if the full quota cannot be caught, there will be a downward spiral that could lead to no market and no need for fishermen to go out to sea, the result of which would be crisis in the industry. The minister must press for multi-annual quotas, not only for the reason that I have set out but on the ground of safety. Skippers must never feel pressured to go to sea, whatever the weather, because they have not met their quota.

There is no doubt that we are experiencing climate change and that the gales at this time of year are getting worse. In light of the changing circumstances, instead of going for days at sea, will the minister press Brussels to change the rules? I ask the minister to consider annualised trawling times. Given that skippers keep detailed log books, it should be possible to do that. The times could be calculated from the time of the pick-up of the dhan in the winches to the time that the nets—full or otherwise—are drawn on board. Why should fishermen's working time include travel to work, and time spent seeking work, when that is not the case for anyone else?

The minister must be more challenging of the scientific research. Science still does not seem to have shifted with the current. As fishermen have detected, the cod seem to be moving to colder waters. I also want the minister to ask about the availability of sand eels as food for other species.

It is interesting to know the percentage of cod that is caught by Scottish boats, because the fact

that cod is much more important in England is my final reason for asking the minister to go it alone. Cod—mainly imported—is the mainstay of the fishing industry in Grimsby and Hull and we all know why that is important to Ben Bradshaw and his colleagues.

The minister's forthcoming visit to the talks in Brussels might be his last. I ask him to bring back a big Christmas present for the Scottish fishing industry.

15:50

Euan Robson (Roxburgh and Berwickshire) (LD): I am grateful for the opportunity to speak in what is almost an annual debate ahead of the minister's visit to Brussels for the fisheries council talks. The minister knows that he has my full support in his efforts to secure the best possible deal for the Scottish fishing fleet, which have been going on for several weeks, as he said.

I will concentrate on the importance of the North sea fishery to communities that I represent on the Berwickshire coast. The fisheries industry—offshore and onshore—remains important in Eyemouth. Boats in smaller ports, such as St Abbs, are still among the 50 or so members of the Anglo-Scottish Fishermen's Association. Our boats fish predominantly for haddock and prawns and I am told by the Fishermen's Mutual Association Eyemouth that stocks of both species are good in the area that the boats cover, which is roughly from Sunderland to the Firth of Forth. Moreover, the FMA tells me that almost no cod have been seen in either the haddock or the prawn catches of our local boats and that bycatch tends to be whiting—I emphasise that for the minister. Accordingly, my local fishing industry sees no case for reductions in total allowable catches, quotas or effort in our area.

The local industry is firmly committed to basing quotas and effort on scientific evidence, as the minister said, and thinks that the evidence is that stocks are good and bycatch minimal in the area that my constituents fish. The industry suggests that if—I repeat “if”—there is scientific evidence that juvenile cod are in bycatches to a significant extent in a particular location, the area could be treated as a conservation box and closed.

Haddock and prawns are the most important products in Berwickshire. The industry needs stability in 2007, because the market price for both species is good and we do not want to lose the opportunity that has developed as a result of the sacrifices that the Scottish fishing fleet has made.

Another opportunity for my local industry is presented by the sprat fishery in the Firth of Forth, to which my colleague Iain Smith is likely to refer in more detail. Fishermen recognise the

importance of protecting the young herring that might be a bycatch of the sprat fishery. Not long ago, the FMA Eyemouth wrote to the minister to offer two vessels, which would try the fishery for a short period in an attempt to identify areas that have a clean sprat take. The offer remains on the table. The intention is that the vessels would take on board fisheries officers or scientists, who would examine the catch, to ascertain whether there is a scientific basis for reopening the fishery.

Mr Ruskell: Does the member acknowledge that sprat numbers in our oceans were low in 2005 and that sprat is an important species for birds in the Firth of Forth, which attract many tourists to our wonderful sites in Fife, East Lothian and the Borders, to the benefit of the local economies?

Euan Robson: That is correct, which is why fishermen in my part of the world want reopening of the fishery to be on the basis of scientific evidence that the fishery is sustainable. Given that much of the industry in my locality is dependent on haddock and prawns, reopening would be helpful in that it would direct effort towards another species. I emphasise that my local fishing community would like to explore those proposals with the Environment and Rural Affairs Department, to ascertain whether it would be possible to open the sprat fishery for a short time on a sustainable basis. Of course, it would be necessary to take up the eventual findings with the Commission to ensure that the reopening happened on a proper basis.

I am sure that Ross Finnie would be surprised, perhaps even disappointed, if I did not mention in a fisheries debate the Eyemouth ice plant. After a short period of respite for him, I ask him to consider my several representations about the ice plant. Suffice it to say that the plant is of immense importance to the future of the port of Eyemouth. The fact that competitor ports in North Shields and Amble have developed ice plants means that, after a much better period, it is again more difficult to achieve viability. I suggest to the minister that he discuss with his counterpart in the Department for Environment, Food and Rural Affairs whether some form of planning could go into that vital provision for the industry on the east coast. It is unfortunate that overprovision of supply threatens the future of all.

Another practical suggestion is that the proposed regional advisory council development officer should be located in Eyemouth; ironically, that could assist the viability of the ice plant. That development is important. As the minister knows, I have been a supporter of the development of regional advisory councils for many years.

I wish Mr Finnie every success in his negotiations. I am sure that all members will join me in that.

15:56

Richard Baker (North East Scotland) (Lab): The annual debate that we have ahead of the fisheries council is becoming as traditional as the festive season. The same issues are debated in Parliament every year, but that is not because of a lack of engagement by the Parliament and the Executive on this vital matter for Scotland—we know how important the industry is. The tragedies that have occurred this year, which members have mentioned, remind us of the sacrifices that are made for the industry.

The debate occurs because the goal of a successful and sustainable fishing industry is difficult to achieve. Those who think that there are easy answers are kidding themselves and the industry. This year, as in previous years, the negotiations will be challenging, but they are vital for the north-east of Scotland, not just in relation to the economic viability of the industry, but because of the social impact in the area. For example, nine of the 10 most deprived areas in Aberdeenshire are dependent on fisheries. That is why, when discussing the negotiations, we must consider the Executive's work in the area as a whole. Anybody who questions what the Executive has done to support the industry and the areas that are dependent on it should think about initiatives such as the building Buchan programme.

Mr Morrison: The member mentions areas that are heavily dependent on fishing. Will he explain to someone who is not familiar with the area that he describes whether the communities there would be better or worse off if they had followed the nonsense that the Scottish nationalists advocate?

Richard Baker: They would of course be much worse off. The member made that point eloquently in his speech and it is difficult for me to follow that. The point is well made. [*Interruption.*] I see that the member has riled the Opposition.

Other initiatives, such as support for the Peterhead Port Authority and the harbour slipway improvements at Macduff, are supported through the financial instrument for fisheries guidance. It is right to invest so that Scotland's fishing industry can grow and have a better future to look forward to. That is why, along with others, I made representations to ministers that it is crucial that the fishing courses at Banff and Buchan College continue. Otherwise, vital skills will be lost to the industry locally, which would seriously threaten its long-term future. I was pleased to hear that, along with extra support from the fishing industry and Aberdeenshire Council, the Scottish Funding Council has intervened to ensure that the courses continue. We must now do all that we can to ensure greater take-up of the courses.

Stewart Stevenson (Banff and Buchan) (SNP): The member referred to Peterhead harbour. Does he think it particularly useful that the introduction of the aggregates tax by his colleagues at Westminster has taken £5.5 million out of the local economy and kiboshed the development of an additional breakwater at Peterhead, which was being considered, because the tax changed the economics of the proposal?

Richard Baker: I was referring to the great benefits that have come through the financial instrument for fisheries guidance. I would have thought that the member would welcome them, and the many Executive-led initiatives that have benefited the area.

The outcome of the negotiations is important to the future of the industry. During the negotiations, it must be acknowledged that Scotland has already made a huge contribution to reduction of effort. Priority should be given to ensuring that other member states are contributing at the same level. I note from the briefing by the Royal Society for the Protection of Birds that it is concerned that, despite Scotland's good efforts, there remains fleet overcapacity elsewhere. That issue must be addressed.

There is a hugely difficult balance to strike in the negotiations. There is the advice from some, which is genuinely given, that we must heed the scientific advice much more, but it must be recognised that that would have great consequences for the industry—in my view, too great. Others argue that the advice should be ignored, which is simply irresponsible. I support the balance that the minister has sought to achieve in his approach to the negotiations, which is aimed at ensuring that the industry can be sustainable and that when, as we hope, stocks increase, the industry can grow from its current position. In some areas of the industry, there are already tentative signs of improved profitability. These are very challenging circumstances, but in just such a context in the past the minister has had a great deal of success in working towards achieving the ambition of a sustainable industry.

I welcome the minister's determination in this year's negotiations to argue against some of the proposals on restriction of effort and for increases in TAC for some important fisheries. The minister was right to point out the efforts that we have made to minimise illegal landings. The fact that his position in the talks is clearly evidence based should put us in a strong position and must be acknowledged by the Commission.

We have again heard opposition to the very concept of the CFP. The amendments do not call directly for withdrawal, but they are certainly critical of the concept, as if leaving the CFP would be a panacea for the industry. Such calls in the

chamber are simply political opportunism. It is ridiculous to pretend that we could rip up the CFP and renegotiate agreements, and that, as a result, there would be more fish in the sea and we would be able to ignore scientific advice. Such a step would threaten to destroy the industry rather than enable it to build towards a more successful future. Pulling out of the CFP is impossible without withdrawal from the European Union, which would have a devastating impact on our economy—where would that leave the policy of Scotland in Europe? Furthermore, doing so would not benefit the industry.

We do not accept that an unreformed CFP is the way forward, either. Reform of the CFP is the only way forward, and the Executive is leading the way on that. Further progress on developing regional advisory councils, which the Executive has promoted enthusiastically, is vital, as they are an important step towards local management of fisheries, further involving those in the industry and their communities in important decisions. That is the right course to take. I am confident that in the short term the minister is taking the right course in negotiations. He has had important successes in the process before, and I hope that he has further success this year, so that we can look forward to a long, profitable and sustainable future for our fishing industry.

The Deputy Presiding Officer (Murray Tosh): I advise members that I will give Rob Gibson and Jim Wallace four minutes each for their speeches.

16:02

Mr Jamie McGrigor (Highlands and Islands) (Con): Although I wish the minister well in his negotiations in Brussels, I hope that this year's meeting will not be a repeat of previous years' meetings, from which the minister emerged clutching a piece of paper on which Britain's concessions were written large. I do not need to remind the minister of the reduction in the size of the Scottish fleet since 1999 or of the loss of associated jobs in the fish-processing industry. The Scottish fishing industry cannot afford any more cuts; it must be with that in mind that the minister journeys to Brussels next week.

Since Labour came to power—power that it still shares with the Lib Dems—we have seen the loss of three boats a week from the Scottish fleet. Fishermen are taking more risks and fishing further from shore so that they can fill their quotas in areas where they are allowed to fish. Where is health and safety in that? Enough is enough. The systematic destruction of the fishing industry by cuts passed down from Brussels has destroyed livelihoods and is destroying communities. We have suffered for long enough while the common

fisheries policy has been handed down from on high.

I hope that the minister will go to Brussels next week with fire in his belly and steel in his spine, because we cannot afford to see further cuts. The fishing industry has had enough. In Scotland, it is situated mainly in fragile and remote areas where the loss of any jobs has a disproportionate effect. Often, little alternative employment is available.

Ross Finnie: Are we to take it from the member's statement that enough is enough that he and the Conservative party wish to ignore the scientific advice and to go in for Olympian fisheries on every stock? I ask the member to tell us how many years it would be, under that irresponsible policy, before we had no fishing industry.

Mr McGrigor: With respect, if the minister goes on for much longer there will not be any fishing industry left.

Ross Finnie: At least there will be fish.

Mr McGrigor: I will carry on.

The Scottish fishing industry needs a period of consolidation and a Government at home to bring forward new ideas. For example, we know that it is set in cement that Brussels sets the TACs for all species in December. Why could not regional management groups throughout Scotland work out between them who gets what of the Scottish TAC? Let us have different groups dealing with each other so that Scotland's full TAC is taken up. They could decide who fishes where and when.

This year, Scottish fishermen have not taken all the haddock and prawn TACs. Local catchers and processors could work out locally how the full TAC could be taken. That is what the processing sector is asking for. It does not have the product to process, which is extremely frustrating. How can businesses survive in those circumstances? Given the dreadful weather in the past two months, fishermen have been unable to catch all their quotas, which cannot be carried forward. The processing sector is frustrated. Let us not forget that it employs many more people on land than the boats employ at sea. George MacRae of the Scottish White Fish Producers Association estimates that there are four to five jobs onshore for every one at sea.

If we cannot have local management of TACs, perhaps we could have more local management of Scottish quotas, so that the share of the cake handed out to Scotland is consumed fully by the Scottish fishing industry. There is another important reason for that: because the west coast prawn TAC has not been fished out this year, the commissioners just might try to cut next year's TAC. I hope that they will not follow that illogical step, which would punish Scottish fishermen for

fishing responsibly—but with them one just never knows.

Why should our fishermen be sacrificed on the altar of a cod recovery plan that is broken and discredited—a plan conceived by Franz Fischler, who will go down in Scottish history as a destroyer of jobs rather than as a saviour of cod? The Commission cannot get the cod recovery plan by garrotting our white fish industry, so it is turning its gaze towards the west coast prawn industry. The minister must point out that hardly any cod are caught by that industry on the west coast. Areas where there is a concentration of spawning cod, such as in the Firth of Clyde, are rightly closed to fishing to protect the cod stocks.

There are no grounds for a cut in the prawn industry and nothing less than last year's TAC is acceptable. I hope that the minister agrees with that and with the Scottish Fishermen's Federation which, when discussing nephrops, said:

"Contrary to the statement in the Commission's July paper"—

which said that there would be a rollover of the 2006 TAC—

"an arcane argument has begun between ICES and the EU's own STECF committee over what should be the harvest rate. This has resulted in the first proposals containing an unacceptable reduction. *This must be challenged.*"

I agree with Alasdair Morrison, who called for a big increase in the monkfish quota, which is entirely justified by whatever brand of science one cares to look at. I wish the minister good luck in Brussels and ask him please to come back with a good deal for our fishermen.

16:08

Rob Gibson (Highlands and Islands) (SNP): Just because this debate takes place in December, we do not have to focus only on what happens in Brussels—although that is a major part of it. The debate has to deal with the whole fishing industry. It is, once again, hooked on the EU demand that a cod management plan take precedence—which ignores the scientific advice on healthy haddock and prawn stocks, particularly the prawn stocks on the west coast.

The minister ought to try and clarify for the Labour and Tory spokesmen the number of monkfish that are available. He told the Environment and Rural Development Committee in the warm-up to the debate that the science on monkfish was poor. Perhaps he will clarify that in his closing speech.

Scotland loses out because the CFP inflicts remote and damaging rules without listening to fishermen's views. The Scottish minister said that

fishermen who give evidence through sea-FAR will find the dialogue with the Commission extremely disappointing.

Mr Morrison: Will the member give way?

Rob Gibson: Not at the moment.

The need for longer timescales to plan a sustainable fishery has never been more evident. Mr Finnie has stated to the committee that 59 per cent of fishing activity is controlled in some shape or form by agreements that are reached between us and parties in the EU and beyond. Therefore, 41 per cent of activity is in the hands of local people with local rules. However, the quota stocks and the non-quota stocks all live in the same waters. Surely it is time for a comprehensive Scottish fishing plan. While we can have underwater cameras looking to see what the stocks of cod and haddock are, we do not have underwater cameras looking at the stocks of scallops. That suggests to me that, if we are going to have a total plan, that is the kind of argument that we have to have. People such as Mr Morrison, who employ ludicrous posturing while purporting to represent the Western Isles, had better shut up because we need science as the basis for this argument and we do not have it in relation to those stocks.

The process of fevered annual negotiations in Brussels is like dealing with the interests of salmon in a river system and ignoring the ecological balance and the health of other species that are found there. Since fishermen increasingly accept scientists on their boats and are able to provide ICES with lots of good information, it is high time the Commission caught up with that good practice in Scottish waters and moved towards having long-term management plans in local hands.

If the inshore fisheries groups deal only with the non-quota stocks and the area advisory committees deal with generalities, surely we must find a way to bring those together. As I said, we are trying to deal with a total fisheries policy.

The SNP has proved that the common fisheries policy has been bad for Scotland. There is every reason to suggest that an SNP-led Government could do much better.

Ross Finnie is not being allowed to take the lead in the discussions, no matter what is said about that. The team must be led by a Government that has a seat at the top table. Therefore, it is necessary to end this farce and ensure that longer-term planning is brought in. An annual round is a useless way in which to proceed. Sustainability in the seas takes much longer-term planning. Until the common fisheries policy moves on to such a method, this annual farce will continue.

16:12

Mr Jim Wallace (Orkney) (LD): I am pleased to be able to take part in this debate. As a number of speakers have indicated, this is an annual debate that takes place before the meeting of the December fisheries council. I first took part in such a debate on 6 December 1983; this will be my last. As someone said, it is amazing how the issues have not lost much of their character, in terms of the calls to strengthen the minister's hand and attempts to reflect our particular concerns from our respective parts of the country.

Earlier, I raised with the minister an issue that I have raised in a number of these debates. It is to do with how much of what is decided at the meeting next week will be pre-empted by the discussions between the European Union and Norway. The minister indicated his profound disappointment with the agreement that was struck in relation to the 14 per cent reduction in cod catch, but he also indicated that a number of member states are not in any effective position to influence that, given that the matter is in the hands of the Commission.

I know that the minister shares my view that it is unsatisfactory that there is so much power in the hands of officials who are not subject to the necessary political oversight. I hope that further changes can be made so that, when some crucial decisions are being taken, the important political input can be strengthened.

As even Richard Lochhead conceded, in 2006, price levels have managed to keep the industry viable. However, there are concerns about the fact that restrictions on the cod TAC or the number of days at sea could lead to a reduction in effort that would have a knock-on consequence for the industry. The Orkney and Shetland industries would view as extremely bad news any further reductions in the effort that they are allowed to put in, particularly because, as the minister indicated, such a reduction is not necessarily backed up by the science.

If there is to be a reduction, it must reflect the considerable efforts that have already been made in Scotland, including the 65 per cent reduction in capacity and the use of larger mesh sizes. The reductions in effort have been substantial. As the minister said at the end of his opening speech, further effort reduction should be concentrated on the number of fleets that have not had to bear as much effort reduction up to now.

To secure viability, some boats need to buy or lease in days, but that is becoming more expensive. That is another reason why I strongly support the minister's declared intention to resist further attempts to cut back days, which would have an effect on our fleet.

The minister said that there has been a significant increase in haddock stocks around Rockall and that the United Kingdom can claim a reasonable share of them. The European Commission's proposal—15 per cent of a low base—does not go far enough compared with the level anticipated by the scientists. I welcome what the minister said about trying to get a bigger TAC for Rockall haddock. If more effort can be switched to there—the minister knows from meetings that the Orkney boats have done a considerable amount of fishing around Rockall—that will not only make the fleet more viable but take pressure off the North sea.

I wish the minister well as he faces the reality of the council talks as opposed to the fantasy that the SNP and the Conservatives talk about. The SNP seems to think that we should ignore the problems with cod, but we cannot. The SNP also seems to think that if Ross Finnie and Ben Bradshaw changed seats, there would be a great increase in fish stocks. As for the Tories, Alasdair Morrison's challenge to them was right. If Jamie McGrigor had his way, we would have had no cut in the number of boats. I do not know how any economist could think that any of them would be viable.

The minister grapples with reality. He leads us, as he has done in the past, as he puts in every effort to secure the best for the Scottish fishing fleet. I am sure that he takes the Parliament's good wishes with him as he tries to do that again next week.

16:17

Maureen Macmillan (Highlands and Islands) (Lab): This debate on fishing is a seasonal feast. Like Christmas, it is predictable. It has become an institution, but it is none the less important for that. The issue remains the same—the need to sustain a viable fishery and a viable fishing industry. We cannot have the latter without the former, no matter what the SNP and the Tories say.

The industry has made huge sacrifices but, disappointingly, fish stocks, particularly cod stocks, are still at risk. The EC again rejects a total ban on fishing for cod, but it proposes further cuts to quotas and TACs for white-fish fleets, and bycatches might be scrutinised more closely. It will be particularly hard if stricter bycatch regulations have an effect on our nephrops fishery, which has become crucial because it sustains livelihoods in fishing communities. We therefore need to make it a priority to find robust ways of managing the cod bycatch other than discard, which is an affront to sustainability, or illegal landings, which put us in such bad odour with the Commission in the past and caused difficulties in negotiations. Thankfully, illegal landings are now very rare. Our fleet is not

the only one that has a cod bycatch. Other fleets' bycatch has been underrated, and Ross Finnie's task will be to point that out to the Commission while protecting our nephrops fleets.

We need to insist on the use of selective gear throughout the EU and monitor it to ensure that it is used properly. The use of nets with sorting grids and escape panels must be supported. What incentive will the Commission give fishermen to encourage them to use selective gear? We need the carrot as well as the stick. Successful selective gear trials have been carried out in Scotland. In the nephrops fishery in the North sea, an escape panel enabled 50 per cent of small cod and white fish to get away while the prawns were retained. Such equipment should be in use throughout European waters, but we must also ensure that it is used properly. I regret that there is anecdotal evidence that some skippers combine old-style nets with the new selective gear. In other words, they make a pretence of sustainable fishing. If that is true, it must be stopped by whatever means we have available.

We want to eat good, home-caught fish and shellfish from a sustainable fishery, not prawns that have been ferried halfway around the world to be shelled in Thailand before they are sent back to be breadcrumb in Scotland. I get annoyed that tiger prawns are regularly on sale in our supermarkets, whereas we seldom see our native langoustines.

The decisions that are taken in Brussels this month will affect processors and the whole downstream industry as well as fishermen. Prices for fish have been good, and people have been eating more fish because they recognise that it is healthy food that can be prepared quickly. At last there is a growing perception that fish—white fish in particular—can be made into high-quality, gourmet food, and people now think that it is worth paying extra money for such food. Fish is no longer seen as a commodity that is as likely to end up in a tin of pet food as on the fishmonger's slab.

I congratulate the Seafish Industry Authority, which works across all sectors to promote good-quality sustainable seafood. It works with people right across the board, from trawlermen to fish friers, via buyers, processors and wholesalers—it even provides seafood recipes on its website, which is well worth a visit.

I am sorry that we have heard the usual nonsense from the SNP and the Tories; indeed, I wonder what the blue/green David Cameron would think of Jamie McGrigor's speech.

In today's meeting of the Environment and Rural Development Committee, we discussed how the Parliament could mainstream sustainable

development. I assumed that the SNP endorsed doing so.

Mr McGrigor: Will the member take an intervention?

Maureen Macmillan: I am sorry, but I am in my final minute.

I have listened to what SNP members—including Richard Lochhead, who is not in the chamber—have said. They have again ignored the scientific advice, maintained that all stocks are healthy and that cod do not matter. I fear that they are, as usual, speaking with forked tongue. A party that aspires to government cannot cherry pick where and when it will endorse sustainability—it should have a seamless approach. The Executive has sought to be consistent and to balance environmental, social and economic considerations.

I have said before that all-night talks in December are surely not the best way to hammer out a fishing policy. I look forward to a better way of managing things in the future. I think that the approaching talks will be the toughest yet. We wish the minister well.

16:22

Eleanor Scott (Highlands and Islands) (Green): Members always have interesting but limited debates on fisheries at this time of the year. These debates are clearly not about Scotland's fisheries, fishing industry or fishing communities. Rather, they are about December meetings of the EU fisheries council. As a result, what members can discuss is limited. The extent to which we can explore how we would like things to be done and how we would like the industry to develop is limited. Indeed, the debates have become bidding wars, as each member puts the case for having no TAC or quota reductions. What happens is understandable under the current system, but it is not helpful. It would be nice to have a fisheries debate in May or June when we are not looking forward to a December fisheries council meeting and we can take a step back and look holistically at our fishing industry. There could then be a very interesting debate.

As Mark Ruskell said, the Greens believe that there should be a common fisheries policy but do not think that the current common fisheries policy is the best policy. Rather, we think that it needs to be extensively reformed. That said, a common fisheries policy should exist because resources such as the marine environment and fisheries must be managed jointly by everyone who is affected by them.

The Faroes were mentioned in an intervention. People who wish to withdraw from the CFP tend to

think that all is sweetness and light in countries that are not constrained by CFP restrictions. However, Faroese fishing—in fact, the entire Faroese economy, which depends heavily on fishing—was in crisis in the 1990s as a direct result of overfishing and overinvestment in fishing capacity. A similar thing happened to parties to the CFP. In the 1990s, the Faroese tried individual transferable quotas, but they did not have much success; they now have a days-at-sea restriction. Wherever people are, they must manage their fishing fleet so that it is kept sustainable.

Mr McGrigor: At what level will the fishing fleet be sustainable?

Eleanor Scott: It will be sustainable when the fishing effort matches the number of fish that can safely be caught without stocks being depleted—it is as simple as that. A balance must be achieved. We have gone a long way towards achieving that balance, and the industry has gone through a lot of pain to achieve it. We do not want to throw away the gains that have been made.

Mr McGrigor: Will the member take another intervention?

Eleanor Scott: In a minute, perhaps. I want to make progress, otherwise I will run out of time.

Ross Finnie mentioned maximising the value of each fish. That is crucial. Fishermen report that, since the clampdown on illegal landings, the price that they are getting has increased. Another way of maximising the value of the fish could be eco-labelling. That would depend on having a well-recognised sustainable fishery that everybody could accept as such and that could be certified and accredited by the Marine Stewardship Council. That is done for some species in Alaska and New Zealand and for Loch Torridon nephrops, which I understand fetch a good price in Spain, although we do not often see them here.

The language in such debates tends to get a little apocalyptic at times. Fishing is always painted as a sector in crisis and we are told that if there are any more cuts, the industry will disappear. It is true that the industry has downsized quite a lot, but the Executive's figures show that, although employment in the catching sector of the fishing industry fell by 6 per cent in 2004-05—and 6 per cent in a year is a fair bit—the value of landings in the same year increased by 14 per cent. I hope that there is a viable living to be had from fishing, at least for those who remain. Apocalyptic language is sometimes unhelpful.

Cod stocks are outside safe biological limits. We recognise the concern that concentrating on cod has a knock-on effect on other fisheries. Some people seem to think that we are concentrating too much on cod, but I would hate us to conspire in the extinction of a species. I talked to some

fishermen at the conference on European maritime policy a week past Monday. They report that they are catching some young cod and seeing some fair-sized cod in some places. The species is regenerating and, even with climate change, which possibly means that the fish are migrating north, there are still young cod in Scottish waters. The fishermen have endured much of the pain of the cod recovery plan, and the minister must not let that be in vain and throw the gains away.

Bycatch has been mentioned. I was glad that Maureen Macmillan mentioned technical measures, because nobody else had done so. I hope that, in his closing speech, the minister will say something about what technical measures are being considered at European level.

The other issue is discards. The public find discards unacceptable. We want the fishing industry to be held in high regard by the public, which I think it is. It is an iconic industry and people have a huge amount of respect for fishermen, but discards are unacceptable. I note that, when the minister gave evidence to the Environment and Rural Development Committee, the civil servant who was accompanying him said:

“One of the important issues with discards is to know the facts. One of our priorities this year will be to ensure that all member states provide discards data, so that we have a handle on that.”—[*Official Report, Environment and Rural Development Committee*, 6 December 2006; c 3778.]

That would be interesting, because we need to know what the situation is. We need to be sure that the science is right, and part of knowing that the science is right is not throwing the evidence unrecorded over the side of a boat. Perhaps the minister could say something about the need to be sure that we are getting reliable data on discards.

Mark Ruskell mentioned that we must try to take an ecosystem approach. We would never try to save any terrestrial species just by not hunting any more of it; we would try to preserve its environment as well. We must do the same for fish; we must consider closed areas—that is, no-take zones, which have been used in New Zealand. When New Zealand introduced its first no-take zone, it was opposed by everybody, but there are now 27 and the fishermen are asking for them. Perhaps the minister can say why the European Commission seems unwilling to consider such measures.

I wish the minister well. May wisdom prevail in Brussels.

16:28

Iain Smith (North East Fife) (LD): The December fisheries talks are always of great concern to fishing communities throughout Scotland, none more so than the communities in

the east neuk of Fife, who will be mourning the crew of the *Meridian* in a memorial service in Anstruther this weekend. Our thoughts are with the families of the crew and we hope that, when the search for the boat resumes in the spring, it will quickly be found and some comfort will be brought to those families.

The debate has been interesting, if perhaps predictable. Year after year, we get the same tired, old arguments from the unholy alliance of nationalists and Conservatives, who rehearse the unrealistic belief that we can somehow withdraw from the common fisheries policy but remain in Europe. Not even David Cameron believes that and, to be frank, he will believe anything.

Although I support the long-term reform of the common fisheries policy to give more control and responsibility to local fishermen to develop locally sustainable fisheries—responsibility is a key part of that—the blunt truth is that withdrawal from the common fisheries policy will not add a single fish to the sea. The problem with the Scottish National Party and the Tories is that they say they want proper management of Scotland's waters—that is what Richard Lochhead said—but they never say what proper management of Scotland's waters would mean.

Mr Brocklebank: Jamie McGrigor gave us an idea of how it could work.

Iain Smith: Jamie McGrigor indicated that it would be a free-for-all. As Alasdair Morrison has rightly tried to highlight throughout the debate, if we had followed the rhetoric of the SNP and the Tories over the past eight years, there would be no fishing industry to defend because there would be no fish left. That is the blunt reality. Year after year, the SNP and the Tories criticise those of us who try to provide a realistic solution at the fisheries council and they demand that in effect we allow fishermen to catch what they want. If we had done that, sadly, there would be nothing left to catch.

I ask Mr Brocklebank or whoever is summing up for the Conservatives to tell us how we would influence the reduction of other fleets if we are not even at the table. For example, how would we prevent the sand-eel fisheries from being reopened if we were not at the table? How does Richard Lochhead think that our negotiating position would be strengthened if, year after year, we had to open separate talks with Norway, the EU and, for that matter, England?

Mr McGrigor: From all reports, ample numbers of haddock are being caught at the moment. Iain Smith says that there is nothing left to catch. The Executive's policy would mean that there is nothing left to catch them with.

Iain Smith: What I said is that if we had left policy on fisheries to the Tories and the SNP, there would be nothing left to catch. There are haddock to catch because serious and sensible effort-control methods have been implemented to conserve our haddock stocks and allow them to regenerate. However, the SNP and the Conservatives just want to throw cod on to the sacrificial pile. Furthermore, as they have not yet come up with one, they would continue their policy of not having a proper management system in the North sea.

Richard Lochhead: Is the member not being slightly hypocritical, given that the minister, who is a Liberal Democrat, has slated some recent policy statements from the European Commission? Surely there is at least some common ground there.

Iain Smith: With the deepest respect, the issue of our minister going into the negotiations to get the best deal for Scotland's fishermen is somewhat different from what has been proposed time and again by the Conservatives and the SNP.

Mr Brocklebank: Iain Smith made the point that if we were not part of the European Union, there would be no fish left to catch. Does he think that there are no fish left to catch in Norwegian waters? Are there no fish left to catch in Faroese waters? What about Icelandic waters? His proposition is nonsense. It is the Executive's management system that has been catastrophic for our fish stocks.

Iain Smith: That is not what I have been saying. I said that if we had followed the Tories' policies, we would have no management system in the North sea and there would be no fish left to catch. The number of cod in the North sea is the same for Norwegian and Scottish fishermen, which is why the EU has to negotiate with the Norwegians every year on the quota for cod and haddock. It is nonsense to say that there are more fish in Norwegian waters, because Norway has a different structure, than there are in the North sea because we are in the EU. There are not—there is the same amount of cod.

I turn to more local issues. The minister knows the importance of the nephrops quota to the fishermen in the east neuk of Fife. This has perhaps been one of the first years in which Fife fishermen have had the chance to make a living from the prawn quota and to maintain a sustainable fishery. We welcome that. However, we cannot afford to go backwards; indeed, there is no need to cut the quotas of nephrops in the Firth of Forth. The ICES survey says:

"The TV survey estimate of abundance for *Nephrops* in the Firth of Forth suggests that the population declined between 1993 and 1998, but has increased since then and has been at a relatively high level in the last four years."

The nephrops fishery in the Firth of Forth is sustainable—we must maintain that.

There are a couple of specific issues in the Firth of Forth. Fife fishermen have demonstrated that they can create a clean sprat fishery in the Firth of Forth with no or few juvenile herring in the catch. However, there is an issue about the future of the herring in the Firth of Forth. We need a long-term study of the biodiversity of the Firth of Forth to find out how it is changing and how it can be sustained. In the meantime, I see no reason why, with proper inspections of the catch to ensure that there is no bycatch of juvenile herring, we cannot allow a sprat fishery in the Firth of Forth at a sustainable level.

I would like the minister to comment at some point on the attempt by the south-east inshore fisheries group to appoint a co-ordinator. There is funding available from the Scottish Executive, but no organisation appears to be willing to take on that co-ordinator. I hope that the minister can influence someone to provide the employment of a co-ordinator.

Ross Finnie will not sacrifice the cod in the North sea, as Richard Lochhead would. Nor will he allow the North sea to become a free-for-all, as Ted Brocklebank and the Tories would. However, he will do his best for our fishermen to ensure sustainable fish stocks for the long-term future of the fishing industry.

16:35

Alex Johnstone (North East Scotland) (Con):

It is interesting that some of us have now sat through eight debates on the December fisheries council. Although there might be a measurable difference between the first and the eighth debate, the difference from one year to the next is often difficult to assess.

The minister started by outlining what he hopes to achieve in the negotiations. Like everyone else today, I hope that he achieves what he set out in his initial remarks. The problem is that, too often in the past, he has returned from Europe battered and bruised as a result of the treatment that he has received at the hands of his European colleagues.

Today's debate reached the point that we usually get to, with the members who sit behind the minister blatantly misrepresenting or abusing Conservative policies, some of which are shared by our SNP colleagues on the opposite side of the chamber.

Stewart Stevenson: Careful.

Alex Johnstone: Before I instil too much fear on SNP members opposite, let me develop that point slightly.

One misrepresentation that has always concerned me is the suggestion that our proposal of withdrawing from the common fisheries policy would result in a free-for-all. In reality, part of the reason why we have suggested such a policy in the past—

Mr Wallace: Will the member take an intervention on that point?

Alex Johnstone: I am about to explain the point.

Part of our reason for suggesting a withdrawal from the common fisheries policy is that the European negotiating mechanism is too cumbersome. On many occasions, it has prevented us from taking the steps that the industry has agreed are essential. In some cases, those steps might have involved taking measures even more draconian than those that were taken, but they would have been enacted in a more timely and less severe fashion and they would have achieved the results that we wanted.

As Eleanor Scott pointed out, fisheries ought to be controlled by those who are affected by them. The problem with the current common fisheries policy is that it allows those who are not affected to become actively involved in the control of fishery regions. That is why we were so enthusiastic in our support for the 2001 EU green paper that proposed regional management of European fisheries. What a wonderful idea. Unfortunately, the regional advisory committees that eventually materialised from that proposal are toothless and have little or nothing to contribute to the sustainable management of Europe's fisheries.

I have another couple of points to make about what the minister is trying to achieve in the negotiations. At a meeting that one or two of us attended earlier today, fish processors pointed out that the current circumstances are not easy for processors to tolerate. In the current year, haddock with an estimated value to the industry of £30 million and prawns with an estimated value to the industry of £35 million will remain uncaught. Talk about increasing the quotas could be quite irrelevant if we cannot achieve the current quotas.

Processors want to see some relief on the restrictions on days at sea. They understand that reduced effort is necessary to reduce catches, but the problem is that simply not enough days are available to our fishermen to catch the quotas that they have been allocated. It is essential for the processors that some flexibility is built into the system. At the moment, processors do not get the fish that they need, they do not get them sufficiently regularly and they cannot build up reserves in their freezers to cover the quiet periods. Quite often, boats may not go to sea for long periods when the weather is bad because the

fishermen want to save up their days for when the weather improves. That position is as economically unsustainable as some of the positions that we have discussed today are ecologically unsustainable.

It is interesting that the same speakers who criticise the Conservatives and the SNP for the position that we have taken often go on to support our position in the remarks that they make and the examples that they give. It was interesting to hear Richard Baker say that he believed that Scotland's fishermen have already done more than their fair share. That point was backed by Jim Wallace and it is one that we can all understand and subscribe to. Sadly, although we hear people talking about methods of reducing both discards and the bycatch of smaller fish, those methods are not being evenly employed across Europe's fishing industry. It is time for the minister to talk to the Europeans about how they should reduce their effort, bycatch and discards and follow the example of Scotland's fishing industry and fishermen in being more sustainable.

Every year when I have spoken in the debate, I have concluded by wishing the minister luck. The position that the minister set out in his opening speech—if he can achieve it—will be worth while for our industry. I suggest that, instead of succumbing to the beating of his European colleagues, this year he puts on his boater boots, goes over there and plants a few well-placed kicks in some European sterns.

16:41

Stewart Stevenson (Banff and Buchan) (SNP): Let me start by trying to identify some of the things that all those who have participated today, and colleagues who have not, can agree on.

The first clear point is that—to use the words that Richard Baker used—we all want a successful, sustainable industry. We may differ about the route to that and about some of the difficulties that we face in delivering that, but let us at least nail the fact that we all share that objective and let us not have name calling and the setting up of straw men simply to attack the bona fides of other members in relation to that objective.

Secondly, we could possibly agree that Ross Finnie is the best man for the job in the coming negotiations in Brussels. I have to accept that part of my reason for that is that we do not have any choice, so he is the best man of the one available. However, he is a bit better than that, because he has experience. He is a pretty knowledgeable fisheries minister, he is relatively articulate and he deserves success on his valedictory visit to the December fisheries council. We will all give a loud

hurrah if he delivers on the agenda that we share. We wish Ross Finnie well in every possible respect.

The third point on which we might reasonably be said to agree is that, from every political persuasion in the Parliament today, we have heard specific criticisms of the practice of the CFP. We may be divided on whether the CFP can be amended to be fit for purpose or whether it should be scrapped and replaced, but we have all agreed that there is a serious problem in how the CFP works.

I want to say a few words about science, because we misrepresent both scientists and the scientific process by some of the simplifications that we use. We must all acknowledge, as scientists would, that there is a limit to our knowledge of what goes on in the complex ecostructure that is our oceans. There are variations in the scientific interpretation that is derived from the shared data that we have, and there is a difference in the responses that we draw from the interpretations in different jurisdictions. In a sense, the ICES document represents an average view, which conceals a wide range of scientific conclusions based on shared data. We cannot materially improve knowledge quickly, but we can look at other jurisdictions to see the different policies that are implemented based on the same data.

The Faroes have been mentioned. The Faroes had serious difficulties but, because they could make their decisions as quickly as they wanted to, and as close to their own fishermen as they were able to, they were able to develop, incrementally, a resolution to the difficulties that they faced. There is huge value in local control. We might disagree about the variety of local control that we want to deliver, and the pace at which we want to deliver it, but we are all saying that there is huge value in local control.

We have to remember that even those of us in the Parliament with scientific experience are now somewhat distant from the practical application of it. We should therefore be very cautious in drawing scientific conclusions for ourselves. However, it is our job to be critical and then to promote policies that respond to the scientific knowledge that is available.

The process by which decisions are taken in Europe is farcical in the extreme. The proposed regulation that I have in my hand is dated 5 December. It has 212 pages, it describes 90 fish stocks and it addresses the needs of 20 fisheries. It came out at the beginning of December and for three days politicians, in a time-boxed way, have to make political decisions on it. The time that is available to consider the proposals is so limited that, in essence, science goes out the window and

we have realpolitik and politics, and very little more. The process is inflexible and no longer fit for purpose. The minister himself has criticised much that has happened, but he has given us some good news.

Ted Brocklebank referred to landings at Aberdeen and I will expand slightly on what he said. We were told by processors that on one day in Aberdeen half a box of fish was landed, and that on the following day three boxes were landed. That is a measure of the difficulties that occur from time to time.

Mark Ruskell is one of the brightest of our young MSPs but, from some of the things that he said, I think that his analysis runs somewhat ahead of his knowledge.

Alasdair Morrison, of the labourist party, is just a relic of Eilean an Iar. I think that I can dismiss him with no further reference whatsoever.

Richard Lochhead: He is not here.

Stewart Stevenson: No, he is not here—because he does not like to hear what people have to say.

I say to Iain Smith that we simply do not have a proper management system in the common fisheries policy. It is proper that we continue to debate whether the CFP can be changed to provide a proper management system, or whether it cannot. We are the pessimists; Mr Smith is among the optimists.

Iain Smith *rose*—

Stewart Stevenson: I am sorry, but I am in my last minute.

In Scotland, we have 25 per cent of the European Union's seas, 68 per cent of the UK's landings and 74 per cent of the UK's tonnage. That is why these issues matter to us on this side of the chamber, and why they matter to Scotland.

If the present state of cod stocks and other vulnerable stocks in the North sea is a measure of the success of the CFP, I certainly would not like to deal with failure. It is time to change the medicine.

16:48

Ross Finnie: This debate has in some ways been predictable. As Alex Johnstone observed, not much seems to have changed over the years. However, it was disappointing that both the leading Conservative spokesman and the leading SNP spokesman chose to base much of their speeches on a piece that appeared in *The Herald* in recent weeks. The piece was particularly gloomy about the state of the Scottish fishing industry, and the two spokesmen were anxious to

put that across to the chamber. However, they did not read to us the letter that appeared in *The Herald* the next day. It was written by the chief executive of the Scottish Fishermen's Federation. On the gloom and doom of the previous day's analysis, he said this:

"We believe your analysis is out of date, defeatist and unsupported by the facts."

He continued by saying that the fishing industry is

"still here and, despite your prophesies of doom, will be for years."

I commend that letter to the chamber.

Mr Brocklebank *rose*—

Ross Finnie: I will come back to Mr Brocklebank in a moment. [*Interruption.*] If Mr Brocklebank is disputing the facts of his gloom and doom—[*Interruption.*]

The Deputy Presiding Officer: Order.

Ross Finnie: I understand that Mr Brocklebank's comments were ill-informed, but that does not help his argument.

I shall deal briefly with some of the points that were made. Alasdair Morrison challenged me about where we would be, which is an extremely interesting question. Although the reduction in the white-fish fleet was prompted, and continues to be pressured, by the state of the cod stock, it is interesting to observe that the scientists who look at far healthier stocks now conclude that the level of effort being applied by the Scottish fleet—effort that has reduced by 65 per cent—is allowing those stocks to be fished sustainably. The conclusion that we must therefore come to is that, unless we had made those efforts, the stocks would have been fished unsustainably, which would have been greatly to the detriment of the Scottish fishing fleet in the medium and longer term.

Maureen Watt raised climate change issues, on which ICES and others have been challenged. They have responded to the effect that, although they acknowledge the changes in movements and the differences in plankton, there is no evidence—despite scientific investigation—of any cod being discovered in northern waters, which suggests that there has been drift. Euan Robson made a point about the ice plant, whose future will depend critically on our having a sustainable fishery throughout Scotland. On the point that Euan Robson and Iain Smith made about the sprat fishery, I am prepared to look at the scientific advice that was mentioned, but the difficulty is that that scientific advice is not shared in relation to the impact that herring could have on that fishery.

I was grateful that Richard Baker made a constructive contribution. It was just as well that he did so, because Jamie McGrigor's was quite the

most outrageous speech that we heard. It is just not true to state that it is all about fishermen and the fishing industry, while ignoring the fish in the sea. Jamie McGrigor cannot do that; he has to accept that the major problem for our white-fish industry is the state of the cod stock. To ignore that is to be irresponsible.

Rob Gibson talked about whether the science on monkfish was poor. The truth of the matter is that it is poor, as we can see if we look over the long range of the science that is available. However, it has been greatly augmented by the recent work that was partly funded and hugely supported by the Scottish fishing industry. Based on that information, which was given to Europe and, more importantly, to the scientists, we can tell people that, although the long-run information is poor, we have now supplied evidence from over the past few years that greatly supports a quota increase, which is what we are advocating in this round.

I was grateful for the contribution from Jim Wallace, who drew on his long experience of debates on the talks since December 1983. I may be the longest-serving fishing minister, but from 1983 to 2006—well, that does not even bear thinking about from my point of view. He was right to say that many of the issues are pre-empted not just by EU-Norway negotiations but by intercoastal arrangements. Although ministers intervened to make the matter of the cod reduction clear to the negotiating team, Jim Wallace was also right to say that there must be improvements, and not just in the intercoastal arrangements or in the EU-Norway negotiations, as I have made clear to the chamber. I accept that there is a real need for us to improve on the Rockall haddock quota. Maureen Macmillan, in another constructive contribution, remarked on the critical role that the Sea Fish Industry Authority has played, and I welcome her comments.

I turn to the major contributions made in the opening and closing speeches by the SNP, the Conservatives and the Greens. Mark Ruskell was absolutely right to mention bycatch. I think that there is a difficulty, and I have not come forward with a bycatch quota quite simply because it is very difficult indeed to reconcile the bycatch issue with that of relative stability. On closed areas, he will be aware that the windsock area has been closed for some time. Regrettably, the scientific advice as to whether that forms the basis of a sensible closure is very mixed indeed. Agreement has been reached on the Rockall bank and the cold-water corals. We in Scotland supported the EU's moves, and I understand that the closure will take place very early in the new year. That is all helpful.

I say to Eleanor Scott that she is right—I am grateful to her for so eloquently defining, for Jamie

McGrigor's benefit, the balance between sustainable fisheries and what we are trying to achieve. We continue to develop technical measures and will continue to press for more progress on discards.

Much of the Conservative contribution to the debate was based entirely on the withdrawal of this country from the CFP. What a pity it is that both Ted Brocklebank and Alex Johnstone took so much time to read the previous Conservative manifesto. No doubt, that is what it said, but the Conservatives are now led by the author of that manifesto, which means, of course, that nothing that was in it now holds good.

I draw Alex Johnstone and Ted Brocklebank's attention to an exchange of correspondence between Struan Stevenson, who proclaims himself an advocate of fisheries reform and total withdrawal from the CFP, and David Cameron. When Struan Stevenson heard that the position might have altered, he wrote to David Cameron for clarification. David Cameron's response referred to William Hague's speech, which criticised the CFP

"and confirmed that we will be looking to negotiate new arrangements that will increase local and national control of fisheries".

However, it made no mention at all of withdrawal from the CFP.

Mr Brocklebank: I say to the minister now, because he would not allow me in earlier, that I did not read and know nothing of the article in *The Herald* to which he referred, nor do I know anything about the response from Bertie Armstrong. What I do know is that Bertie Armstrong gave me a pile of points that I raised with the minister.

On the correspondence between Struan Stevenson and David Cameron, I draw the minister's attention to the fact that Bill Wiggin, the Conservative fisheries spokesman, said that he totally associated himself with our aspirations to retrieve local and national control of fisheries. The Conservative policy group is still deciding what its policy will be, and we will make our contribution to those negotiations.

Ross Finnie: We can safely record that that was the longest intervention. It proved beyond a shadow of doubt not only that Ted Brocklebank does not know what he is talking about, but that he does not even know what the Conservative party's policy is about.

I finally turn to the Scottish National Party, but only for a moment. I say to Richard Lochhead that to go on and on about Scotland being particularly picked on is to ignore the fact that our fishery and its position as a mixed fishery makes it almost unique in the North sea. He asked what we do

about figures for other fisheries and talked about the Faroese fishery. The Faroese may be managing their fisheries very well, as Ted Brocklebank said, but their own advisers are recommending that they reduce their quota in the cod fishery by 30 per cent this year.

Mr Brocklebank: Will the minister give way?

Ross Finnie: No. Mr Brocklebank's last intervention was far too long to allow me to take another.

The Norwegians are having the same difficulties. They are being faced with zero catches on cod and with no coastal catches, and in the Arctic they are being called on to make a 25 per cent reduction. This is not about the scientists picking on Scotland; the scientific advice is broad.

Richard Lochhead also referred to the European Commission's proposal for a 25 per cent cut as its opening figure, but we should remember that ICES is talking about zero. Let us be clear that we are trying to negotiate a position that takes more account of the economic factors.

Richard Lochhead *rose—*

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

Mr Finnie, you have 30 seconds. You can either give it to Mr Lochhead or finish.

Ross Finnie: Well—[*Laughter.*]

Richard Lochhead: I thank the minister very much for his final 30 seconds. We wish him the best of luck in a week's time at what will be, for one reason or another, no doubt the final time that he makes representations for Scotland at the fishing talks.

The minister will recall that he called the deal that was dished out to Scotland, which led to half of our white-fish fleet being scrapped, "pernicious". Does that not vindicate the SNP's concerns about having 25 per cent of Europe's fishing waters, but absolutely no say over their future?

The Presiding Officer: I will give you a minute to deal with that, Mr Finnie.

Ross Finnie: I remind Richard Lochhead that this is a closing ministerial speech, not a resignation speech. He might want to contemplate that.

Let us be clear that the way in which the European Commission operates means that Scotland has a say. It is quite clear that out of the many and several occasions on which I have been at negotiations in Europe, there has been none on which it has not been me who has put forward Scotland's case and who has led on the Scottish interests or on which I have not been at bilaterals

and quadrilaterals with the commissioner and other member states. As the minister responsible, I conduct the negotiations on behalf of Scotland. Mr Lochhead has a highly ill-informed view of how those negotiations take place and of Scotland's ability to have its points made to the Commission.

On the decimation of the fleet, I repeat that the experts who have examined the way in which we operate our white-fish fishery now all proclaim that our fleet is operating sustainably. That is what Mr Lochhead, the Government and the Conservative party should aspire to: sustainability is the objective. The reductions in the fleet better balance the fishing opportunities and the catching effort, as Eleanor Scott explained more eloquently than I am able to in response to Jamie McGrigor's earlier point.

I am clear that although there are significant difficulties, which will remain for as long as the cod stocks are under threat, the proposition that we have advanced in relation to the white-fish fleet and the pelagic fleet—on which successes have already been achieved—our stance on nephrops and, indeed, our wish to balance the fishing opportunities and the science represent the correct approach and the one that I will pursue in Brussels next week.

Point of Order

17:02

Mr John Swinney (North Tayside) (SNP): On a point of order, Presiding Officer. During the ministerial statement on the local government finance settlement, the Minister for Finance and Public Service Reform, Mr McCabe, made two accusations about the performance of Scottish National Party-controlled local authorities, which were material to—

Mr Duncan McNeil (Greenock and Inverclyde) (Lab): What is the point of order?

The Presiding Officer (Mr George Reid): Mr Swinney has just started.

Mr Swinney: Exactly. If Mr McNeil is patient, he will find out that the point of order is about ministers misleading the Parliament.

Mr McCabe said that when the SNP manages to run a council, it delivers

“the highest tax levels of any area in Scotland.”

Today the SNP controls two local authorities—Angus Council and Falkirk Council. Falkirk Council has the second-lowest council tax in Scotland and Angus Council has the fourth-lowest council tax in Scotland. At the top of the list are the Labour-controlled authorities: Glasgow City Council; Dundee City Council; Midlothian Council; Stirling Council; and Aberdeen City Council. *[Interruption.]*

The Presiding Officer: Briefly, Mr Swinney. Get to the point.

Mr Swinney: Mr McCabe went on to say that the two councils that had the highest council tax increases in Scotland—5.1 per cent and 5.3 per cent—were run by the SNP. However, Angus Council had a council tax increase of 3.4 per cent and Falkirk Council had an increase of 4.6 per cent.

Mr McNeil: Where is the point of order?

The Presiding Officer: The point of order is the charge of misleading the Parliament.

Mr Swinney: Exactly. Clackmannanshire Council, which is Labour controlled, had a council tax increase of 4.9 per cent, as did East Ayrshire Council and East Renfrewshire Council. North Ayrshire Council had an increase of 4.65 per cent.

In the face of that evidence, is it not clear that the Minister for Finance and Public Service Reform has misled the Parliament and should put the record straight and apologise to members? Unless he does so, we will not be able to take seriously a word that he says to the Parliament.

The Presiding Officer: I thank Mr Swinney for

giving me advance notice of his point of order, which is now on the record in the *Official Report*. Although I take very seriously any accusation that the Parliament has been misled, any accusations that a minister has misled the Parliament are a matter for the ministerial code and not for me, so if Mr Swinney wishes to pursue the matter further, he must do so directly with the First Minister.

The Minister for Finance and Public Service Reform (Mr Tom McCabe): I would appreciate the opportunity to clarify the matter, if that is acceptable to you, Presiding Officer.

The Presiding Officer: Indeed. The ministerial code sets out that clarification should be given at the earliest possible opportunity.

Mr McCabe: The member speaks about attempts to mislead the chamber only to go on to conflate council tax increases and council tax levels, which are, of course, two entirely different things. What I said earlier was that, last year—in 2005-06—the two councils that Mr Swinney mentioned raised council tax levels of 5.1 and 5.3 per cent and that they were very high indeed. That is what I said.

However, I am happy to confirm that what Mr Swinney has just said, with regard to 2006-07, is also correct. The three councils that are run by the SNP all raised council tax above the Scottish average—the figures are 3.4 per cent, 4.4 per cent and 4.6 per cent. Those are the increases that I referred to—for 2006-07. The previous figures were for 2005-06. I did not refer to council tax levels.

The Presiding Officer: Right. That, too, is now on the record. I suggest that we proceed with today's business.

Business Motions

17:06

The Presiding Officer (Mr George Reid): The next item of business is consideration of business motion S2M-5312, in the name of Margaret Curran, on behalf of the Parliamentary Bureau, setting out revisions to the business programme.

Motion moved,

That the Parliament agrees that—

(a) for the purposes of allowing the meeting of the Parliament on 14 December 2006 to continue beyond 5.30 pm, that the word “Wednesday” in Rules 2.2.4 and 2.2.5(c) be suspended and that the word “Thursday” be substituted for it in each place, and that Rule 2.2.5(a) be suspended; that under Rule 2.2.4 thus varied, the meeting of the Parliament on Thursday 14 December 2006 may continue to 7.00 pm, and that Decision Time on Thursday 14 December 2006 shall begin at 6.00 pm; and

(b) that Rule 5.6.1(c) of Standing Orders be suspended for the purposes of Members’ Business on Thursday 21 December 2006.—[*Ms Margaret Curran.*]

Motion agreed to.

The Presiding Officer: The next item of business is consideration of business motion S2M-5313, in the name of Margaret Curran, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees the following programme of business—

Wednesday 20 December 2006

10.00 am	Time for Reflection
<i>followed by</i>	Parliamentary Bureau Motions
<i>followed by</i>	Equal Opportunities Committee Debate: 2nd Report 2006, Removing Barriers and Creating Opportunities
2.00 pm	Parliamentary Bureau Motions
<i>followed by</i>	Finance Committee Debate: 7th Report 2006, Inquiry into Accountability and Governance
<i>followed by</i>	Stage 1 Debate: Aquaculture and Fisheries (Scotland) Bill
<i>followed by</i>	Financial Resolution: Aquaculture and Fisheries (Scotland) Bill
<i>followed by</i>	Justice 2 Committee Motion – Civil Appeals (Scotland) Bill
<i>followed by</i>	Business Motion
<i>followed by</i>	Parliamentary Bureau Motions
5.30 pm	Decision Time
<i>followed by</i>	Members’ Business

Thursday 21 December 2006

9.15 am	Parliamentary Bureau Motions
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followed by

11.40 am

12 noon

followed by

2.15 pm

2.55 pm

followed by

followed by

5.00 pm

Wednesday 10 January 2007

10.00 am

followed by

followed by

2.30 pm

followed by

followed by

followed by

5.00 pm

followed by

Thursday 11 January 2007

9.15 am

followed by

11.40 am

12 noon

2.15 pm

2.55 pm

followed by

5.00 pm

followed by
[*Ms Margaret Curran.*]

Motion agreed to.

Scottish National Party Business

General Question Time

First Minister’s Question Time

Members’ Business

Themed Question Time
Education and Young People,
Tourism, Culture and Sport;
Finance and Public Services and
Communities

Procedures Committee Debate: 6th
Report 2006, Public Bills and
Substitution; 7th Report 2006,
Members’ Interests (Parliamentary
Determinations and Resolutions); 8th
Report 2006, Consolidation Bill
Procedure; 9th Report 2006, Rule
10.3.2 (the “20-day rule”)

Finance Committee Debate: Stage 2
of the 2007-08 Budget Process

Parliamentary Bureau Motions

Decision Time

Time for Reflection

Parliamentary Bureau Motions

Executive Business

Parliamentary Bureau Motions

Executive Business

Business Motion

Parliamentary Bureau Motions

Decision Time

Members’ Business

Parliamentary Bureau Motions

Executive Business

General Question Time

First Minister’s Question Time

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

Executive Business

Parliamentary Bureau Motions

Decision Time

Members’ Business.—[*Ms Margaret Curran.*]

Parliamentary Bureau Motions

17:07

The Presiding Officer (Mr George Reid): The next item of business is consideration of three Parliamentary Bureau motions. I ask Margaret Curran to move motions S2M-5308 to S2M-5310, on the approval of Scottish statutory instruments.

Motions moved,

That the Parliament agrees that the draft Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Office or Body as Specified Authority) (Scottish Legal Complaints Commission) Order 2006 be approved.

That the Parliament agrees that the draft Criminal Legal Aid (Scotland) (Prescribed Proceedings) Amendment Regulations 2006 be approved.

That the Parliament agrees that the draft Bus User Complaints Tribunal Regulations Revocation Regulations 2006 be approved.—[*Ms Margaret Curran.*]

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

Decision Time

17:07

The Presiding Officer (Mr George Reid): There are five questions to be put as a result of today's business. The first question is, that amendment S2M-5303.2, in the name of Richard Lochhead, which seeks to amend motion S2M-5303, in the name of Ross Finnie, on fisheries, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
Byrne, Ms Rosemary (South of Scotland) (Sol)
Crawford, Bruce (Mid Scotland and Fife) (SNP)
Fabiani, Linda (Central Scotland) (SNP)
Gibson, Rob (Highlands and Islands) (SNP)
Grahame, Christine (South of Scotland) (SNP)
Hyslop, Fiona (Lothians) (SNP)
Ingram, Mr Adam (South of Scotland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacAskill, Mr Kenny (Lothians) (SNP)
Martin, Campbell (West of Scotland) (Ind)
Marwick, Tricia (Mid Scotland and Fife) (SNP)
Mather, Jim (Highlands and Islands) (SNP)
Matheson, Michael (Central Scotland) (SNP)
Maxwell, Mr Stewart (West of Scotland) (SNP)
McFee, Mr Bruce (West of Scotland) (SNP)
Morgan, Alasdair (South of Scotland) (SNP)
Neil, Alex (Central Scotland) (SNP)
Robison, Shona (Dundee East) (SNP)
Sheridan, Tommy (Glasgow) (Sol)
Stevenson, Stewart (Banff and Buchan) (SNP)
Sturgeon, Nicola (Glasgow) (SNP)
Swinney, Mr John (North Tayside) (SNP)
Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
Watt, Ms Maureen (North East Scotland) (SNP)
Welsh, Mr Andrew (Angus) (SNP)
White, Ms Sandra (Glasgow) (SNP)

AGAINST

Aitken, Bill (Glasgow) (Con)
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)
Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
Brown, Robert (Glasgow) (LD)
Brownlee, Derek (South of Scotland) (Con)
Butler, Bill (Glasgow Anniesland) (Lab)
Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
Curran, Ms Margaret (Glasgow Baillieston) (Lab)
Davidson, Mr David (North East Scotland) (Con)
Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
Douglas-Hamilton, Lord James (Lothians) (Con)
Eadie, Helen (Dunfermline East) (Lab)
Ferguson, Patricia (Glasgow Maryhill) (Lab)
Fergusson, Alex (Galloway and Upper Nithsdale) (Con)

Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Home Robertson, John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Petrie, Dave (Highlands and Islands) (Con)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tosh, Murray (West of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

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

The Presiding Officer: The result of the division is: For 27, Against 86, Abstentions 2.

Amendment disagreed to.

The Presiding Officer: The second question is, that amendment S2M-5303.1, in the name of Ted Brocklebank, which seeks to amend motion S2M-5303, in the name of Ross Finnie, on fisheries, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brownlee, Derek (South of Scotland) (Con)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Fabiani, Linda (Central Scotland) (SNP)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Petrie, Dave (Highlands and Islands) (Con)
 Robison, Shona (Dundee East) (SNP)
 Scott, John (Ayr) (Con)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Murray (West of Scotland) (Con)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Watt, Ms Maureen (North East Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

AGAINST

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)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)

Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Home Robertson, John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Swinburne, John (Central Scotland) (SSCUP)
 Wallace, Mr Jim (Orkney) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

Byrne, Ms Rosemary (South of Scotland) (Sol)
 Curran, Frances (West of Scotland) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Martin, Campbell (West of Scotland) (Ind)
 Sheridan, Tommy (Glasgow) (Sol)

The Presiding Officer: The result of the division is: For 40, Against 71, Abstentions 5.

Amendment disagreed to.

The Presiding Officer: The third question is, that amendment S2M-5303.3, in the name of Mark

Ruskell, which seeks to amend motion S2M-5303, in the name of Ross Finnie, on fisheries, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Byrne, Ms Rosemary (South of Scotland) (Sol)
 Curran, Frances (West of Scotland) (SSP)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Leckie, Carolyn (Central Scotland) (SSP)
 Murray, Dr Elaine (Dumfries) (Lab)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Sheridan, Tommy (Glasgow) (Sol)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Fabiani, Linda (Central Scotland) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Rob (Highlands and Islands) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Mr Charlie (Glasgow Cathcart) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 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)
 Johnstone, Alex (North East Scotland) (Con)
 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)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McFee, Mr Bruce (West of Scotland) (SNP)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 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)
 Neil, Alex (Central Scotland) (SNP)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Petrie, Dave (Highlands and Islands) (Con)
 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)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (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)
 Tosh, Murray (West of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Watt, Ms Maureen (North East Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

Martin, Campbell (West of Scotland) (Ind)

The Presiding Officer: The result of the division is: For 13, Against 102, Abstentions 1.

Amendment disagreed to.

The Presiding Officer: The fourth question is, that motion S2M-5303, in the name of Ross Finnie, on fisheries, be agreed to.

Motion agreed to.

That the Parliament supports the Scottish Executive in its efforts to negotiate the best possible outcome from the EU Fisheries Council in December 2006, an outcome that delivers sustainable fisheries and a fair deal for Scotland's fishermen and fishing communities.

The Presiding Officer: If no member objects, I propose to put a single question on motions S2M-5308 to S2M-5310 inclusive.

There being no objection, the fifth question is, that motions S2M-5308, S2M-5309 and S2M-5310 be agreed to.

Motions agreed to.

That the Parliament agrees that the draft Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Office or Body as Specified Authority) (Scottish Legal Complaints Commission) Order 2006 be approved.

That the Parliament agrees that the draft Criminal Legal Aid (Scotland) (Prescribed Proceedings) Amendment Regulations 2006 be approved.

That the Parliament agrees that the draft Bus User Complaints Tribunal Regulations Revocation Regulations 2006 be approved.

Stone of Destiny

The Deputy Presiding Officer (Trish Godman): The final item of business is a members' business debate on motion S2M-5229, in the name of Murdo Fraser, on the return of the stone of destiny to Scone Palace. The debate will be concluded without any question being put.

Motion debated,

That the Parliament celebrates the 700th anniversary of the inauguration of King Robert the Bruce to the Scottish throne, which took place at Scone Palace in 1306; congratulates Scone Palace for holding a series of events throughout 2006 to commemorate the 700th anniversary; notes that 30 November 2006, St Andrew's Day, is the 10th anniversary of the Stone of Destiny being returned to Scotland, and believes that it is now time for the Stone of Destiny to be brought back to Scone Palace, its rightful home.

17:13

Murdo Fraser (Mid Scotland and Fife) (Con): For clarity, Presiding Officer, I should correct your pronunciation of "Scone".

The Deputy Presiding Officer: Sorry.

Murdo Fraser: Thank you.

I thank all the members of different political parties who signed my motion, which calls for the return of the stone of destiny to Scone Palace.

St Andrew's day two weeks ago was the 10th anniversary of the return of the stone of destiny to Scotland. All students of Scottish history are aware of the stone's significance. It was the seat on which the ancient kings of Scotland were crowned in Scone, which was Scotland's ancient capital. The stone was located in Scone for hundreds of years until 1296, when it was stolen by Edward I of England and taken to Westminster abbey, where it was incorporated into the coronation chair. From then on, kings and queens of England and, after the union of the Crowns, kings and queens of the United Kingdom, were crowned on it.

Legend has it that the stone's history goes back further. It is reputed to be Jacob's pillow, from the Holy Land. According to Genesis chapter 28, Jacob used the stone as a pillow on the night when he dreamed he saw a ladder from earth to heaven on which angels ascended and descended and he heard the voice of God telling him that the land would be his and his offspring's in perpetuity.

It is worth acknowledging that there is some doubt as to whether the stone, which currently sits in Edinburgh Castle, is the real one. The legendary Jacob's pillow was reputedly a black stone covered with ancient carvings, quite unlike the piece of Perthshire sandstone that Edward I

took to Westminster 710 years ago. In fact, the suspicion is that the abbot of Scone at the time pulled a fast one on King Edward and hid the real stone and substituted a block of local rock. Perhaps Edward did not see the funny side, because he returned to Scone a year later and sacked the abbey.

I do not know the truth of the matter, but it seems likely that, if the real stone had been concealed, it would have come to light after Scotland's independence was regained under Robert the Bruce. However, whether the current stone is actually the ancient stone of destiny, it is nevertheless an important historical artefact. The kings and queens of England and then Great Britain have been crowned upon it for the past 700 years, so unless or until the real stone comes to light, it will certainly remain an important symbol.

In 1996, the then Secretary of State for Scotland, Michael Forsyth, arranged for the stone of destiny to be taken back to Scotland on the 700th anniversary of its removal. At that time, it was placed in Edinburgh Castle, where it still sits along with the honours of Scotland. I understand the reasons for the decision to put the stone in Edinburgh at that time, although I do not agree with them. There was a concern that the stone was at risk from theft and it was felt that putting it in the security of Edinburgh Castle would safeguard it.

Bruce Crawford (Mid Scotland and Fife) (SNP): I recall that debate well. Murdo Fraser may remember that, at that stage, Perth and Kinross Council argued that the stone should be returned to Scone. Does the member agree that it is a pity that that did not happen as, if it had, we might not have needed to have the debate today?

Murdo Fraser: I agree with Mr Crawford. As he will recall, the then Conservative member of Parliament for North Tayside, Mr Bill Walker, argued that particular case.

There is no historical, political, constitutional or economic reason why the stone of destiny should be located in Edinburgh. Indeed, I believe that the first time that the stone was ever in Edinburgh in its entire history was when it arrived there 10 years ago. Prior to its removal from Scotland by Edward I, it had been located in Scone for hundreds of years. It is now time for it to be returned to its rightful home. I understand that practical difficulties would have to be overcome: a new setting would have to be created for the stone at Scone Palace and adequate security safeguards would have to be put in place. However, none of the problems is insurmountable. I want to hear from the Minister for Tourism, Culture and Sport that the Executive would consider the issue seriously if a proposal were

made to have the stone relocated, with its security safeguarded.

Although there may be good historical and even romantic reasons for having the stone returned to its rightful home, there are good economic reasons, too. I do not believe that there is any economic benefit to Edinburgh from having the stone in its current location in Edinburgh Castle. Last week, I went to see the stone there, where it sits rather incongruously in a glass case alongside the honours of Scotland. I do not believe that anyone makes a special trip to Edinburgh Castle just to see it, as so many other attractions are available on site. However, there is an opportunity for economic benefit for Scone and Perthshire through the creation of a new visitor attraction based around the stone at Scone. That would also allow the stone to be presented in its appropriate historical context rather than mixed in with the crown, sceptre and sword of state, which date from much more recent times.

Scone Palace is certainly keen to have the stone back. Viscount Stormont told me today that he accepts that there is an understandable objection to the stone being handed over to a private individual. He believes that it should be housed in a specially designed chapel, which would be appropriate, as the stone is a religious relic that is mentioned in the Bible and which was regarded in ancient times as holy. The chapel could be on the site of the stables at Scone Palace or perhaps beside them, with a design to be selected by committee, which would of course include the Mansfield family.

An important point is that, under such a scheme, it is envisaged that there would be free admission for those who wish to view the stone, which would be an improvement on the current situation, whereby those who wish to see it have to pay the admission charge at Edinburgh Castle, which currently is £10.30 for an adult. The Mansfield family is keen for the stone to be returned and would work with others to create a suitable home for it, which I am sure would be a major tourist attraction.

For the economic and historical reasons that I have outlined, I believe that it is time for the stone of destiny to be returned to Scone. I hope that the Scottish Executive will be prepared to set the wheels in motion this evening.

The Deputy Presiding Officer: I apologise for my pronunciation of Scone Palace. My only excuse is that it has been a very long day.

17:20

Mr John Swinney (North Tayside) (SNP): I congratulate Murdo Fraser on securing this debate

on the stone of destiny and its potential relocation to Scone Palace.

I suspect that the importance of returning the stone of destiny to Scone Palace is the only issue on which Bill Walker and I could be agreed and reconciled. In 1996 Mr Walker and I were involved in efforts, to which Mr Crawford referred, to persuade the then Secretary of State for Scotland, Michael Forsyth, to bring the stone of destiny to Scone Palace. We even created a paper-mâché replica of the stone, to be used as a visual prop in some of the photo calls that substantiated our attempts to persuade the secretary of state of the merits of relocating it. I am sorry that Michael Forsyth decided at the time that Edinburgh Castle was a more appropriate location for the stone.

Earlier this year I lodged a motion that encouraged the First Minister to give sympathetic consideration to the relocation of the stone of destiny to Scone Palace on a temporary basis for the events commemorating the 700th anniversary of the coronation of King Robert the Bruce at Scone. I was very sorry that the First Minister, following the example of Michael Forsyth, did not agree to that temporary relocation. I attended the commemorative events at Scone Palace that weekend. Although the stone's absence was regretted, it did not dampen the excellent celebrations that were laid on by the palace and other interested parties, with some support from the Scottish Executive. I am sorry that the Government did not take the opportunity earlier this year to accede to my request that the stone be returned to Scone for those celebrations.

The stone of destiny has an immensely significant part in the story of Scotland, because of its role in the coronation ceremony of the kings of Scotland. It is also an important symbol of Scotland's determination to have more control over her affairs. That was established in a very significant way by Ian Hamilton, Gavin Vernon, Kay Matheson and Alan Stuart, who succeeded in repatriating the stone in 1950 to make a point about its importance to Scotland.

I hope that the Government will take this opportunity to respond to the consistent pressure that was applied to the Scottish Office in the old days and has been applied to the Scottish Executive in more recent times on the importance of returning the stone of destiny to Scone Palace. It is an iconic symbol and is part of the great and distinguished history of our country. It would add to the enormous range of reasons for individuals to decide to visit Perthshire and part of the constituency that I have the privilege to represent in the Parliament. I hope that the minister will have something positive to say to us to right the historical wrongs on the issue, including the historical wrong that, when we had the opportunity

in 1996 to deal with the matter properly and to return the stone to Scone Palace, the then Secretary of State for Scotland, Michael Forsyth, decided not to take it. I look forward to hearing what she has to say.

17:24

Donald Gorrie (Central Scotland) (LD): I am happy to be debating this issue. Murdo Fraser set out the facts and arguments very well.

Michael Forsyth deserves due credit. He might have ended up with the stone in the wrong place, but bringing it to Scotland was an imaginative act. One can speculate as to his motives—politics enters into it—but he still deserves great credit.

I agree with Murdo Fraser. I go around Edinburgh Castle quite often. The stone of Scone does not stand out, but is rather huddled in with the honours of Scotland and so on. I am sure that, professionally speaking, it is well displayed, but the circumstances do not allow it to be at the centre of things in the way that Rembrandt's "Night Watch" painting and the Glasgow crucifixion painting are—the whole gallery is focused on them.

Having the stone somewhere else would be quite sensible. There is always an argument about whether important cultural artefacts—such as the Lewis chessmen and some of the splendid Pictish inscribed stones—should be somewhere in Edinburgh or Glasgow where lots of people will see them. If more people see them, that is a good thing. If fewer people see them, but in the right place, that is a better thing.

I support repatriating the stone of Scone to its correct place. It could be an attraction that would help the local economy, but it would also be in the right place historically.

It is a few years since I visited Scone Palace. When I went, I was disappointed by the lack of attention paid to the mound at Scone where coronations took place: I felt that much more could be made of it. The stone could not be displayed on the mound, but if it were adjacent to it, it could be part of an exhibition to push the coronation place at Scone as a major Scottish centre. We could also go further back. In Argyll, there is a footprint in a hilltop fort that goes back another stage to when the Scots/Irish were defeating the Picts. We could make a good centre of the coronation place at Scone.

The arguments favour having the stone in Scone. If what Murdo Fraser said is correct, a good deal could be made with the Mansfield family, whereby the national treasure would be displayed in a public place that just happened to be surrounded by Mansfield land. If there were

free access to the stone, displayed in a public centre, it could be a boon for Perthshire.

We could consider spreading famous artefacts to their own localities, where people would enjoy them even more, and we could all go round and visit them. I am happy to support the motion.

17:28

Mr Mark Ruskell (Mid Scotland and Fife) (Green): I thank Murdo Fraser for securing this interesting debate, which perhaps offers the opportunity to link issues of symbolism and history to some of the issues and concerns of people in the modern age in Scone.

The VisitScotland website declares that the stone is

"arguably the greatest symbol and touchstone of Scottish nationhood and as such, has been a very potent icon for more than a thousand years."

That is a good description.

It is clear that the economy of whichever community goes on to host and display the stone will benefit greatly from the increased tourism potential that the draw of the stone will offer.

There are of course many legends concerning the stone, some of which Murdo Fraser has told us about. One theory grants it biblical origins, while others have it produced in various parts of Ireland and Scotland. Insofar as any of its early history is clear, it seems that the stone was used at Iona, Dunadd, Dunstaffnage and Scone for enthroning a succession of both Dalriadic and subsequent Scottish monarchs. It sits in our earlier Celtic mythology as an elemental symbol alongside such mythical symbols as the cauldron of the Dagda and the sword of Nuada.

Geological evidence connected with the stone shows that it has origins close to Scone. While it might be correct to name the stone the stone of Scone, it cannot be the original stone of destiny that was used at Iona, Dunadd and Dunstaffnage. Indeed, if it were, any one of those places might have a better claim to it than Scone does. However, I favour the removal of the current incarnation of this icon from Edinburgh to its geological origins in Perthshire. I am sure that many small businesses and accommodation providers in Strathmore would wish me to endorse Murdo Fraser's motion, which I am happy to do.

The issue is where in Scone the stone should be housed and displayed, and in what manner. I agree that, in the absence of Scone abbey, the palace would be a suitable venue for the stone to be displayed to good advantage. However, housing the stone in Scone Palace would be of little value to the local economy if plans that are being promoted by Perth and Kinross Council to

construct a new road bridge over the Tay at Scone are allowed to proceed. That scheme would carve up the iconic, designed landscape of Scone Palace to accommodate the ever-increasing traffic that such a bridge would generate. Further, the machinations of the council with regard to housing in Scone and supermarket development plans, which are not unconnected to the case for a new bridge, are of great concern to local people.

The return of the stone to Scone would be a good thing, but we need to ensure that the setting in which it is placed remains iconic and worthy of its status in Scottish culture. If the grounds of Scone Palace are trashed by road building and the ancient community of Scone is turned into yet another faceless dormitory suburb by excessive and inappropriate housing development, the value of housing the stone of Scone in its rightful place will be severely diminished.

17:31

The Minister for Tourism, Culture and Sport (Patricia Ferguson): I thank Murdo Fraser for lodging the motion and colleagues around the chamber for contributing to this interesting and informative debate, which has raised some fascinating issues.

It is worth being clear at the outset about the fact that I have been asked to respond to the debate on behalf of the First Minister in his role as the keeper of the great seal, which is one of the four commissioners of the regalia. The First Minister regrets that he cannot attend the debate in person. He and his fellow commissioners have responsibility for the care of the stone of destiny, on behalf of Her Majesty the Queen, under the terms of the royal warrant that was issued in 1996.

As we would all agree, the stone has been a royal symbol of Scottish nationhood for many centuries and is held by the Crown on our behalf.

I am particularly pleased to have this opportunity to join colleagues in marking the 700th anniversary of Robert I at Scone abbey in 1306. I would also like to join Mr Swinney in congratulating everyone at Scone Palace who is involved in the commemoration of the event. I am sure that that has been a welcome additional attraction for visitors to Perthshire this year.

However, the celebration of the event is a poignant reminder that Robert the Bruce was the first king of Scotland to be crowned at Scone after the stone of destiny was seized in 1296, by Edward I of England. Perhaps Mr Swinney will understand why it was deemed to be inappropriate to move the stone to Scone for that anniversary.

As Murdo Fraser rightly said, this year also marks the 10th anniversary of the return of the

stone of destiny to Scotland. I have listened with interest to and have carefully noted the views that have been expressed this afternoon. I remember when the then Prime Minister, John Major, made his unexpected announcement in July 1996 to the House of Commons that the stone of destiny was to return to Scotland. Recognising that the stone was close to the hearts of many Scots, Michael Forsyth, the Secretary of State for Scotland at the time, decided to invite the public's views on where the stone should be displayed. I am sure that many of us will remember the fascinating and wide-ranging debate that followed.

There were more than 100 responses to the consultation from individuals and institutions with an interest in where the stone should be housed. The locations that were suggested by the consultation ranged across Scotland. They included the abbeys of Iona, Dunfermline and Arbroath, Scone Palace, Stirling Castle, the Museum of Scotland, St Giles cathedral, the Isle of Skye and a public house in Glasgow. It was also suggested that the stone should feature in a constantly touring exhibition. However, the outcome of the public consultation was clear. The overwhelming preference was for the stone of destiny to come to the capital city, and within Edinburgh the castle was the most popular location.

I recognise that, during the public consultation, an impressive case was made for the stone to go to Scone Palace, and there is no doubt that Scottish kings were inaugurated at the medieval abbey at Scone for many generations. However, there is little left of the medieval abbey today and the other principal symbols of Scottish monarchy are in Edinburgh. Above all, as I said, Scone was not the public's choice.

The criteria for the choice of location were set out at the time of the consultation. They sought to balance the importance of the stone's future security and conservation needs with a desire to ensure the widest possible public access to this internationally renowned ancient Scottish symbol. In addition, the commissioners were charged with the responsibility to ensure that the stone is available immediately when it is required to be returned temporarily to Westminster abbey for any future coronation. The commissioners decided that Edinburgh Castle was best able to meet all those criteria.

Ease of public access to the stone of destiny is important. Edinburgh Castle was open for 363 days last year and some 1.2 million people visited it. To ensure that everyone has an opportunity to visit the castle, Historic Scotland provides free entry on a number of days in the year, including St Andrew's day. That tradition started in 1996 to mark the return of the stone. During this year's

free weekend in April, some 39,000 people visited the castle.

I draw members' attention to the fact that educational visits to all Historic Scotland properties are free. More than 70,000 pupils and students took advantage of that last year. At Edinburgh Castle, some 14,000 pupils took part in free educational visits and a further 8,000 attended pre-arranged educational activities.

I hope that members agree that the return of the stone of destiny came at a turning point in Scottish history. Members' views on whether there is a need to review the location of the stone of destiny will be of great interest to the commissioners of the regalia and I will ensure that they receive a copy of the *Official Report* of this debate. In closing, I am sure that the First Minister would wish me, on behalf of the commissioners, to thank everyone who participated in the debate.

Meeting closed at 17:37.

Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice at the Document Supply Centre.

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