



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# MEETING OF THE PARLIAMENT

Wednesday 26 May 2010

Session 3

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## Scottish Parliament

*Wednesday 26 May 2010*

[The Presiding Officer *opened the meeting at 14:30*]

### Time for Reflection

**The Presiding Officer (Alex Fergusson):**

Good afternoon. The first item of business is time for reflection. Our time for reflection leader is the Rev James Whyte from Fairlie parish church in Ayrshire.

**The Rev James Whyte (Fairlie Parish Church):** When I come down the Royal Mile, as I did today, I still get a bit of a buzz when I see this iconic new building. I came down the hill from another great assembly in Edinburgh—the General Assembly of the Church of Scotland, which many people view as being the historic ecclesiastical core of Scotland. Some of you might come from a different tradition from mine and might see no connection between this assembly and the general assembly. However, irrespective of where you come from and how you came to this place, all have been motivated by the desire to serve.

In the New Testament—in scripture—we read a moving passage in John's gospel, in which Jesus washes the feet of his disciples. At any level, that is a lesson in humility and service. Those two aspects link the members of the Parliament and the general assembly on the Mound and what they seek to do and have in common—to serve the people of Scotland.

All too often, in the daily rush of things, we are caught up in committees and we are all guilty of forgetting what first called us to serve. In this amazing building, you are heirs to all that is noble in our country. In this time for reflection, I call on you to reflect on that inheritance every time you come here, and if you ever feel depressed or down-trodden by the stress of serving others—which can be stressful.

The Parliament and the general assembly have much in common, because both are assemblies that are called to lead others. Leadership demands leaving self aside to fulfil that calling for the greater common good. None of us is called to serve the media. None of us should be motivated by the modern media sense. However, all of you are called to serve others—to serve our people in humility, irrespective of their background and their religious or ethnic origins. Scotland deserves and expects nothing less.

All who enter this chamber have a difficult job. However, you should never forget why you came

here in the first place: you entered this place and accepted the call to serve others to make a difference, if you like. All of us should never forget that we have a duty to follow that road, no matter how tough it gets.

Presiding Officer, I thank you for the opportunity to be with you today and I pray God's blessing on all in this Parliament.

## Business Motion

**The Presiding Officer (Alex Fergusson):** The next item of business is consideration of business motion S3M-6400, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, setting out a revised business programme for the day. I invite Bruce Crawford to move the motion.

14:35

**The Minister for Parliamentary Business (Bruce Crawford):** Before I do so, I inform members that a request was made to the Parliamentary Bureau yesterday to bring forward two additional pieces of business—one request from the Education, Lifelong Learning and Culture Committee on its “Report on supporting children’s learning code of practice”, which Parliament is about to debate, and the other from the Government on the draft climate change targets. That is the reason for the changes.

*Motion moved,*

That the Parliament agrees—

(a) the following revision to the programme of business for Wednesday 26 May 2010—

after

2.30 pm                      Time for Reflection – Rev James Whyte,  
Fairlie Parish Church, Ayrshire

*followed by*              Parliamentary Bureau Motions

insert

*followed by*              Education, Lifelong Learning and  
Culture Committee Debate: Report on  
supporting children’s learning code of  
practice

and (b) the following revision to the programme of business for Thursday 27 May 2010—

delete

2.55 pm                      Scottish Government Debate: Progress  
Towards 18 Week Referral to Treatment

and insert

2.55 pm                      Debate on the draft Climate Change  
(Annual Targets) (Scotland) Order 2010

*followed by*              Scottish Government Debate: Progress  
Towards 18 Week Referral to Treatment

**The Presiding Officer:** George Foulkes has indicated that he wishes to speak against the motion.

14:36

**George Foulkes (Lothians) (Lab):** I do so for the same reason that I gave on the previous occasion, which is that the Parliament deserves a full explanation of why business is changed at such short notice. I spoke to a number of members today who expected to come into the

chamber at 2.35 pm for a debate on the Forth Crossing Bill. The additional debate has been introduced without prior notification. It would be helpful if the business manager would give a fuller explanation.

**Bruce Crawford:** I am happy to do that for Lord Foulkes. As—I thought—I explained, the Parliamentary Bureau received a request from the Education, Lifelong Learning and Culture Committee for a 20-minute debate on its report on supporting children’s learning code of practice. The committee having made that request, the bureau accepted the rationale and decided that it should appropriately place the business before the Forth Crossing Bill debate that we will now come to in probably a bit more than 20 minutes.

**The Presiding Officer:** The question is, that motion S3M-6400, in the name of Bruce Crawford, be agreed to.

*Motion agreed to.*

## **“Report on supporting children’s learning code of practice”**

**The Presiding Officer (Alex Fergusson):** The next item of business is the debate on motion S3M-6364, in the name of Karen Whitefield, on the Education, Lifelong Learning and Culture Committee’s “Report on supporting children’s learning code of practice”. We are extremely tight for time this afternoon. I warn members that the Presiding Officers will switch off a member’s microphone if he or she speaks for longer than they have been advised. I call Karen Whitefield to speak to and move the motion on behalf of the committee. Four minutes, please.

14:37

**Karen Whitefield (Airdrie and Shotts) (Lab):** I am pleased to open this short debate on behalf of the Education, Lifelong Learning and Culture Committee on our report on “Supporting Children’s Learning: Code of Practice (Revised Edition) 2010”.

In 2004, the Parliament passed the Education (Additional Support for Learning) (Scotland) Act 2004 which, for the first time, established comprehensively in statute that children with additional support needs are entitled to support from their education authority and others to enable them to make the most of the education that is provided for them. As members will be aware, the act places the Scottish ministers under a duty to publish a code of practice. The Education (Additional Support for Learning) (Scotland) Act 2009 established the rights of children with additional support needs, and of their parents, to make placing requests to another education authority. It also made a number of other changes to the 2004 act to address some post-implementation issues.

As Education, Lifelong Learning and Culture Committee colleagues and the Minister for Children and Early Years are aware, the progress of the legislation was at times difficult, but the bill was eventually passed with a number of significant additions that were inserted at stages 2 and 3, including the right to free advocacy and a duty on education authorities to provide information to parents.

During the bill’s progress, the committee recognised that many of the matters that stakeholders had raised, particularly on ensuring consistency of practice and on there being clearer criteria for comprehensive support plan decisions, were matters for the code of practice rather than the bill. At the time, the minister promised an early review of the code of practice. He pledged that the review would update the code following the

changes that the 2009 act had brought about and that it would place ASL in the current policy context. He said that the review would also clarify the circumstances in which placing requests could be made. Finally, and importantly, it would clarify what is meant by the term “significant” in the phrase “significant additional support”. Many people told the committee that the guidance in this regard is crucial.

Most members will have some awareness of the 2004 and 2009 acts, having been contacted by constituents who are experiencing difficulties in attaining appropriate levels of support for their children. However, some members will be less aware of the provision in section 27 of the 2004 act, which provides that the Scottish ministers may not publish the code of practice until it has been laid before the Scottish Parliament for a period of 40 days. That procedure reflects the fact that the code is key to ensuring that the system works well for children with additional support needs.

The introduction to the draft code states that the code explains the duties on education authorities and other agencies to support children’s and young people’s learning and provides guidance on the 2009 act’s provisions and on the supporting framework of secondary legislation. It also

“sets out arrangements for avoiding and resolving differences between families and authorities.”

Recently the committee took evidence from officials and was told that extensive consultation had taken place. As a result of that consultation, significant changes were made to the draft code and some of the worked examples that it provides were made a bit trickier so that it would reflect the reality of more complex and less straightforward situations that might arise.

When we scrutinised the draft code, one concern was raised with me. The National Autistic Society pointed out that the section in the code on how parents and education authorities should work together, which was previously in chapter 6, had been removed. However, with a little digging around, it became apparent that the section had been omitted in error. I am pleased to say that civil servants responded quickly to the concern that had been expressed, as the society pointed out how valuable that section of the code had been to its advocacy service. Although there have been few comments on the revised code, the issue highlights the value of placing the code before the Parliament for scrutiny.

**The Presiding Officer:** I must ask you to finish.

**Karen Whitefield:** I am sure that all members welcome the code of practice as a document that will make it clearer, particularly for education authorities, what services—

**The Presiding Officer:** I am afraid that we must move on.

*Motion S3M-6364 moved,*

That the Parliament agrees that the Education, Lifelong Learning and Culture Committee's 3rd Report, 2010 (Session 3): Report on *supporting children's learning* code of practice (SP Paper 436), together with the *Official Report* of the Parliament's debate on the report, should form the Parliament's response to the Scottish Government on its revised code of practice, *supporting children's learning*.

14:42

**Christina McKelvie (Central Scotland) (SNP):** The committee was unanimous in its approval of the code, after it had received a tiny bit of clarification from the Scottish Government about the consultation process. The renewal of the code was made necessary by the 2009 act, which amended the 2004 act. I hope that pupils with additional support needs and their parents and carers are now finding things a little easier, as they seek the help that they need. It must seem to them that we move terribly slowly in this place, but I am sure that they will agree that it is important that, instead of just dashing through things, we take the time to get things right, so that we get the best legislation for the children who need it.

As members can see from my copy of the code, it was an easy night-time read. The code contains some important provisions. I welcome the fact that it sets out the functions and duties of education authorities in relation to additional support needs. The benefit of co-ordinated support plans was teased out well during consideration of the Education (Additional Support for Learning) (Scotland) Bill. The guidance in the code is helpful in setting out what local authorities must do and what parents need to know.

All members will know that the transitions from primary school to secondary school and from there on leaving school always pose particular challenges. The code emphasises the importance of exchange of information and the merits of a detailed co-ordinated support plan. It is very important that the child's views are taken into account.

The code of practice will ensure that local authorities and agencies fulfil their roles and responsibilities with regard to children with additional support needs, and it will give parents and carers the guidance that they need to support their children through their learning. I commend it to Parliament.

14:43

**Ken Macintosh (Eastwood) (Lab):** I, too, am pleased that Parliament has the opportunity to reaffirm its commitment to additional support for

learning in a relatively uncontentious debate, and to restate its consensual support for the direction of travel. As both Karen Whitefield and Christina McKelvie said, the code of practice is one of the most important documents in the implementation of the policy that was put in place in 2004 and restated in 2009.

One problem that has arisen since 2004 is that of uneven implementation of additional support for learning across the country. In some areas, local authorities' interpretations of what is needed differ from those of families and pupils. We were expecting upwards of 10,000 CSPs to be introduced as a result of the 2004 act, but there have been fewer than 2,000. The number is not crucial, but it is important that there is fairness and even-handedness.

There can often be a battle between parents and local authorities over additional support for learning. That is unfair on both parties. Local authorities are the providers of additional support while being in the invidious position of being gatekeeper to the public purse. The code of practice is essential in ensuring that there is fairness on all sides and a clear understanding of the rights that were given to parents and the duties that are expected of local authorities.

I have two brief questions for the minister, which are about the important services that are being provided—I doubt that he will have time to answer them. In the context of the role of Independent Special Education Advice Scotland—ISEA—Govan Law Centre and other advocacy services, I would welcome information about when the decision on advocacy services will be made. Will the minister also say whether the additional support for learning implementation group, which involves parents, will continue, and whether more parents, or carers groups such as the Princess Royal Trust for Carers, could be involved in it?

14:45

**Elizabeth Smith (Mid Scotland and Fife) (Con):** As the convener of the Education, Lifelong Learning and Culture Committee said, the 2004 act provides—this is perhaps slightly unusual—that the Scottish ministers may not publish the code of practice until 40 days after a draft has been laid before the Scottish Parliament, so that evidence can be taken from Government officials on how the code will operate. As far as my party is concerned, that is entirely appropriate, because the code of practice is perhaps the most important document that can influence the quality of support services. It is perhaps even more important than the 2004 and 2009 acts, because it provides local authorities and parents with the most relevant details on how essential support can be provided to children.



The committee flagged up—several times—concerns about how well the previous code had been implemented. It is good that the revised version should provide a much more level playing field across Scotland and an environment in which children who have special needs are identified at the earliest possible stage. I am a former teacher: I think that one of the most important things that the code of practice can do is to facilitate the identification of needs as early as possible, which will make the whole education process much more beneficial.

I am delighted to support the code of practice.

14:47

**Margaret Smith (Edinburgh West) (LD):** I thank everyone who contributed to the revised code of practice—in particular the people who responded to the consultation.

The new code includes guidance on the 2009 act, which sought to strengthen and clarify the arrangements for the provision of additional support for children and young people who need assistance to learn. To a certain degree, we improved on the 2004 act and went some way towards addressing parents' concerns about the first years of operation of the ASL system. The passage of the Education (Additional Support for Learning) (Scotland) Bill, which amended the 2004 act, was not easy, but I was pleased to be able to play a part in identifying the ASL needs of looked-after children.

The improvements that have been made to the legislation must be delivered on the ground, which is where the code of practice will be hugely important. Throughout the bill's passage, I and many other people were concerned that parents are not aware of their rights, so I am pleased that the code seeks to clarify the position and ensure that parents are aware of their rights. The committee heard that an advertising campaign to raise awareness had been run and that provision of a handbook or USB device was being considered. Those developments are welcome, given the amendments to the Education (Additional Support for Learning) (Scotland) Bill that Elizabeth Smith and I lodged.

I am pleased that the code provides more information on what should be provided in a co-ordinated support plan. That should go some way towards addressing the inconsistencies that Ken Macintosh mentioned. The situation needs to be monitored to ensure that children and young people who require additional support get the best possible services and outcomes.

There will be elements of the code that still give rise to debate, as is the case with the legislation. For example, there is an issue to do with the use

of the word "significant". However, the code is an improvement on the previous guidance. It is a crucial document that will be central in ensuring that health services, other agencies and especially education authorities know what they need to do to provide the best possible and most appropriate services and support to children and young people who have additional support needs. We have much pleasure in supporting it.

14:49

**The Minister for Children and Early Years (Adam Ingram):** I take the opportunity to congratulate Liz Smith on her recent elevation to the front bench. I know that we are short of time in the debate, so I will march on.

I welcome the opportunity to debate—even briefly—the code of practice. I thank the Education, Lifelong Learning and Culture Committee for securing the debate and I thank my parliamentary colleagues for their speeches.

This Government is committed to improving the lives of children who have additional support needs. Providing help when it is needed is both the right thing to do and an investment in our future. That is why we introduced the bill that led to the passing of the 2009 act, which had the aim of creating a stronger and better system for supporting children's learning, and for ensuring that all children and young people receive the additional support that is required to enable them to meet their individual needs and to become successful learners.

The code of practice explains the duties that have been placed on education authorities and other agencies to support children's learning. We have revised and updated the code of practice in order to reflect the changes that were made by the 2009 act and to respond to requests for further clarification and information. During the parliamentary debates on the Education (Additional Support for Learning) (Scotland) Bill in 2009, I gave a commitment that the redrafted code would place the legislation in the context of the current policies of getting it right for every child, the early years framework and curriculum for excellence; that it would provide further clarification of the term "significant" in the phrase "significant additional support", the need for which is one of the criteria for a co-ordinated support plan; and that it would clarify the process of making placing requests. The revised code of practice addresses each of those commitments.

In its report on the code of practice, the Education, Lifelong Learning and Culture Committee raised a number of issues around consultation and co-ordinated support plans. I want to respond briefly to those comments. The

Government held a public consultation exercise between 5 October 2009 and 8 January 2010, in which we sought comments on the proposed changes to the code of practice; 4,400 letters were issued inviting comments. Because I recognise the importance of engaging with parents on such an important issue, we commissioned Children in Scotland to host five consultation and information events across the country. As well as the formal consultation, we established an additional support for learning implementation group, which comprises key stakeholders, including representatives from parent groups, to support and inform implementation of the 2009 act and finalisation of the code of practice. That group will continue its work, and we will look to enhance its membership with additional parent reps.

I understand that committee members raised some important questions about co-ordinated support plans. The code of practice includes detailed information on the content and format of a CSP. It clearly sets out what is required and expected of education authorities as regards timescales, engagement and consultation. It also sets out the duties on appropriate agencies, such as national health service boards, and the role of the co-ordinator, who is responsible for monitoring provision to ensure that the agreed services are in place and for taking action to secure those services, if necessary.

I thank everyone who contributed to the consultation process or who attended and contributed to the consultation events, members of the additional support for learning implementation group, and parliamentary colleagues on the Education, Lifelong Learning and Culture Committee. The code aims to help education authorities and other agencies to make effective decisions and to deliver the support that children and young people need to make the most of their education and learning.

**The Presiding Officer:** I invite Kenneth Gibson to wind up the debate on behalf of the Education, Lifelong Learning and Culture Committee.

14:53

**Kenneth Gibson (Cunninghame North) (SNP):** On behalf of the committee, I thank all the speakers in this afternoon's debate and all those who made the 2009 act possible. As the committee's deputy convener, I submit that the committee's report on the

"code of practice ... together with the *Official Report* of the Parliament's debate on the report, should form the Parliament's response to the Scottish Government on its revised code of practice, *supporting children's learning*."

The revisions to the code of practice are of great importance, as they stem from stakeholder

concerns that did not appropriately fit in the Education (Additional Support for Learning) (Scotland) Bill to revise the 2004 act. The committee's due diligence has ensured that all relevant stakeholders' concerns have been addressed, which satisfies the requirement of section 27(3) of the 2004 act. Most important, we have confirmed that parents of children with additional support needs have had those needs heard. In addition, the Scottish Government confirmed to the committee that it had consulted all education authorities, health boards and other appropriate agencies under the 2004 act, so members of the Parliament can be assured that their constituency views were noted during the consultation process.

We also raised the need for a consistent approach to co-ordinated support plans. We were satisfied with the Scottish Government's response to those concerns, and we note the minister's comments this afternoon.

We took evidence from the support for learning division and the Scottish Government, and we thank those who provided evidence to the committee. In addition, the Subordinate Legislation Committee considered the code of practice, and the Education, Lifelong Learning and Culture Committee has noted its comments with thanks.

The Education, Lifelong Learning and Culture Committee has thoroughly reviewed the code of practice, and the Parliament should feel confident in our response. As stated before, the code of practice is key to ensuring that the system works well for children with additional support needs. Education authorities need to know clearly what they must do to provide appropriate support where necessary.

In due course, the practitioners will tell us whether the code does its job properly—that is, whether it results in speedier and better decisions that lead to better experiences for the children and young people concerned. Future education committees may wish to continue to monitor it.

Now that the Government has examined our response, which is laid out in the committee's report on the code of practice and the *Official Report* of the debate in the chamber, I and the rest of the committee look forward to the Government proceeding appropriately so that children with additional support needs have the best possible experience in the education system in the years ahead.

## Forth Crossing Bill: Stage 1

**The Presiding Officer (Alex Fergusson):** The next item of business is a debate on motion S3M-6391, in the name of Stewart Stevenson, on the Forth Crossing Bill. I warn members that we have no time to spare in this debate, so draconian measures will have to be taken if members overrun the guideline timings that they have been given.

14:56

**The Minister for Transport, Infrastructure and Climate Change (Stewart Stevenson):** I am pleased to open the stage 1 debate on the Forth Crossing Bill. I thank all those who were involved in the scrutiny of the bill, in particular Jackson Carlaw and the members of the Forth Crossing Bill Committee. I also express my appreciation to the many individuals and organisations who provided oral and written evidence.

The Forth Crossing Bill Committee's stage 1 report is considered and balanced, and I welcome its recommendation that the principles of the bill be agreed to. The bill directly affects private interests, so we must pay close attention to it. People's rights are important, and we must understand the need for a new crossing in that context. We must ensure that those who are directly affected by our proposals understand the bill's implications.

In 2004, the Forth Estuary Transport Authority carried out its first internal inspection of the main cables on the Forth road bridge. It found fairly significant corrosion, and it estimated that there was a loss of strength of about 8 per cent. In 2007, the Government recognised that securing cross-Forth travel was imperative for the economic wellbeing of Scotland, and accordingly it committed to a replacement bridge.

In 2008, FETA carried out another inspection, which showed a total weakening of about 10 per cent. To halt or slow the weakening, FETA commissioned a scheme to dehumidify the cables. We are optimistic that the scheme will reduce the environment for further corrosion, and the results should be known soon, but the strength that has already been lost and measured will not be recovered.

In December 2008, I announced that the Government had, as promised, considered the future of the existing Forth road bridge, and I outlined how the existing bridge would be used as a dedicated public transport corridor.

We have debated and discussed at length the issues around the need for a replacement crossing and how it should be funded. In January 2009,

we—well, nearly all of us—welcomed the fact that it would operate without tolls. We agreed that it should be capitably funded, and that it should be progressed at the earliest opportunity.

Having set out the need for the crossing, I will now comment on the report. I have provided a detailed written response of more than two dozen pages to the committee convener, and I have supplied a copy to the other relevant committees. Today, I wish to draw out two of the key issues within the report: public transport and the impact of our proposals on the local community.

The bill contains substantial public transport elements. Indeed, the design of the project is based on future travel growth beyond 2016 being supported by public transport rather than private travel. The project will provide access improvements to Ferrytoll park and ride, bus priority measures at Ferrytoll junction, dedicated bus links between Ferrytoll and the existing bridge, and a massive increase in public transport capability over the existing bridge. In the south, fast bus-only links will connect the A90 to Echline junction and the existing bridge.

Providing those substantial infrastructure elements is only part of the solution. Like others, I recognise that more needs to be done to capitalise on the potential created for modal shift. Working with the local authorities, the south east of Scotland transport partnership and others, we have developed a strategy to increase travel choice, to improve integration and to encourage modal shift. In the current financial climate—who knows what future settlements might be?—we cannot guarantee to deliver the entirety of the strategy immediately, much though that is our preferred position. However, there are things that should and can be done soon, because unless there is a change in travel habits, there will be inevitable traffic management pressures at peak times, particularly at Ferrytoll, during the construction period.

**George Foulkes (Lothians) (Lab):** Is the minister aware that even Transport Scotland accepts that, in percentage terms, the overall shift will be away from public transport and towards private transport? Does he accept that a large percentage of that increase will come into the city of Edinburgh, which is already overcrowded and greatly congested with private traffic? How does he propose that City of Edinburgh Council should deal with that extra traffic?

**Stewart Stevenson:** The expected traffic volumes on the new bridge are essentially at the same level as we currently provide. The provision of extra public transport as an option is a way of addressing the mode by which people travel to Edinburgh. We are also making it easier for southbound long-distance traffic to turn right, as it

were, so that people can travel by the M9 and M8 to their ultimate destinations. Therefore, we are addressing the problem in a range of ways. However, the member is not being unreasonable in pointing out the need to look at the effects on traffic in the city of Edinburgh. To that end, we will continue to work with SEStran and City of Edinburgh Council to ensure that we understand their concerns in sufficient detail and respond to them.

**George Foulkes:** If I may pursue that point, let me say, with respect, that the minister is inadvertently misleading the chamber. The new crossing will have no direct link with the M9, so traffic will not be able to go directly on to the M9 as he seemed to imply. An increasing amount of traffic will go into Edinburgh. When I had my one-to-one with the officials and asked them how those extra cars coming into Edinburgh would be dealt with, they told me that that was a matter for City of Edinburgh Council. However, with less and less funds to deal with such matters, the council will find that ever more difficult. The minister and his officials seem to be just shrugging their shoulders. The matter cannot just be left to City of Edinburgh Council.

**Stewart Stevenson:** Let me say that I am always happy to meet the member, but let me just address his specific point about the lack of a connection to the M9. The improvement to junction 1A, which is one of three packages of work associated with the project, will precisely deliver a westward connection on to the M9 and allow people to travel southward and on to the M8 as well. However, if the member wants to raise further matters, I will be happy, as will my officials, to meet him.

Another important point is that we intend to look at temporary hard-shoulder running for buses on the M90 during the construction period. We recognise that there will be particular issues during both the construction period and the post-construction period that will need to be addressed.

Let me talk about local communities. It is an inescapable fact that construction activities generate noise. Within the bill and our comprehensive code of construction practice, we have set out appropriate and comprehensive measures that are at the forefront of good practice, to manage, mitigate and control construction noise. We recognise that we need to augment those measures and ensure that they are understood, and to that end I will bring forward changes to the code of construction practice.

We have had extremely productive discussions with the local authorities north and south of the firth. They recognise the value in the effective planning processes that we are putting in place, but improvements can be made, so we will form a

noise liaison group with the local authorities. We are also working with local authorities towards a memorandum of understanding on noise and vibration. I shall ensure that the Forth Crossing Bill Committee and constituency members are apprised of the outcome of our discussions.

The committee's report recommends a reduction in the proposed working hours for the construction of the roads, and when I spoke to the committee I agreed to consider that issue further. I have concluded that we can change working hours without unduly compromising the delivery of the project. Accordingly, I will revise the code of construction practice. The normal working hours for road works will now be 8 am to 7 pm with a 30-minute start-up time prior to 8 am. That start-up time is only to allow people to go on site and travel to their designated area of work; it will not be used for working.

**Margaret Smith (Edinburgh West) (LD):** Will the minister take an intervention?

**Stewart Stevenson:** No. My apologies, but I am almost out of time.

The A904 through Newton is a particular issue, and I am pleased to advise that additional works to reduce community severance within Newton village are currently being discussed with West Lothian Council and Newton community council. I am sure that Mary Mulligan will welcome that.

I welcome the committee's endorsement of the principles of the bill, and the recommendations and suggestions within the committee's report. I acknowledge that many of the committee's concerns reflect the concerns of those who will be directly affected. In turn, I trust that Parliament recognises the positive and constructive approach that we are taking to address the committee's concerns. I will listen carefully to the contributions of members, including those whose interventions I was not able to take, and seek to respond to them in my closing remarks.

At the centre of what we are doing is the delivery of a good transport system for the whole of Scotland, and we particularly wish to look after the interests of the communities that lie adjacent to the crossing.

I move,

That the Parliament agrees to the general principles of the Forth Crossing Bill and that the Bill should proceed as a Hybrid Bill.

15:07

**Jackson Carlaw (West of Scotland) (Con):** I thank the minister for his opening speech in this debate, which is important to the economic wellbeing of the country and to all those who will be directly affected by the construction of the

project. I particularly welcome the comments made by the minister today, and the comprehensive response to the committee that he issued on Tuesday, which I know we will wish to digest. However, I am delighted at his general acceptance of many of the recommendations and the on-going consideration of others, some of which I will touch on in detail shortly.

Although the bill is entitled the Forth Crossing Bill, it settles specifically on a bridge. The word “bridge” conjures up immediate images. Scots probably think of the existing iconic Forth crossings—the road and the rail bridge come to mind, one from each of the last two centuries. Perhaps we might think of an altogether smaller bridge, such as the Swilken bridge, which straddles the burn at the 18<sup>th</sup> on the Old course at St Andrews, and is equally as famous the world over. Perhaps, if we mull a bit beyond that, we might think of bridges in classic movies such as Richard Attenborough’s “A Bridge Too Far”, which some might say is a singularly appropriate metaphor for this project, or David Lean’s “The Bridge on the River Kwai”, which I hope is not an appropriate metaphor for the construction practices that Transport Scotland intends to use in the project.

In my case, my local annual Conservative bridge afternoon comes to mind, although—and I hope that those who regularly take a table will not mind me saying so—the attendance at that often reminds me more of a crossing to the hereafter than anything else.

**Members:** Oh!

**Jackson Carlaw:** My mother goes.

Although the committee was concerned with the practical, it was not lost on us that the new Forth crossing will join those two earlier iconic examples from the 19<sup>th</sup> and 20<sup>th</sup> centuries to create a third bridge and provide a unique and romantic marriage of Scottish technological design and unrivalled achievement in an historic location. Undoubtedly, that combination will enhance the image of Scotland the world over.

I hasten to add that that thought in no way predisposed us to settle on a bridge as the preferred means of crossing in our early consideration of the available options. Those means were many and varied, and the committee was grateful to those who gave their time, expertise and local knowledge in helping us to grapple with and better understand the issues. They made the process less painful than it would otherwise have been for the committee.

The project has been the subject of debate for years. The original “Setting Forth” studies for a new crossing were carried out in the 1990s, and

they were succeeded by the Forth replacement crossing study, which began in 2006.

I do not intend in my remarks to dwell on the current deterioration of the Forth road bridge. Others today may have comments to make about it, building on those a moment ago of the minister. Each suspension bridge must be designed individually to take account of many factors, and one of the most crucial elements for the overall safety of suspension bridges is without doubt the main cable. Although each bridge is individual, around the world there appears to be developing a common problem with corrosion in cables. In any event, what the committee heard in evidence, as summarised in the report, convinced all committee members that there was no alternative to an alternative crossing over the Forth.

I do not intend either to go into any detail about the choice of a bridge versus a tunnel or the location of the proposed new bridge, as I believe that those issues are set out clearly in the committee’s report and in other papers that have been published over the period. Again, the evidence that the committee saw and heard suggested that the choice of a cable-stayed bridge in a location nearest the existing road infrastructure was reasonable in the particular setting of the Forth and considering the topography of the Forth basin.

It became apparent to the committee fairly early on that the proposed scheme, as set out in the bill, comprises three strands: the bridge itself, together with the road build and infrastructure on the Lothian south side and the road build and infrastructure on the Fife north side, which make up the principal contract. A further two contracts are to be let separately—the enhancement to junction 1A of the M9 and the proposed introduction of intelligent transport systems in Fife.

All three contracts have been included in the estimate of the scheme. Although that may seem evident to some, it is interesting how the figures for the scheme have been presented in various ways, some of which avoid acknowledging that fact. The estimated cost of the bridge itself is £543 million, which represents 26 per cent of the total project cost. We will all have seen reports that the bridge—in inverted commas—may cost as much as £2.3 billion, but that figure is an estimate of the three separate contracts combined and includes such things as risk allowance, optimism bias and VAT.

It was an instructive experience to sit on the committee and to discover how costs are put together when building a bridge, what considerations have to be taken into account and the effect that that can have, depending on the part of the world that one happens to be building in. For example, in some other countries, taxation

is not applied to any of the costs, which makes it difficult to compare on a like-for-like basis. Even the likely prevailing weather during the period of construction has to be taken into account and can vary the cost. However, the committee is satisfied that the Government has taken a sensible and industry-approved approach to costing the scheme.

Members of the Finance Committee may wish to explore some of the issues that were raised during scrutiny of the financial memorandum, but let me say that we share some of their concerns about funding and the phasing of capital costs. The Forth Crossing Bill Committee took a degree of comfort from and welcomed the minister's assurances in evidence that the project will be a level 3 item in the budget, as befits capital spending, but we retained some concerns about the knock-on effects to other capital budgets. I look forward to hearing the plans, as set out by the minister in his letter, for other capital budgets when the spending review is completed.

The potential for project cost overruns was also on the mind of committee members—how could it be otherwise for any politician sitting in the chamber of this Parliament, the most obvious example in recent public memory of a project that exceeded and exceeded again budget and timescale projections? For that reason alone, we were resolved not to forget the potential for cost overruns, about which we were regularly reminded by several witnesses and correspondents.

None of us wishes the project to prove a bridge too far, and no one wants to see it run over budget. The committee was therefore heartened by assurances that a report will be made every six months to the Transport, Infrastructure and Climate Change Committee. That should provide the means to see where costs are emerging and how much they are and for members to raise issues timeously with the minister.

**George Foulkes:** Like others, I am clear that the Forth Crossing Bill Committee has been very diligent in its work, particularly on cost. However, on potential breaches of the human rights and Aarhus conventions, the committee took evidence from only one lawyer—Caroline Lyon—who, as Hugh O'Donnell pointed out at the committee, actually works for Transport Scotland. At stage 2, will the committee consider taking independent legal advice on the two conventions and possible breaches of them?

**Jackson Carlaw:** We explored that issue fully, but I am happy to discuss it with committee members in due course.

I thank the Transport, Infrastructure and Climate Change Committee for its input during stage 1 scrutiny. It must be understood that a new bridge

will not directly address the volume of traffic crossing the Forth—the number of vehicles will be the same—so initially it will not be a matter of managing new traffic jams or congestion. However, the project has afforded an opportunity to focus public attention on the crossing and to encourage all of us to think now about transport modal shift to manage any future growth in housing and business development and the consequential increase in the number of people seeking to cross the Forth—a point to which George Foulkes alluded earlier. The minister acknowledges and spoke to the fact that, as the scheme has evolved, the recognition of the need for a public transport strategy has emerged.

I turn to the code of construction practice for the proposed works. The committee accepts the economic imperatives for a new crossing. That said, we also accept that, should there be a new bridge, it is inevitable that a great deal of construction activity will be associated with it, and I do not wish to downplay that. The committee read all the objections that were lodged by individuals and bodies who feel that their private interests will be affected. The code of construction practice and the noise and vibration policy can provide some comfort to people, and I welcome the minister's acceptance of our recommendation to restrict the expected daily start times for construction specifically associated with the non-bridge works. The committee would like the code to be as robust as possible, and hopes that people will see it as offering protection to them and their families. I am particularly encouraged by the progress that has been made in addressing the specific and justified concerns of those who live in Newton village and Queensferry and the plans that are being developed to direct traffic away from the A904 and make use of the route less attractive than hitherto.

On behalf of the committee, I thank all those who contributed either by way of written submission or by coming to the Scottish Parliament to give evidence directly. That was hugely appreciated. Nor could we have gone about our business as we did without the support, patience and understanding of the clerks. I also thank my committee colleagues.

In the context of the national planning framework, the Parliament has already agreed to the principle of a new crossing on the Forth. I support the motion in the name of the minister in respect of the general principles of the bill and I look forward to working on the next stage of this important project. I hope that members will support the motion at decision time.

**The Deputy Presiding Officer (Trish Godman):** I call Charlie Gordon. You have 6 minutes, Mr Gordon.

15:17

**Charlie Gordon (Glasgow Cathcart) (Lab):** I thank the minister and congratulate the members of the Forth Crossing Bill Committee on the thoroughness of their report. I can see from reading it that they worked hard. Nevertheless, their conclusions will not please everyone—that would be too much to expect. This is a large and thorny issue to which there are no easy answers.

In reflecting on the state of the existing Forth bridge, I have often been reminded of the time in the mid-1990s when I had political responsibility for the repair of the M8 Kingston bridge over the River Clyde in Glasgow, which was not falling down at the time, as some tabloid would have us believe, although it was a bit shaky. You, too, will remember that time, Presiding Officer. Back then, 154,000 vehicles a day crossed the bridge and it was an issue of national significance. In the event—and after promising you, Deputy Presiding Officer, that I would let you know when I stopped driving across the Kingston bridge—we opted for repair, even though new build would have been cheaper in capital terms, because the opportunity costs of the disruption to the wider economy would have been rather major.

The Forth bridge is a different site and a different structure, but it is undoubtedly of national significance. It is, therefore, strange that the European Commission does not recognise it as a national or transnational route that is eligible for grant funding from the European Union's trans-European networks budget. It also turned down an application under the European regional development fund, which just goes to show that we can never be quite sure when it comes to the European Commission. Nevertheless, the Forth bridge is of national significance and, unlike in the case of the Kingston bridge, repair of the existing bridge is an option that has too many downsides.

Paragraph 17 on page 3 of the committee's report states that repair of the main cables on the existing Forth bridge would take at least between seven and nine years, during which time there would be lane closures with an opportunity cost to the wider Scottish economy of some £650,000 per weekday. That is a nationally significant factor in the analysis.

Of course, there are other matters that have to be addressed. The Transport, Infrastructure and Climate Change Committee carried out a secondary analysis, as it were, of the public transport aspects and sought a transport strategy from the minister. The minister has told us today that he has given us one, and colleagues will no doubt comment on that.

In the committee and in the chamber today, we have heard that the City of Edinburgh Council has

questioned whether the bill contains enough to meet some of its concerns. That is perfectly legitimate, as the proposed project contains many more aspects than simply the building of a bridge. For example, the bill includes a large amount of road works. However, it seems to me that one of the things that Edinburgh could do to mitigate any perceived ill effects would be to build new homes in the city, in order to reduce the amount of commuter journeys from Fife to Edinburgh.

The bill committee's report thoroughly rehearsed many matters. One issue that it dealt with was the adequacy or otherwise of the construction regulations. Other members can speak for the committee, but I am sure that the committee will be pleased at the way in which the minister has tried to address the matter.

I would like to touch on the issue of cost, because it is important. The Scottish Parliament information centre's analysis of the costs of the Forth replacement crossing is an excellent resource. A lot has been said about comparisons, but like-for-like comparisons are notoriously difficult to achieve when we are discussing the Forth crossing.

We are dealing with a thorny question, but we must grasp the nettle and endorse the general principles of the bill.

15:22

**Alex Johnstone (North East Scotland) (Con):**

As I was growing up in the 1960s and 1970s, the Forth road bridge became an icon of Scotland for me. For my generation, more than for the generations that came before, the words "the Forth bridge" did not necessarily conjure up an image of the rail bridge; they meant the road bridge as well.

It was, therefore, something of a disappointment to me, as well as to a lot of people, to discover in recent years that there appeared to be a problem with the design of the bridge, that corrosion had become an issue and that there was a need for something to be done about the bridge in order to maintain proper transport links for Scotland in the long term.

The issue is transport and its necessity for economic development. The importance of the Forth road bridge to the economy of the whole of the east of Scotland, including the north and north-east of Scotland, cannot be overestimated. The threat to the bridge could, as Charlie Gordon pointed out, cost the Scottish economy £650,000 a day—that is how much would be lost if the bridge were not open. Consequently, if we genuinely believe in economic development in Scotland as a whole, the bridge must be a priority.

The options for dealing with the situation have been known for some time—indeed, it was a previous Conservative Government that began the process of purchasing the land that is necessary to facilitate the development that we are discussing today. However, as we all know, the discovery of corrosion problems in the bridge has driven the matter forward with some urgency. I criticised the previous Government for failing to address that problem when it had the chance to do so, but I praise the current Government's strategy of moving to develop a replacement crossing at the earliest possible opportunity, and I have, over the past three years, given that approach my support. I am, therefore, fully supportive of the principles of the bill.

It was clear, even before the bill committee first met, that the proposal to build a two-span, cable-stayed bridge to replace the current bridge was correct. However, the committee served the function of considering in much greater detail how that might be achieved and what the impact of the project might be. I note that, at times, some people have not entirely supported the proposed scheme. George Foulkes has made some constructive points on behalf of the city of Edinburgh and demonstrated the problems that might occur as a result of the development, but there have been some other, less constructive, contributors to the debate whose main objection to the proposed structure is that it does not incorporate a drawbridge section that would enable the city of Edinburgh to close itself off to the rest of the people of Scotland at times when it felt that that was appropriate. Let us not go down that road. I am glad to see that it has not been proposed.

**George Foulkes:** That would certainly be a retrograde step, considering all the Hearts supporters that there are in Fife and parts of the north-east of Scotland.

I am sure that Alex Johnstone will agree that many people who live in South Queensferry, Kirkcaldy and the nearby villages are genuinely concerned about a huge motorway being built within a few dozen yards of their back gardens, and about the effects of air pollution on their children. I am sure that he would not denigrate their objections in any way.

**Alex Johnstone:** I reassure Mr Foulkes that I do not wish to denigrate them. It is important that those matters are taken into account. I am therefore delighted by the proposed changes to the code of construction practice that have been mentioned in this debate, which should protect many of those who will be exposed to that element of the project.

I also note the commitments that have been given to ensure that there is no overall increase in traffic and that, if there is a desire to increase the

number of people who cross the bridge, that will be dealt with by a programme that incorporates public transport elements. That will give us the opportunity to ensure that future economic growth and potential growth in traffic are satisfied by that public transport element. I believe that the scheme will have that effect.

The final key element that I wish to address is cost. I am one of the people who have been concerned about the projected costs that have been given at various times during the project. I believe that the decision to go for a cable-stayed crossing is the correct one in terms of cost. The decision to limit the ambition to a traditional road crossing with two carriageways plus a hard shoulder in each direction is the correct one at the current time, if we can properly use the old bridge to provide the public transport element. Economically, that brings the project more within our grasp, because, at these difficult times, adding costs to an ambitious project could simply threaten the project as a whole, and we do not want that to happen.

The total costs that were mentioned in the early days of the project were adequately explained by the convener of the committee, Jackson Carlaw. The cost of constructing the bridge—about £500 million—is appropriate and is comparable to the cost of similar projects.

**The Deputy Presiding Officer:** You should be finishing now, Mr Johnstone.

**Alex Johnstone:** If we support the general principles of the bill today, we will be able to move forward and get the bridge built in a timely way to serve Scotland's economic growth.

15:29

**Alison McInnes (North East Scotland) (LD):** I hope that the Parliament will bear with me today as my voice is weak.

Despite having a number of concerns that we believe need to be addressed at stage 2, the Liberal Democrats will support the bill this afternoon. However, we still have serious reservations about the funding mechanism. Paying for the replacement crossing directly through the capital budget at a time when we all know that money is at a premium risks sidelining and displacing other important capital projects. Many questions remain, and we will listen closely to what the Government has to say as the bill progresses.

As has been said, the bill is complex. Of course, that is hardly surprising, given that it sets out the single largest project that this Parliament will deal with. I therefore hope that members will understand when I say that I cannot hope to cover



every aspect of the bill in my six minutes. My colleagues Margaret Smith and Jim Tolson will focus on a number of details that are of particular concern to local residents around the crossing's proposed site, while I will spend my time on the issue of public transport.

Many of us were greatly disappointed when the Government decided to turn its back on earlier ambitions to make the new crossing fully multimodal, providing for cyclists, pedestrians, buses and, potentially, light rapid transport alongside cars. I appreciate that the Government was looking to reduce the project's projected costs, but a number of concerns remain over the long-term viability of using the existing Forth bridge as the only public transport route. As that ship seems to have sailed, it is even more important that detailed plans of the Government's multimodal intentions are produced alongside if not within the bill.

Members of the Transport, Infrastructure and Climate Change Committee heard predictions that, although the new bridge will not necessarily increase capacity, it will precipitate a negative modal shift, with people moving away from public transport and into their cars. Clearly, that would not be compatible with reducing greenhouse gas emissions and would hardly help in easing congestion. The need to mitigate the expected modal shift away from public transport has been acknowledged, but I am concerned by the suggestion that it will be addressed only after the main project has been completed. Important as it is to deliver the bridge itself, I do not think it unreasonable to suggest that it is equally important to work to ensure that the use of public transport is not only provided for but actively promoted and encouraged.

The key here is co-ordination. Given that a potential negative impact of the new bridge—the shift away from public transport—has been identified, it seems strange that we will have to wait until it happens before we set about rectifying it. Equally, although the new bridge is the cause of the expected negative modal shift, the solution needs to be sought on a much wider scale. We should think not just about providing bus capacity on the existing bridge but about, for example, integrating bus and rail services across the whole Forth transport corridor to ensure that public transport not only remains a viable option but becomes a better one. That work needs to be carried out by the minister and Transport Scotland not by themselves but, as the minister himself has said, in conjunction with regional transport partnerships, local councils and other transport groups. Given the complex, detailed and wide-ranging nature of the work that needs to be carried out, it would make much more sense to begin it alongside the work on the bridge so that, by the

time the bridge is completed, we will see no negative impact at all. Surely that should be the goal.

There has been a good amount of discussion over whether public transport plans ought to be included in the bill or developed alongside or in addition to it. There are reasoned arguments on both sides; those who seek inclusion have pointed out that it is the easiest way of ensuring the proper provision of public transport options, while those who argue against have reasoned that the bill's primary concern is and should be infrastructure provision. I can certainly see the pitfalls of bogging the bill down in arguments about the details of individual transport initiatives and schemes, but I am not against a more explicit laying-out of some more detailed plans. At the very least, I want the Government to accept the Transport, Infrastructure and Climate Change Committee's recommendation that the bill include a requirement for the Scottish ministers to produce an enhanced public transport strategy and action plan.

With regard to active travel options, I highlight the concerns raised in the Transport, Infrastructure and Climate Change Committee's report about the lack of provision on the new crossing for pedestrians and cyclists. I am disappointed to note that as yet we have seen no detail of any plans to improve cycling and walking routes and access in the existing bridge's immediate surrounding areas. I expect that to be rectified in a comprehensive public transport strategy from the Government.

Similarly, I believe that we should address sooner rather than later the issue of contingency plans in the event that the existing bridge is closed for any period of time. Although public transport might well be rerouted on to the hard shoulders of the new crossing for short periods—itself hardly an ideal solution—I do not think that we can expect pedestrians simply to take their chances dodging the traffic. I hope that the Government will consider the matter further as the bill progresses.

More generally, I am looking forward to the bill's progression to stage 2. The bill committee, which should be congratulated on its work so far, has made a number of recommendations and identified certain areas that it believes need to be addressed, and I trust that the Government will give its comments due attention. Issues to do with public transport, mitigating the impact of works on local residents and a number of other concerns remain to be looked at in further detail, but I am confident that we can continue to work on them constructively and that such an approach will, I hope, allow the final bill to strike a proper balance between needs in the Forth transport corridor and the concerns of local residents and stakeholders.

**The Deputy Presiding Officer:** Members have six minutes for their speeches. Time is tight, and I will keep you to six minutes.

15:34

**Joe FitzPatrick (Dundee West) (SNP):** I welcome the progress that we are making towards the new Forth crossing. This debate should make it clear that we will have a new bridge in place by 2016. That bridge is key to ensuring that business and the general public have the transport infrastructure that is required for the 21<sup>st</sup> century.

The compiling of the stage 1 report on the Forth Crossing Bill was an enlightening experience. I, too, thank all the witnesses, the minister and our clerks, who have done a fantastic job. I was sometimes taken back to my days as a Dundee City Council councillor serving on the development quality committee. I assure everybody who has been involved in the process that all members of the Forth Crossing Bill Committee took the same quasi-judicial approach in our deliberations. We put aside party politics and constituency interests. The committee may have been small, but I hope that we addressed all the issues of concern about the building of a new Forth crossing.

As the convener of the Forth Crossing Bill Committee has stated, the evidence that we received led us to conclude that an additional Forth crossing is needed, and we supported the bill in principle. The current Forth road bridge is operating at six times its original capacity and at double its design capacity. That, coupled with cable erosion, has led to a shortening of its expected lifespan of 100 years. In the evidence sessions, we heard that the load factor of the bridge is currently 2.1, which is, of course, within the safety margins of 2.0. However, with the traffic load increasing and uncertainty remaining about the degree of deterioration in the cables, the committee heard that it may be necessary to remove heavy goods vehicles from the bridge by 2016. It was clear from that and other evidence that we received that doing nothing was not an option. Doing nothing would seriously jeopardise commerce on both sides of the Forth and throughout Scotland.

That said, we had to ensure that a balance was struck between the importance of constructing a new bridge and the disruption that doing so would cause to local residents. The committee undertook the important role of considering objections to the proposed bridge and the accompanying road infrastructure, which provided an opportunity for the public to become involved in the bill process. I thank those who made representations to the committee either orally or in writing. Given the personal nature of some of the objections, I hope

that the committee gave them the consideration that they deserve.

Many of the objections that the committee received from members of the public and local authorities concerned the code of construction practice. I am pleased that many of the committee's recommendations and concerns about that were addressed by the minister in his response to the stage 1 report. If the bill continues to the next stage, we will continue to consider the objections, and will again impartially consider evidence from objectors and the Government.

On being appointed to the committee, we learned that there would be an excursion to a construction site. Would that perhaps be to Stonecutters bridge in Hong Kong or to the Øresund bridge between Sweden and Denmark?

**Alex Johnstone:** Or the Swilken bridge.

**Joe FitzPatrick:** Thank you for that.

The excursion was to be a little closer to home: our clerks organised a trip to South Queensferry. Although that trip was not as exotic as it might have been, it helped to put into perspective the scale of the project. We were shown all the areas of concern to the objectors. It is much easier to understand where people are coming from if the site in question has been seen first hand.

As well as seeing the site of the proposed crossing, we were shown the proposed changes to the road network, which will include new linking dual carriageways on the southern side and enhancements to the junction of the M9 and the M90. We heard how an intelligent transport system will be put in place to control the flow of traffic and ease congestion.

The total cost of the project—the bridge and the road works to the north and south of it—will come to more than £2 million. However, as we have already heard, the estimated cost of the bridge itself is just over a quarter of that, at £543 million, which is roughly in line with the costs of other bridges in Europe, such as the Vasco da Gama bridge in Portugal, the Øresund bridge and the Storebaelt bridge. We heard evidence about the dangers of comparing the costs of very different projects that are, by their nature, unique.

When the minister gave evidence to the committee, we focused for some time on the costs of the project and the funding model, as getting value for the public purse was one of our chief concerns, particularly in the current financial climate. In those discussions, the minister made clear that the total costs of the project have been factored into the £2 billion estimate, so it includes VAT; the cost of capital to the Government; an allowance for risk and optimism bias; and an additional amount for a median estimate of

construction inflation. The cost of the current proposal is a substantial saving on the original estimate of £3.2 billion to £4.2 billion. We must commend the team that made that saving. We would always want to have the best possible bridge with all the frills and extras but, right now, the most important thing is to get a bridge project that is deliverable, and the team has produced one.

In evidence to the committee, Transport Scotland stated that the design and build model that is being used has a good record of delivering transport projects on budget and on time. The choice of that model coupled with funding from the Government's capital budget is the correct one. Other funding options were examined but, when the package was being considered, it was becoming increasingly difficult to find finance for public-private partnership or non-profit-distributing models or similar contracts. That is before we consider the unique nature of the large contract that will be involved.

I commend the bill to Parliament and I ask members to ensure that it is agreed to at stage 1 today.

15:41

**David Stewart (Highlands and Islands) (Lab):**

As a member of the Forth Crossing Bill Committee, I welcome the opportunity to speak in the debate. I echo the comments of Jackson Carlaw and thank the other committee members, the minister, the committee clerks and the witnesses for their help and insight. On a personal level, I was particularly struck by the professionalism of the community councils, business groups and private individuals who submitted well-researched and polished evidence. Not least of those individuals were Mary Mulligan and Margaret Smith, who are with us today. I welcome representatives of local interest groups to the public gallery.

The bill is history in the making. If Parliament approves it, it will result in the largest public sector infrastructure project since devolution. As we have heard, if we take into account risk allowance and optimism bias, the cost is near enough £2 billion—not £2 million as we perhaps heard earlier. Some might ask what optimism bias is, and that is a good question. I had a look at Wikipedia earlier, which defines optimism bias as

“the demonstrated systematic tendency for people to be over-optimistic about the outcome of planned actions. This includes over-estimating the likelihood of positive events and under-estimating the likelihood of negative events.”

The minister will be able to relate to those comments. Wikipedia continues:

“Excessive optimism can result in cost overruns, benefit shortfalls, and delays when plans are implemented or expensive projects are built. In extreme cases these can result in defeats in military conflicts, ultimate failure of a project or economic bubbles such as market crashes.”

This project throws up a series of policy questions about development versus environment and national projects versus local communities—a little bit like Scotland in miniature. As we have heard from other members of the bill committee, much of the evidence was about the effect on local communities from noise, disruption and traffic management. We also heard about the human rights aspect, which some see as being about Big Brother government versus local communities. We heard about the role of the new crossing in economic development and the Confederation of British Industry's view on that. We also heard about the effect on the environment from issues such as the embedded carbon in the bridge and the loss of benthic habitats. We heard evidence on the effectiveness of traffic modelling and the question of how successful public transport strategies will be in generating real modal shift—I understand that Napoleon once said that strategies never survive the first sound of gunfire.

In the brief time available, I will focus on two aspects in more detail: consultation and public rights, and finance. On consultation, like other members, I was struck by the strength of feeling among local residents about the variable quality of consultation. In fairness, various private bills have been criticised on that aspect. Is there a bigger-picture problem about how consultation can be improved? The scheme, as an amalgamation of different paths, appears not to be well understood. Could things have been explained in a better way? The bill has to comply with the European convention on human rights, but several witnesses have argued that the consultation process did not follow the Aarhus convention in respect of consultation and the accessing of environmental information, as George Foulkes mentioned in an intervention.

**George Foulkes:** I am concerned. I have seen some very aggressive objectors in my time, but these objectors are well informed and powerful but polite. However, they still feel that their points have not properly been taken account of. Could my noble friend—[*Interruption.*] I am thinking ahead. Could my honourable friend try at stage 2 to find a way of hearing from the objectors in more detail and perhaps more informally, so that the objections that they are still writing to me about can properly be considered?

**David Stewart:** I thank Lord Foulkes for his comments. Of course, the dissolution honours list will be up at the end of this week, so I thank him for his advance warning.

It is important that some of the changes that we recommended will be in force at stage 2. I think that the minister hinted at that. I agree with Lord Foulkes.

As far as finance is concerned, we have heard already that the crossing will be a conventional capital-funded project rather than a PPP project.

Some members have debated whether a replacement crossing is necessary and, if so, whether a tunnel would be more appropriate. I was interested in the points that were made by the ForthRight Alliance, which argued that the new bridge will represent 20 per cent of total Scottish Government capital budget spending at its peak in 2014-15. Perhaps, in winding up, the minister will outline the effect on other capital budgets such as health and local government. What will be the role of the Scottish Futures Trust, the Government's agent for capital projects? How competitive will the final successful tender be, given that there are only two bidders, albeit that they are made up of two consortia? How justifiable is the unsuccessful bidder premium of up to £5 million? How realistic is it that cost overruns will stay within 3 to 4 per cent?

Will the minister perhaps look again at applying for EU trans-European transport network—TEN-T—funding under priority axis 13? I understand that the route from Belgium via the Rosyth ferry and the Forth road bridge would be an eligible route. Grants are up to €1.5 million, so the funding is not to be underestimated.

Notwithstanding my above comments, I recommend that the principles of the bill be agreed to and that the bill proceed as a hybrid bill.

15:47

**Ted Brocklebank (Mid Scotland and Fife) (Con):** As one of the few in this Parliament, I imagine, who can still remember crossing the Forth by ferry—in the family Austin Somerset as I recall—and someone who later covered the opening of the present Forth road bridge in 1964 as a rookie newspaper man, I am in no doubt that a new Forth crossing is Scotland's highest-priority infrastructure project. A new crossing is important for the sake of the economy of the whole of eastern Scotland but, as a Fifer, I have to say that it is vital to the kingdom of Fife.

As Alex Johnstone said, one of the saddest aspects of the whole process of agreeing a replacement crossing has been the delays in decision making, which have almost certainly affected the size and scope of the new crossing. I believe that they might also have affected adversely the economy of Fife itself, as some businesses that previously considered moving to the kingdom were forced to change plans because

they could not get assurances about the future nature of the Forth crossing.

As we have heard, the current bridge carries around 24 million vehicles a year. Others have described how the corrosion of main cable strands had reduced the bridge's strength. Engineers calculated that further strength loss in the cables could have meant traffic restrictions by 2012 and complete closure by 2019.

We will not know until 2011 at the earliest whether the dehumidification process has arrested the corrosion, but viewers of BBC's "Coast" series were left in no doubt about the insidious and on-going nature of that corrosion, because, in a recent programme, microphones that were placed inside the cable ducts clearly picked up the persistent twanging of breaking steel wires. No one could be left in any doubt as to the utter seriousness of the problems that we face.

Although it might be technically possible to fix the cables, that would entail substantial disruption of traffic flows if there were only one bridge across the river. According to Barry Colford of FETA, road user delay costs in closing one carriageway might be more than £650,000 a day, as we have heard from other members. If that continued for 26 weeks a year, as would be necessary, it would cost the Scottish economy some £1.5 billion a year. Economists estimated that that might mean approximately 3,000 job losses in Fife alone, a considerable number of which might be permanent.

Alan Russell, of Fife Chamber of Commerce and Enterprise, argued that, if the bridge had to close for the estimated three-year period while refurbishment of the cables went ahead, the damage that that would wreak on the Fife economy would be incalculable. That would be just a microcosm of the effect on the Scottish economy as a whole. It is obviously cheaper and more sensible to build a new bridge.

Like Jackson Carlaw and others, I welcome the decision to go for a design and build contract, which means that substantial risk and responsibility are transferred to the contractor.

If the existing bridge can be made safe, that will be a major benefit, because it will offer the opportunity to give greater consideration to different types of traffic, including cyclists and pedestrians, to allow more user-friendly crossing of the Forth.

I am on record as preferring a tunnel to a bridge—mainly on aesthetic grounds but also because tunnels can function in all weathers—but I welcome the Government's programme to deliver a new bridge by 2016. We desperately need certainty on that. It is regrettable that a tunnel and the option of a more ambitious bridge have had to

be ruled out because of the time that has been lost, but speed is of the essence now.

As the committee reported, problems will involve those who are directly affected by the project, which will have an impact on the road network around the new bridge—a particular issue is the possibility of directing traffic away from Newton village. I hope that such matters are resolved at stage 2.

There is no doubt that we should welcome the bill's general principles. The committee has done an excellent job. A new Forth bridge will be good for Fife, good for Scotland and good for the whole United Kingdom. Let us hope that, with this brave new crossing, we will at last be able to bridge some of the regrettable political squabbles that have bedevilled the project's inception.

15:51

**Tricia Marwick (Central Fife) (SNP):** I thank the Forth Crossing Bill Committee and its clerks for the work that they have put in on the Parliament's behalf to take evidence and produce the report. Having convened the Waverley Railway (Scotland) Bill Committee in the previous session, I know only too well how onerous such work is. With those warm words, I wish the Forth Crossing Bill Committee well on the next stage. If the committee's members think that they have suffered at stage 1, just wait until the next one.

Charlie Gordon was absolutely right about the need for more houses to be built in Edinburgh. That would prevent people from being forced to live in Fife and come across the bridge for work. As I have said before and will say again in the chamber, it is about time that we considered the artificial green belts that surround our cities and allowed Edinburgh to expand in the way that it needs to in order to house its own folk.

**Margaret Smith:** Charlie Gordon talked about building houses in Edinburgh. It is worth noting that, in 20 years of Labour rule in Edinburgh, the building of council houses stopped. It took a Liberal Democrat-Scottish National Party council to start building more.

**Tricia Marwick:** To be fair, the problem is not just the lack of council houses being built in the past 20 years but the lack of houses—full stop—being built in Edinburgh, and the artificial green belt does not help that.

The importance of a new Forth crossing cannot be emphasised enough. As a Fife MSP, I think that it is vital not just for Fife but for the whole east coast of Scotland. In agreeing to the bill's general principles, the Parliament will make it clear that there is no question but that the crossing is required and in the shortest possible timeframe.

The Forth crossing is the largest infrastructure project since devolution and the largest project to be undertaken in Scotland for generations. The project is costly—the cost is up to £2.3 billion for all its elements. It is therefore right that the Parliament considers carefully whether a new crossing is needed and whether it is needed at this time.

Some have argued and will continue to argue that a new crossing is not needed. Others have argued and will continue to argue that it should be delayed until we see whether the dehumidification system works. We cannot wait to see whether that system works; if we wait, we could end up with no crossing.

**Patrick Harvie (Glasgow) (Green):** Nonsense.

**Tricia Marwick:** I hear the word “nonsense”. I am prepared to give way to Patrick Harvie.

**Patrick Harvie:** Surely Tricia Marwick agrees that no one suggests that the existing bridge will fall down. We will not be left with no crossing. We might face a short period in which HGVs would have to take another route.

**Tricia Marwick:** Not only is it possible that HGVs would be unable to cross the Forth bridge; it is certainly possible that the bridge would be unable to be repaired in the future and would have to close. That is a fact. If Patrick Harvie thinks that, from 2016, people in Fife and the north of Scotland can be left without access for our HGV traffic to travel south, he is condemning Fife and everywhere north of Edinburgh to no manufacturing at all. That is the reality of the situation.

The policy memorandum is clear that the

“objective is to provide, in the light of uncertainties about the future availability of the Forth Road Bridge, a continuing and reliable primary road link between Edinburgh and the Lothians and Fife and beyond in order to safeguard the economy, particularly of the east coast of Scotland.”

If Patrick Harvie is not interested in the economy of the east coast of Scotland and beyond, I am. As other members said, the uncertainties arise from a concern that the main cables are suffering from corrosion and loss of strength. If the dehumidification system were unsuccessful, the bridge would have to close to HGV traffic by 2017 and to other traffic some time after that. The effect on Fife and the Scottish economy would be devastating. As Alan Russell, the chief executive of Fife Chamber of Commerce and Enterprise, said:

“We will not rest until such time as the new crossing is in place, because it is absolutely vital to the whole Scottish economy ... On the assumption that if the new crossing does not proceed, the existing crossing will have to close at some point, we estimate that that would cost the Scottish

economy almost £1.5 billion per annum.”—[*Official Report, Forth Crossing Bill Committee*, 24 February 2010; c 24.]

If all the elements are included, the total cost of the project is somewhere over £2 billion. For £2 billion, we can safeguard our economy to the tune of £1.5 billion a year. It is vital that the bill goes forward. I am sorry to hear that, even after all the evidence, the Greens are still in denial on the matter.

I will touch briefly on public transport. Although many members have spoken about the need for a strategic public transport system, all their comments have concentrated on bus routes. It is important that we make far greater use of the original Forth bridge—the rail bridge—particularly for freight transport. In closing, I say to the minister that I will continue to hassle him about the Leven to Thornton railway, which is much needed and will take a lot of freight traffic, particularly to the new Fife energy park, off the road.

15:57

**Helen Eadie (Dunfermline East) (Lab):** I, too, congratulate everyone who was responsible for bringing the bill to the point that it is at, from the public outside to the officials, civil servants and parliamentary staff and colleagues—indeed, anyone who has had any connection with the work in developing the project.

I find myself in the really difficult position of opposing what George Foulkes is saying and agreeing with Tricia Marwick. Indeed, I congratulate Tricia Marwick on the points that she made. I will not rehearse them all, other than to mention Alan Russell and the bridgemaster. Tricia Marwick is absolutely right on all the points that she made. Indeed, they are in the committee report and the *Official Report*.

**George Foulkes:** I hate, always, to disagree with Helen Eadie, who is by far my favourite MSP. Perhaps she can tell me—Tricia Marwick did not—where all the HGVs go once they have come over the new bridge. In my view, they go through Newton village and into an already overcrowded Edinburgh or on to the congested bypass.

**The Deputy Presiding Officer:** Do not believe Mr Foulkes, Mrs Eadie. He says that to me, too. [*Laughter.*]

**Helen Eadie:** I was going to say “shucks” because I am so flattered by what George said first. He must recognise that he is speaking to someone who, in a previous incarnation, was the Fife Council spokesperson for roads and transportation. I know a wee bit about what I am talking about, George.

All the presentations that we have had over the years show that only 12 per cent of the traffic that

crosses the bridge goes into Edinburgh city centre. That is the reality. The rest of the traffic goes to points various: to Glasgow; round the east coast, including by the coastal route; and to Edinburgh airport. All the traffic does not go to Edinburgh city centre. George Foulkes needs to be persuaded of the argument.

I have fought steadfastly for this. I am the woman who championed the Ferrytoll park and ride and new railway developments in Fife. I secured a number of new railway stations in Fife, despite the fact that ScotRail required us to pay for demolition in advance, because it did not believe that the stations would be successful.

I return to the committee's report. Today we must agree the bill at stage 1. [*Interruption.*] I am sorry, Presiding Officer—I think that that is my phone.

**The Deputy Presiding Officer:** Give it to Mr Stewart.

**Helen Eadie:** When considering the report, I noted that David Stewart had raised the important issue of European funding. When Ken Collins was a member of the European Parliament—I point out to George Foulkes that that was not yesterday—he alerted all Scotland's politicians to the fact that the European Commission was about to declassify the Forth crossing as a route on the trans-European transport network. He managed to get the route reinstated, so we are not applying for something new.

I understand that all funding requests must be made through the UK Government. I submitted freedom of information requests to the Treasury and the Foreign and Commonwealth Office, and was told that neither had received an application for funding for the Forth bridge. That issue needs to be addressed.

**Stewart Stevenson** rose—

**Helen Eadie:** The minister can address the issue in his winding-up speech. It is important that he does so, as in these harsh economic times it is important that we use any money, regardless of the amount. I can produce the letters that verify what I have said.

The committee may understand that the cost of the bridge is different from the cost of the project, but I am concerned that the minister has not got the message out to others. That point emerges clearly from the report. When reading it last night, I came across a number of objections of which I was unaware, from constituents of mine who had not brought their concerns to me. One organisation in my constituency that did come to me was Deep Sea World. I will keep a close eye on how the assessor deals with the concerns that Deep Sea World brought to the committee and on

all the other concerns that my constituents have raised.

I wish the bill good progress. I was a lone voice calling for a new bridge at a time when it was not popular to argue for one. As the report says, we now have “a distress purchase”. It is a pity that we have had to wait for that, instead of having an elective project.

Thank you, Presiding Officer, for giving me the opportunity to contribute to today’s debate.

16:03

**Margaret Smith (Edinburgh West) (LD):** I thank the bill committee for its work and welcome its comments on noise and vibration levels and construction and working times, even though I do not share its views on some of the other issues that are raised in its report.

As the constituency member for Edinburgh West and someone who has worked on the issue for many years, I have no doubt that the new crossing and its associated roads, although absolutely necessary for the country as a whole, will have a major detrimental impact on the quality of life of many hundreds of my constituents. I point out that 100 per cent of the traffic on the bridge, rather than the 12 per cent that will end up in Edinburgh, will go into my constituency. The project affects many of my constituents.

I have objected formally to the bill, not because I do not accept the need for a new crossing, but because I do not believe that the proposed scheme is the best solution, either strategically or locally. The option of keeping the existing bridge was not considered during the initial consultations. That is a shame, because some of the options that might otherwise have come forward would have been preferable to the proposal that is before us.

The current proposal is that the existing bridge will be a public transport corridor for only about 300 buses a day, at a reported cost of more than £100 per vehicle per trip. That is not sustainable and will lead to overwhelming pressure to open both bridges to general traffic, which will generate a very large increase in road traffic into west Edinburgh and the city. That is not what Transport Scotland tells us will happen.

The residents of Queensferry were quite clear. Like Ted Brocklebank and me they wanted a tunnel, not a bridge, and they wanted the crossing to be further to the west of the town. Instead, the Scottish Government is giving us a bridge and a road network that will cut the town off from the countryside, causing problems for cyclists, pedestrians and residents. There appears to have been no serious attempt to consider moving the bridge and approach roads further west, perhaps

tying in with developments in Winchburgh and elsewhere in West Lothian.

Most members will no doubt accept the economic arguments and decide to support the bill. However, my first duty is to my constituents, whose quality of life will be damaged by the project. For some people there will be six or seven years of construction impact, for others the impact of the project will last for generations.

I accept that the economic evidence for the new crossing is compelling. The Scottish Chambers of Commerce said:

“We have estimated that, if the new bridge were not to go ahead for any reason, and if availability of the existing bridge to heavy goods vehicles or to all vehicles had to be reduced, the cost would be £1.5 billion per year which, after a year and a bit, would exceed the cost of constructing the new bridge.”—[*Official Report, Forth Crossing Bill Committee*, 24 February 2010; c 31.]

Many members have talked eloquently about the needs of Scotland and its economy and the need for the crossing. I am trying to speak on behalf of the people who will pay the cost, from day to day, week to week, month to month and year to year.

The committee was concerned about how Transport Scotland went about consultation. In my experience, there was an information exercise rather than a consultation. People were informed—if they were lucky enough to be informed—but they were not properly consulted. However, although the committee heard overwhelming evidence of local residents’ unhappiness at Transport Scotland’s methods, it has not put pressure on the agency to improve its approach—it provided a tickle on the tummy rather than a slap on the wrist.

I am particularly concerned about issues to do with construction. I welcome the minister’s comments about the code but I am anxious about the proposal to take away some of residents’ recourse to local authorities in relation to the impact of construction. The powers in the Control of Pollution Act 1974 give the City of Edinburgh Council the right to impose requirements in relation to how works are carried out. By seeking to take away that right, Transport Scotland is stripping my constituents of statutory recourse to their local authority to provide independent professional assessment and assistance in relation to environmental protection during the construction period. I welcome the committee’s intention to consider the issue.

The design of the local roads infrastructure is flawed, and the decision to alter the design and take away the direct link to the M9 will lead to a greater adverse impact on South Queensferry and surrounding areas, in particular Newton village, in Mary Mulligan’s constituency. Transport Scotland’s environmental statement

acknowledged that the direct link option was better for Queensferry overall and in the context of noise impact, but the agency justified its final choice of option 1 on the ground that it will cut through less open rural land.

The proposed road connections south of the main crossing fail to meet the second transport planning objective of the Forth replacement crossing study, by failing to

“connect to the strategic transport network to aid optimisation of the network as a whole”.

I am also concerned that there has not been proper modelling of the impact on traffic levels on local roads. There will be an impact in Dalmeny, in Queensferry and in Kirkliston.

There is a missed opportunity for public transport. I agree with Alison McInnes and other members in that regard. Given the stringencies in the economy, what faith can we have that the public transport strategy will materialise if it is not provided for in the bill?

Many of the main concerns that my constituents and I raised in our objections have not been addressed at stage 1. The potential siting of the construction compound behind Springfield and close to Kirkliston, the location of the haul road next to Clufflats, the mitigation of noise impacts, the monitoring of traffic management schemes during construction, the on-going consultation, the M9 junction 1A design, the closure of the A90 on-slip at Echline, the removal of the Ferrymuir roundabout and the loss of pedestrian and cycle access west of Queensferry all come into that category.

**The Deputy Presiding Officer (Alasdair Morgan):** You should conclude now.

**Margaret Smith:** I welcome the fact that the committee has not accepted Transport Scotland's arguments for increased noise and vibration thresholds and I welcome other things. However, as things stand, and given my on-going concern about several aspects of the scheme that will impact on my constituents, I cannot support the project at stage 1. I intend to abstain from the vote and to pursue my objection at stage 2. I know that Lord Foulkes shares many of my concerns, although he has not objected to the bill; I look forward to him supporting my position at decision time.

16:10

**Patrick Harvie (Glasgow) (Green):** I thank the hybrid bill committee for the work that it has done in scrutinising the bill, and I welcome the debate—it is always nice to have an opportunity to challenge any Government's compulsion to indulge the road lobby.

Stewart Stevenson outlined some of the recent history of the existing Forth road bridge and set out the need, as he sees it, for a new bridge. I acknowledge that some facts are not in dispute. It is not in dispute that there is a need for cross-Forth transport, including road traffic, that there is concern about the corrosion of the cables in the existing bridge, some strength in which has already been lost, or that there is a degree of uncertainty about the effectiveness of dehumidification.

The minister then moved on to another basis for his case, which is that road traffic volumes over the Forth will not increase. That assertion is in serious doubt, not just because of the contents of the bill or because of the Government's stated policy intentions, but because of political reality. There is another undisputed fact—the existing bridge can be repaired for a fraction of the cost of building a new bridge. Just as the local political pressure to remove the tolls on the existing bridge built up, so we can all see the scenario if the new bridge goes ahead and on day one queues form, the lines get longer and hot and angry motorists get more and more stressed out in their cars, just as they do now. Instead of arguing for tolls to be removed or for a new bridge, they will look over their shoulders, out of the window, and see an existing bridge that has virtually no traffic on it and which is being maintained at the public expense. We can all hear the call even now. It will be clear no matter which political party provides that day's transport minister: “Open the bridge!” There will be no let up until we have doubled the road capacity over the Forth. There is no doubt in my mind that, at that point, the case will be made for not only opening that bridge to road traffic, but repairing it.

In other words, we are talking about an additional bridge, not a replacement. Joe FitzPatrick acknowledged as much when he spoke about “an additional Forth crossing”. At least that is more honest than the Government is being in calling it a replacement. The increased road capacity that would be provided is a central part of the environmental case against the bill, but it is not the whole of it. Margaret Smith outlined, quite correctly, some of the local environmental impacts that we should all take extremely seriously.

As for Alex Johnstone's argument about greater public transport capacity and increased use of public transport, frankly, we do not need a new bridge to achieve that. We could transfer a lot of the cross-Forth traffic from road to public transport even now: freight could go by rail and passengers could go by bus and rail. There is nothing to stop us doing that now.

**Tricia Marwick:** I wonder whether Patrick Harvie can help me. He says that he is opposed to a new Forth crossing. If his proposal is successful,



what will he say to the businesses north of Edinburgh in 2016 when they cannot get their HGVs across the Forth to where their markets are? How can he justify the loss of £1.5 billion to the Scottish economy?

**Patrick Harvie:** I hope that I have dealt with the difference between certainty and doubt. Tricia Marwick is portraying a risk and pretending that it is a certainty; it is not.

I want to move on to the financial case against approving the bill. There is more than just an environmental case for rejecting the Government's proposal. The new crossing could be one of the most expensive bridges ever built, if we take into account the road distance in question, and it will leave us with the most expensive bus lane in the world, which we will have to carry on maintaining. It will have a price tag of around £2.5 billion and will cost every taxpayer in the country about £780, at a time when we face the prospect of deep and lasting cuts.

Neither I nor other members would expect the Green party to agree with every other proposed possible use of the transport budget and every other project that might be funded if the bridge was not going ahead. However, we should all—whatever disagreements we have about priorities—be worried about committing to a period of at least several years in which nothing else is built from the transport budget because one mammoth project has taken up the bulk of the available funding.

That brings me back to one of the other “agreed facts”. There is uncertainty about the effectiveness of dehumidification, and it surely makes sense for us to reduce that uncertainty before we make the decision that we are being asked to make today.

I do not expect members suddenly to agree with the environmental case against the project, but I find it astonishing, given the budget constraints we are about to encounter, that a short delay in the decision is not even being considered. The minister said that more will be known about the engineering problems with the existing bridge soon. We should wait, and make the decision when we possess the facts. If we do not, we risk committing to the project only to fund it during the period that lies ahead.

Why the rush? Let us look at the timescale: the bill will be approved towards the end of the year, the contracts will go out to tender a few months after that, and they will be signed in March or April 2011. Let me see, what am I doing in March and April 2011? I remember. This is not just the most expensive bridge, but the most expensive SNP electoral press release in history. We should vote against it.

16:16

**Ian McKee (Lothians) (SNP):** I regret to say that, like Ted Brocklebank, I am old enough to remember the days when the only way to cross the Forth below Kincardine with a car was by ferry. In those days, travelling between the Queensferrys was an adventure, but not a particularly exciting or pleasant one. It was common to have to wait well over an hour to get on to a ferry, and even longer at weekends in the summer; we made a good captive audience for ice-cream sellers. One did not make the journey unless one had to.

I remember the excitement and anticipation as the new bridge rose before our eyes. To fast-forward to today, car ownership and use has multiplied exponentially whether we like it or not, and far more goods and services are distributed by road. Townships such as Dalgety Bay have developed virtually as dormitory suburbs for Edinburgh, and are responsible for a huge daily tide of bridge traffic. The thought of having to go back to those bad old days is a total nightmare.

**Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** For accuracy's sake—I know that Ian McKee is always accurate—were there also, in those days, trams in Edinburgh and a railway to my constituency in the Borders? Perhaps it was not all that bad.

**Ian McKee:** In those days we had trams in Edinburgh and the abiding passion of every Edinburgh citizen was to get rid of them, as it is today.

I will not rehearse what members have already been told about the state of the bridge cables, the hidden corrosion that is weakening the strands and the efforts to dehumidify them so that the corrosion is arrested. It is true that the rate of decay is not as severe as was initially feared, and that suggested HGV restrictions need not be imposed until 2017, instead of 2013 as was first forecast. The programme of cable drying may, as pressure groups tell us hopefully, arrest further deterioration completely; we must hope so.

However, I am aware of the warning from FETA as recently as January 2010 that there is no certainty of the future viability of the existing bridge, and no unconditional assurance that the dehumidification work that is under way will prevent a further loss of strength of the main cables. I agree with Charlie Gordon that no responsible Government of Scotland can take the risk of allowing what would certainly be the biggest social and economic reversal to hit Scotland since the decimation of our steel industry. The new Forth crossing project must go ahead.

There has been much debate about the type of crossing that should be constructed. I, like others,

was tempted by the suggestion of some form of tunnel, as that would seem to be the least visually intrusive option. However, I note the arguments that were put to the bill committee that a conventional tunnel would be more costly, and would involve unsightly ventilation towers. A prefabricated tunnel to be laid in an excavated trench would also be costly, and would present undetermined but real risks to the fragile ecosystem of the Forth estuary.

Neither of those tunnels would be able to provide a hard shoulder, as is possible with a bridge crossing. Finally, the latter would be much less expensive, as a cable-stayed bridge is less costly than a suspension bridge, with the added advantage that the cables can be replaced without greatly affecting the amount of traffic that the bridge can carry.

Having said that a bridge is necessary, I must make it clear that the imperative nature of the project is no excuse for imperfect consultation. As George Foulkes and Margaret Smith have ably pointed out, many who live on either side of the proposed bridge will be affected by the development, so their very real concerns must be addressed as sympathetically as possible. In that respect, I was saddened to read evidence presented to the bill committee that Transport Scotland's consultation procedures have left something to be desired. If people's homes are to be disrupted or even compulsorily purchased, the people need to be treated sensitively rather than with the minimum contact required by law.

Similarly in respect of the public transport proposals, there seems to have been little consultation between key public transport providers and users, cyclists and pedestrians. Just mounting informative exhibitions is not enough. Terrestrial communities and other communities of interest should be deeply involved right from the beginning of any project that will affect people to such an extent. I am pleased to accept the minister's reassurances, which have been expressed both in the chamber today and in his formal response to the committee, that those issues will be addressed.

Another issue is how we pay for such transport investments. In the past, unionist Governments in Scotland and the UK have encouraged expensive private finance initiative schemes for the funding of capital projects, but those have saddled us with huge debts—up to £1 billion a year out of the Scottish budget—for future generations. Our children and grandchildren will not thank us for adding to that burden. Those who recommend tolls to pay for the bridge need look only to the example of the Skye bridge debacle to see the dangers of such a course. What Scotland really needs is borrowing powers—anyone buying a

house would take out a mortgage, not a PFI contract—to fund the project through conventional borrowing at a respectable rate of interest. In yesterday's Queen's speech, the United Kingdom Government signified its intention to implement some of the proposals contained in last year's report of the Calman commission. Let us hope that those will help to solve the problem.

The project is totally in the interests of Scotland, so I will give it my complete support.

16:22

**Mary Mulligan (Linlithgow) (Lab):** I completely understand the reasons why a Forth road crossing is so important. As Edinburgh and the Lothians have been the powerhouse of the Scottish economy for many years, their connectivity to areas north of the Forth is essential.

That said, as might be expected, I want to concentrate in my speech on the effect that a new road crossing will have on my constituents, particularly those in the village of Newton, which has been mentioned several times this afternoon.

I thank members of the bill committee for the courteous way in which they questioned myself and Evelyn Woollen, who is the secretary of Newton community council. We both felt that the committee members had a clear grasp of the issues that we are concerned about. I want to concentrate on two of those issues: the lack of an adequate link to the M9, and the code of construction practice. I will also try to respond to the minister's comments.

On the lack of an adequate link to the M9 at the south end of the crossing, southbound drivers crossing the Forth currently have two options if they want to go west along the M9: they can take the M9 spur—the A8000 replacement—that goes south-east and then join the M9 at Newbridge, or they can turn left to travel on the A904 through Newton village and then join the M9 at Philipstoun. Already, the number of cars and lorries taking that second option is unacceptable. Newton is a small ribbon village. Many of the homes are only a few feet away from the road. The new crossing will land further west, so how much more likely is it that traffic will choose to use that route rather than travel an extra 6km and a longer journey time? I contend that that is very likely. The consequences for people in Newton will be more noise from traffic, increased vibration problems and increased emissions.

How have Transport Scotland and the minister responded to those concerns? Transport Scotland tells us, as Margaret Smith said, that those consequences are preferable to disturbing undeveloped land, which is to say that protecting fields, cows, sheep and horses is more important

than protecting the people of Newton. To be fair, perhaps after he saw the committee report, the minister instructed Transport Scotland to meet local people and West Lothian Council to discuss mitigation. That has been done, and we await Transport Scotland's deliberations.

Although the village would welcome a pedestrian crossing, that will not reduce the traffic. I have not forgotten the promise to remove the A904 route from roadside signage, which will help as long as the driver is not using a satnav system that continues to tell him that the shortest route is the A904.

When traffic surveys and modelling were carried out, they confirmed the increase in traffic. In fact, a local survey that was carried out by West Lothian Council in 2008 showed that daily average traffic volumes were then only 1.5 per cent lower than the Transport Scotland projection for 2017, which raises the question whether local people are underestimating how much worse it will be.

The chambers of commerce in West Lothian and Fife supported the construction of a direct link between the new crossing and the M9. They referred to the previous wait of 40 years before the M9 spur was constructed to replace the A8000. I realise that such a link road would have a cost attached to it, but there could be savings if junction 1A were not adapted; in relation to the overall costs of the crossing, it would be a small sum. Most important, when measured against the cost to my constituents in Newton and their quality of life, the cost is very small indeed.

There were some concerns that the code of construction practice would not be as robust as it needs to be. However, the committee has made recommendations—rightly, I believe—that will boost the code's strength, and I am confident that the committee will see those measures carried through. Given my experience, it was particularly pleasing to see that the committee recognised the experience that was gained during the construction of the Airdrie to Bathgate rail link. I am, however, aware that there are still concerns about the extent to which measures for proactive community consultation, over and above the role and involvement of local authorities, are embedded in the bill and the code of construction practice.

I reiterate my support in principle for a Forth road crossing, but I share the concerns that many have raised today about how it will be funded. I recognise the concerns of people in South Queensferry, which Margaret Smith so ably set out for us, but I still believe that my constituents in Newton deserve an appropriate response to their concerns, and that would have to be a new link road. I cannot believe that, in the 21<sup>st</sup> century, we are going to take motorway-level traffic through a

small village. I urge the minister to reconsider and to make the correct amendments by the time we come back to debate the bill at stage 3.

16:28

**Jim Tolson (Dunfermline West) (LD):** The Liberal Democrats believe that the Forth replacement crossing is vital if we are to ensure the continued prosperity of the east of Scotland economy. Just as the Parliament agreed to remove tolls from all Scottish bridges, the Parliament must agree a secure future for bridge crossings throughout the country.

To ensure the viability of the new Forth crossing, public transport must be integral to the scheme. The City of Edinburgh Council, Fife Council, Midlothian Council and SEStran have all made strong representations about public transport, and there is no doubt that we have the opportunity to increase the capacity of public transport and start to make the modal shift that we will require if Scotland is to achieve its climate change targets. Therefore, the Scottish Government must make early proposals for park-and-choose facilities at Halbeath and Rosyth. Such proposals are vital, and funding for them should be built into that for the new crossing.

Despite the Scottish Government's commitment to the project, the minister has provided only vague information about the funding timescales. The funding of the project entirely from the Scottish Government's capital budget will impact severely on other much-needed transport projects. The Scottish Government needs to embark on open and meaningful discussions with the new Westminster coalition Government to examine a mutually acceptable and progressive formula for funding this much-needed capital project. I have called on the new Secretary of State for Scotland to intervene in that regard.

The Scottish Government has not clarified in the bill or elsewhere its plans for the future maintenance of the new and existing Forth crossings. FETA, as the existing maintenance body, has a wealth of experience on the doorstep. It should have an input into the construction process, and the Government should clarify whether FETA as a body will be retained to maintain and operate the present Forth road bridge and the new crossing.

I turn to the points put forward in the debate. On the bridge itself, the cables and dehumidification, the minister and Jackson Carlaw mentioned that FETA has found fairly significant corrosion in the cables—in fact, as the minister said, recent figures show a loss of strength of up to 10 per cent. Although it is welcome that the Government is committed to the new crossing, there are real

concerns about some of the ways that it is taking the project forward.

Joe FitzPatrick said rightly that the Forth road bridge is operating at six times its original design capacity. He and many others mentioned the possible loss of capacity for HGVs from 2016. Tricia Marwick said that we cannot wait to find out whether dehumidification works and that we cannot afford to delay a decision to find out whether it is the way forward. As she said, if dehumidification is unsuccessful and there is no replacement, the effect on the economy will be devastating.

Many colleagues in the chamber referred to the cost and environmental aspects of the bridge. Stewart Stevenson said that there will be no tolls and that the new bridge will be funded from capital expenditure. The potential formation of a noise liaison group was welcome news, particularly for the members from adjoining constituencies who feel that their constituents will be most adversely affected.

We have heard too that the cost of the bridge itself is some 26 per cent of the total project cost. Although we all talk about a figure of just over £2 billion, only 26 per cent of that will be spent on the key part of the structure—the bridge itself. The Forth crossing is not recognised as a priority for Europe, which is a real concern. In the early stages, I and many others hoped that Europe could play a major part in bringing forward the funding package to ensure that the project would go forward.

Many members mentioned the road linkages, particularly junction 1A of the M9, which will give westbound access. For those of us who have failed to reach that access or have missed the turn at some time in the past, that is a welcome inclusion in the new roads infrastructure. However, I have some concerns and hope that the minister can give us more details about the intelligent transport links in Fife, as I am very concerned that they will lead to significant tailbacks north of the river.

Both Alison McInnes and I have touched on the public transport options, which are key. Unfortunately, the Government turned its back on multimodal options when it first discussed a new crossing a couple of years ago. We share the concerns that the Government's plan to focus on public transport only after the new bridge is completed is an adverse step and in many ways a missed opportunity.

Many members referred to the consultation process. According to the convener, Jackson Carlaw, the hybrid bill committee read all the objections—a fact that will be welcomed by the

people involved—but with so many different opinions not all views can be taken forward.

Mary Mulligan was concerned in particular about the effects on the village of Newton in her constituency, and Margaret Smith rightly raised concerns about the consultation, which she felt was more of an information package than a consultation with constituents.

To sum up, this has been an interesting and consensual debate on a crucial Scottish transport link. Of all the options, a new bridge is the most cost effective, the least damaging to the environment and, crucially, the quickest for delivery. We thank the hybrid bill committee, its officials and the many witnesses who gave evidence. The Liberal Democrat team supports the general principles of the bill.

16:34

**Gavin Brown (Lothians) (Con):** This has been a wide-ranging and constructive debate. The quality of the committee's stage 1 report has certainly aided the debate by ensuring that it has been well informed and successful in many areas. To quote paragraph 4 of the policy memorandum, I believe that we need

"a continuing and reliable primary road link between Edinburgh and the Lothians and Fife and beyond in order to safeguard the economy, particularly of the east coast of Scotland."

I understand "the east coast" to mean the entirety of the east coast. That quotation captures the situation quite well; it is hard to overstate the importance of the crossing to Scotland's economy. That is why it was the Scottish Conservatives' number 1 transport priority in our most recent manifesto for the Scottish Parliament elections. As Alex Johnstone said, in the 1990s, the then Conservative Government reached the stage of purchasing land so that work could be carried out—work that was then looked into by the Scottish Office Development Department.

The debate has focused, in part, on the current problems of the existing bridge. How those problems came about is not 100 per cent understood, but I suspect that the change in traffic numbers since 1964 has something to do with it. There were 1.5 million vehicles a year crossing the bridge when it was opened; that figure is now up to 24 million vehicles. The change in vehicle weights is also put forward in the report as a possible cause of damage. Back in 1964, goods vehicles weighed a maximum of 24 tonnes; now vehicles of 40 tonnes are not uncommon. The corrosion that has happened to the cables, with a resulting estimated loss in their strength, was outlined pretty well by the minister.

**Robin Harper (Lothians) (Green):** It is clear from what Gavin Brown has said so far that he believes in a predict-and-provide policy for transport. For how much longer does he believe that we should carry on with such a policy, which will, for the immediate future and in the medium and even long term, allow more and more transport development in Scotland?

**Gavin Brown:** I think that that was a pre-prepared question rather than one that was based on the content of the opening minute or so of my speech. I suspect that it is not correct to suggest that the growth in the number of cars in the next 50 years or so will be of a similar level or pattern to the growth in the number of cars between 1964 and 2010. The evidence that was given to the committee by Transport Scotland and others did not put the bridge forward on a predict-and-provide model; I think that they described it as a “distress purchase”, given the state of the existing bridge. Therefore, I do not accept Robin Harper’s argument.

The debate has also focused on economic development. The committee was persuaded that there are economic imperatives associated with the new crossing, stressing—as I do—the word “imperative”. The councils in Edinburgh, Fife and West Lothian agreed on that, as did the chambers of commerce of Edinburgh, Fife and West Lothian—as one might expect—and the Scottish Chambers of Commerce, which stressed the imperative. Phrases such as “absolutely necessary” and “massively important” were used, and, as Tricia Marwick said, Fife Chamber of Commerce and Enterprise stated:

“We will not rest until such time as the new crossing is in place”.—[*Official Report, Forth Crossing Bill Committee*, 24 February 2010; c 24.]

Two other points are worth noting. First, we have heard a lot of talk about the cost of the bridge, but the cost of not going ahead is also critical. Charlie Gordon correctly cited the figure of £650,000 a day as the cost of serious closures of the existing bridge and Alex Johnstone referred to the figure that the chambers of commerce put forward of £1.5 billion a year in lost opportunity and economic costs. Secondly, while there is any uncertainty at all about what is going to happen with the bridge, investment in the central belt will be discouraged. So, the sooner that we can move forward, the better.

The other area that many members, including Margaret Smith, Mary Mulligan and George Foulkes in his interventions, touched on is the impact of the bridge on the local communities. As a Lothians member, I am far more familiar with the south of the river than with the north of the river, and the concerns that have been raised by residents of South Queensferry and Newton are

well made. David Stewart’s description of them as being put forward professionally and in a polished manner is absolutely correct. A number of concerns have been expressed in that way. The level of consultation was an issue right from the start, and the view that was fed back to me by my constituents was that that was not acceptable. If someone was on the mailing list they might have got the information, but many people—particularly the more vulnerable residents—were not on the mailing list and were not in a position to stand up for themselves.

There were concerns about the construction sites, about the M9 spur—or, at least, about the lack of a link—and about other environmental impacts on the community.

I acknowledge the minister’s comments in his opening speech about the code of construction practice and changes that he might be considering. The more changes that he can tell us about in his summing up, the better. Similarly, the sooner that we hear about subsequent changes, the better.

The committee said that there must be genuine discussions between Transport Scotland and parties who are seeking mitigation. The committee wants specific measures to be taken to counter the problems that are faced by Newton village, which were acknowledged by Transport Scotland. Most important, the committee wants a progress report by the start of the stage 2 process.

All those things must happen. However, at 5 o’clock today, I will be supporting the general principles of the bill.

16:41

**Charlie Gordon:** This has been a good debate. I cannot say a lot about what the minister said because, rather generously, he took too many lengthy interventions. George Foulkes, however, raised entirely legitimate points, and promised ermine, it seems.

Alex Johnstone vouchsafed that, when he hears the words “the Forth bridge”, he thinks about the road bridge. I think about Alfred Hitchcock, “The 39 Steps”, Robert Donat and a beautiful railway asset that, these days, is arguably rather underutilised.

To Alison McInnes, I say, “Get well soon.” She skirted around the issue of PPP, but I think that it might be difficult to get genuine financing and competition in this particular context. However, I agree with her point about having a transport strategy in the bill, rather than named projects. I hope that the minister will respond on that point.

Joe FitzPatrick made what might have been a Freudian slip, in which £2 billion became only £2

million. He made an important point about the members of the committee being in a quasi-judicial role, and I think that that bears repetition. They were not whipped on the principle, let alone on the detail, which is how it should be in relation to such matters.

David Stewart quoted Wikipedia and Napoleon—one of those sources is always right. Mr Stewart also explained to us what is meant by “optimism bias”, and he recommended that we ensure against it when dealing with public finances, but he might also have been recommending that approach as a general principle for life.

Ted Brocklebank told us a ferry story—for the benefit of the *Official Report*, I point out that that is spelled F-E-R-R-Y—and thus proved that he is older than I am, and possibly even older than the minister.

Perhaps because she originally hails from Glasgow, Tricia Marwick had the good sense to agree with me about housing in Edinburgh. Then Margaret Smith, who otherwise spoke eloquently on behalf of her constituents, intervened to speak about housing in Edinburgh and told us about one of the many coalitions that the politically promiscuous Liberal Democrats are involved in. They boast that they are building new homes but, apparently, the rents are far too high to be affordable.

Helen Eadie agreed with Tricia Marwick—I will repeat that: Helen Eadie agreed with Tricia Marwick—and then she was saved by the bell.

Patrick Harvie was very like himself. Enough said.

Ian McKee also went down memory lane and told us another ferry story. I had a mental picture of a young Ian McKee, a young Stewart Stevenson and a young Ted Brocklebank rendezvousing on the south banks of the Forth. I will not tell members my internal reaction to that thought.

Mary Mulligan spoke eloquently on behalf of her constituents and took a balanced approach, saying that she is not opposed to this important national project in principle, but will use the remaining stages of the bill process to try to get a better deal for her constituents. I think that that approach is to be commended.

Gavin Brown highlighted the reckless gamble that the do-nothing option represents. We cannot gamble in that way with the country's vital national infrastructure. We have to grasp the nettle.

In Labour's view, we must endorse the general principles of the bill at stage 1, but we should certainly use the remaining stages of the bill to

take on board, as far as possible, legitimate local concerns.

**The Deputy Presiding Officer:** I call on the minister to wind up the debate. He can take until about 2 minutes to 5.

16:45

**Stewart Stevenson:** That is most generous, Presiding Officer. Thank you for that.

It has been a useful debate. No one made a contribution that should be ignored. I will try to respond to as many as possible of the points that were made, to add to the comprehensive response that I gave in my letter to the committee.

Jackson Carlaw confirmed, as we have done, that funding for the bridge will appear as a level 3 item in the budget, so any change in it will need to be approved by the Parliament. That is a first, and it will be broadly welcomed because it will enable the Parliament to engage with the continuing expenditure on the bridge in a way that was perhaps less possible with previous projects.

In his opening remarks, Charlie Gordon commented that repair was an option with too many downsides. There is little doubt about that. We heard from a number of members about the economic cost of closing the bridge. If we were to repair the existing bridge, that would essentially involve building up the columns, putting another cable over the top, and—this is the crucial point—finding new anchorage points that were further out. In suggesting that we already know that the bridge can be repaired, Patrick Harvie perhaps knows how those anchorage points will be located and whether they are fit for purpose. I assure members that I do not know the answer to those questions, and at this stage I do not think that anyone else does. It is not at all clear that the issue of putting an additional cable over the top to allow the existing bridge to be repaired is well understood. I do not want to pretend that it cannot be solved; I am saying only that it has not been solved.

**Margo MacDonald (Lothians) (Ind):** I thank the minister for giving way, because his answer might determine my vote this evening. Inside what timeframe could he find out where the fixings would go?

**Stewart Stevenson:** I do not think that I can give a substantive answer to that. I can say that the next step is to understand the nature of the existing anchorages, because we know about the deterioration in the cable but we know rather less about the condition of the anchorages. That research is likely to give some further insight into the answer to the member's question, although it might not deliver the certainty that she seeks from

me. I would not want to mislead the Parliament about that.

Charlie Gordon said that we must grasp the nettle and endorse the bill. That is broadly, if not totally, the consensus that we have noted in today's debate.

Alex Johnstone bravely took an intervention from George Foulkes, as others of us did. I suspect that, when we add up the minutes for which he spoke, it might exceed the minutes of many of those who had a speaking slot in the debate.

Many members, particularly Margaret Smith, identified the tricky question of the communities of Newton, South Queensferry and Kirkliston. I do not want to downplay the concerns of people in those communities. They are legitimate concerns that require to be addressed. We will continue to engage with the community of Newton. We have made some initial proposals. Indeed, we are looking to have continuous engagement with each of the community councils that has an interest in the bridge and the effects that it will have. The bottom line is that we want to take actions that will make travel via Newton less attractive to people—in other words, they do it only once because they discover that, although their satellite navigation might say that it is a good way to go, their experience tells them that it is not.

In the past, we have sought for a variety of reasons to make contact with the providers of maps for satellite navigation systems—so far, I have to say, without much success—but we will continue to engage with the matter as part of a much wider agenda to stop HGVs, in particular, using many inappropriate routes in Scotland. Of course, South Queensferry will benefit from the fact that, unlike the traffic for the existing bridge, the traffic for the new bridge will no longer go through the middle of the town. There is a balance of advantage and disadvantage.

**Margaret Smith:** The committee has said, rightly, that the work times should be looked at. However, in the letter that was sent to the committee yesterday, the minister said that he wants to look again at a 7 am start for some construction traffic. Will he confirm that no construction traffic will move before 7.30 am and, indeed, that any traffic moving before the 8 am start time will be that which is involved in the half-hour setting-up period before work begins?

**Stewart Stevenson:** It is certainly the intention that nothing will happen before 7 am and that in the period between 7.30 am and 8 am people will be taken to their different locations on site. However, work will start no earlier than 8 am and will stop at 7 pm. I will reread my letter to the committee, but I did not think that it said what the

member suggested it says. She might well have read it more carefully than even I did when I signed it, so I will not turn her away from her suggestion.

Alison McInnes said that she wants a full multimodal bridge. However, that very proposal was the reason for the substantial difference between the current price and the £3.4 billion to £4.3 billion cost that we first heard about. When I originally challenged the proposal, we were told that a multimodal bridge was being planned because light rail could not go over the existing bridge. Again, I challenged that, and further work that was carried out established that it would be possible to put light rail on the existing bridge. That fundamentally changed the cost and design in a way that not only protected the public purse but now presents opportunities that we might not otherwise have had.

The new bridge will have the same capacity as the existing bridge, although I acknowledge Patrick Harvie's point about the temptation to reuse some of the capacity that would appear to be lying idle on the existing bridge. Parliament has the opportunity to send clear messages about that; indeed, I certainly wish to send the clear message that it is not something that we should permit.

**Patrick Harvie:** Will the minister give way?

**Stewart Stevenson:** I am sorry—I really have a lot to cover in my now diminishing time.

It is, of course, important to integrate bus and rail across the east of Scotland. It was, however, suggested that quite a lot of capacity was available on the rail bridge; that is not the case, partly because there is a very long block on the bridge. We hope that by putting an extra signal in the middle and breaking the block in two we will relieve things and increase capacity. In fact, it was necessary to get traffic on to the Stirling-Alloa-Kincardine line before we could even find the capacity to increase rail passenger services to Fife. The issue is not quite as simple as might have been suggested.

With regard to the intelligent traffic systems that Joe FitzPatrick and Jim Tolson mentioned, I point out that, paradoxical as it might seem, the mathematical model for traffic modelling is known as the Monte Carlo system, because it involves rolling what might be described as mathematical dice. The intelligent traffic system might slow down traffic, but if we can get it right, that will also shorten journey times. Using computers to monitor what goes on on the road network and to encourage traffic to slow down—which will, as I say, shorten journey times—actually works. We are not being ground-breaking; it has been done elsewhere and we know that we can do it here.

On the cost of capital issue that Joe FitzPatrick mentioned, it is worth pointing out that changes to the accounting rules mean that we will not have to account for that in the future. In any case, it does not make any difference to the availability of cash to the Government; it merely changes the book-keeping.

David Stewart, with that ever-reliable source Wikipedia, referred to optimism bias. I prefer the view expressed by Professor Fred P Brooks Jr in my favourite project management book "The Mythical Man-Month". Every chapter in the book starts with a quotation; one starts with the Dutch proverb, "Een schip op het strand is een baken in zee", which means that a beached ship is a warning to the sailor. We are looking at previous projects that have not been successful and taking the appropriate warnings. Optimism bias, which is a Treasury rule, is a useful way of getting a grip of many things that we need to do.

Ted Brocklebank averred that he is still a tunnel fan. It is worth reminding ourselves that a tunnel would not be able to take whisky or fuel lorries because of their associated risks. That is by no means the reason why a bridge was chosen, but perhaps that should not be entirely disregarded in view of Fife's interests in whisky.

Helen Eadie asked about TEN-T. I assure her that we made two applications. She may have received the answer that she received because of the question that she asked. The applications go in in the name of the Department for Transport, not in the name of the Scottish Government. Things will depend on the question that is asked—there is not necessarily inconsistency. We are preparing a third application. It is worth reminding members that the total allocation across Europe was only €80 million, so it is not decisive in funding terms, alas and alack.

Margaret Smith talked about £100 per bus that crosses the old bridge. That is a fully allocated cost. If no buses are sent across, very little of that £100 per bus will be saved. There is a difference between the cost when it is allocated and what is saved when the activity is not done. That is fundamental.

**Margaret Smith** *rose*—

**Stewart Stevenson:** I am sorry, but I do not have enough time to take an intervention. I will talk to the member about the subject afterwards if she wishes to hear more about it.

Patrick Harvie said that nothing else would be done when the bridge was being built because of the finances. That is absolutely not the case. There are major rail projects, and investments in public transport will continue. The Edinburgh to Glasgow rail improvements programme is important. Some £1 billion will be made available

in the period up to 2015. We will do many other things.

We will issue the next version of the code of construction practice programme by 31 May. Members will therefore be able to see the flesh that we have put on the commitments that we have made in that respect.

Every time that we consult on transport and any other part of our activities, it is possible to ask whether we can improve on that consultation and to conclude that it is. We will certainly ask that. We have done a great deal of consultation and directly interacted with people. We have proactively gone out and engaged with them; indeed, we have probably done more consultation than we have ever done before. However, I recognise that the project is very big and that it will affect a large number of people. We will certainly consider the lessons.

The case for supporting the bill has been well made. The replacement crossing will be an essential element of our national infrastructure. The debate has been good and informative, and we will continue to engage with the committee and the Parliament.

I take great pleasure in endorsing the motion on the general principles of the bill.



## Forth Crossing Bill: Financial Resolution

16:58

**The Presiding Officer (Alex Fergusson):** The next item of business is consideration of motion S3M-6067, in the name of John Swinney, on the financial resolution in respect of the Forth Crossing Bill.

*Motion moved,*

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Forth Crossing Bill, agrees to any expenditure of a kind referred to in Rules 9C.16.3(b)(ii) and (iii) of the Parliament's Standing Orders arising in consequence of the Act.—[*Stewart Stevenson.*]

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

## Business Motions

16:58

**The Presiding Officer (Alex Fergusson):** The next item of business is consideration of business motion S3M-6401, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, setting out a business programme.

*Motion moved,*

That the Parliament agrees the following programme of business—

Wednesday 2 June 2010

2.30 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Economy, Energy and Tourism Committee Debate: Report on the way forward for Scotland's banking, building society and financial services sector

*followed by* Business Motion

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Thursday 3 June 2010

9.15 am Parliamentary Bureau Motions

*followed by* Scottish Labour Party Business

11.40 am General Question Time

12 noon First Minister's Question Time

2.15 pm Themed Question Time  
Justice and Law Officers;  
Rural Affairs and the Environment

2.55 pm Scottish Government Debate: Student Fees

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 9 June 2010

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Final Stage Debate: William Simpson's Home (Transfer of Property etc.) (Scotland) Bill

*followed by* Stage 3 Proceedings: Scottish Parliamentary Commissions and Commissioners etc. Bill

*followed by* Scottish Government Business

*followed by* Business Motion

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Thursday 10 June 2010

9.15 am Parliamentary Bureau Motions  
*followed by* Scottish Government Business  
 11.40 am General Question Time  
 12 noon First Minister's Question Time  
 2.15 pm Themed Question Time  
 Finance and Sustainable Growth  
 2.55 pm Scottish Government Business  
*followed by* Parliamentary Bureau Motions  
 5.00 pm Decision Time  
*followed by* Members' Business—[*Bruce Crawford.*]

*Motion agreed to.*

**The Presiding Officer:** The next item of business is consideration of business motion S3M-6402, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, setting out a timetable for stage 1 of the Historic Environment (Amendment) (Scotland) Bill.

*Motion moved,*

That the Parliament agrees that consideration of the Historic Environment (Amendment) (Scotland) Bill at Stage 1 be completed by 12 November 2010.—[*Bruce Crawford.*]

*Motion agreed to.*

**The Presiding Officer:** The next item of business is consideration of business motion S3M-6403, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, setting out an extension to the stage 1 timetable for the Alcohol etc (Scotland) Bill.

*Motion moved,*

That the Parliament agrees that consideration of the Alcohol etc. (Scotland) Bill at Stage 1 be extended to 11 June 2010.—[*Bruce Crawford.*]

*Motion agreed to.*

**The Presiding Officer:** The next item of business is consideration of business motion S3M-6405, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, setting out a stage 2 timetable for the Legal Services (Scotland) Bill. I ask Bruce Crawford to move motion S3M-6405.

**The Minister for Parliamentary Business (Bruce Crawford):** I will do so, but can I just say that it is motion S3M-6404, Presiding Officer?

**The Presiding Officer:** I stand corrected. My script differs from yours, minister, but you are correct. It is motion S3M-6404.

*Motion moved,*

That the Parliament agrees that consideration of the Legal Services (Scotland) Bill at Stage 2 be completed by 1 July 2010.—[*Bruce Crawford.*]

*Motion agreed to.*

**The Presiding Officer:** The next item of business is consideration of business motion S3M-6405, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, on consideration of the Crofting Reform (Scotland) Bill.

*Motion moved,*

That the Parliament agrees that consideration of the Crofting Reform (Scotland) Bill at Stage 2 be completed by 18 June 2010.—[*Bruce Crawford.*]

*Motion agreed to.*

## Parliamentary Bureau Motions

17:00

**The Presiding Officer (Alex Fergusson):** The next item of business is consideration of three Parliamentary Bureau motions. I ask Bruce Crawford to move motions S3M-6406, S3M-6410 and S3M-6407, on membership of committees and substitution on committees.

*Motions moved,*

That the Parliament agrees that Elaine Smith be appointed to replace Margaret Curran as a member of the Subordinate Legislation Committee.

That the Parliament agrees that—

Alex Johnstone be appointed to replace Jackson Carlaw as a member of the Subordinate Legislation Committee;

Jackson Carlaw be appointed to replace Alex Johnstone as a member of the Transport, Infrastructure and Climate Change Committee.

That the Parliament agrees that—

Malcolm Chisholm be appointed to replace Margaret Curran as the Scottish Labour Party substitute on the Local Government and Communities Committee;

Karen Gillon be appointed to replace Elaine Smith as the Scottish Labour Party substitute on the Subordinate Legislation Committee.—[*Bruce Crawford.*]

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

## Decision Time

17:01

**The Presiding Officer (Alex Fergusson):** There are four questions to be put as a result of today's business.

The first question is, that motion S3M-6364, in the name of Karen Whitefield, on the Education, Lifelong Learning and Culture Committee's "Report on *supporting children's learning* code of practice", be agreed to.

*Motion agreed to,*

That the Parliament agrees that the Education, Lifelong Learning and Culture Committee's 3rd Report, 2010 (Session 3): Report on *supporting children's learning* code of practice (SP Paper 436), together with the *Official Report* of the Parliament's debate on the report, should form the Parliament's response to the Scottish Government on its revised code of practice, *supporting children's learning*.

**The Presiding Officer:** The second question is, that—

**George Foulkes (Lothians) (Lab):** On a point of order, Presiding Officer.

**The Presiding Officer:** At the end of decision time, please.

**George Foulkes:** It relates to the vote that we are about to take.

**The Presiding Officer:** At the end of decision time, please, Lord Foulkes. When a question has been put, you cannot make a point of order. I am putting a question to the Parliament.

The next question is, that motion S3M-6391, in the name of Stewart Stevenson, on the Forth Crossing Bill, 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)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Allan, Alasdair (Western Isles) (SNP)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brocklebank, Ted (Mid Scotland and Fife) (Con)  
 Brown, Gavin (Lothians) (Con)  
 Brown, Keith (Ochil) (SNP)  
 Brown, Robert (Glasgow) (LD)  
 Brownlee, Derek (South of Scotland) (Con)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Campbell, Aileen (South of Scotland) (SNP)  
 Carlaw, Jackson (West of Scotland) (Con)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)  
 Constance, Angela (Livingston) (SNP)

Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Don, Nigel (North East Scotland) (SNP)  
 Doris, Bob (Glasgow) (SNP)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 FitzPatrick, Joe (Dundee West) (SNP)  
 Foulkes, George (Lothians) (Lab)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marilyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Annabel (West of Scotland) (Con)  
 Gordon, Charlie (Glasgow Cathcart) (Lab)  
 Grahame, Christine (South of Scotland) (SNP)  
 Harvie, Christopher (Mid Scotland and Fife) (SNP)  
 Henry, Hugh (Paisley South) (Lab)  
 Hepburn, Jamie (Central Scotland) (SNP)  
 Hume, Jim (South of Scotland) (LD)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Adam (South of Scotland) (SNP)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kelly, James (Glasgow Rutherglen) (Lab)  
 Kerr, Andy (East Kilbride) (Lab)  
 Kidd, Bill (Glasgow) (SNP)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Lamont, John (Roxburgh and Berwickshire) (Con)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lochhead, Richard (Moray) (SNP)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Ken (Eastwood) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 Marwick, Tricia (Central Fife) (SNP)  
 Mather, Jim (Argyll and Bute) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 Maxwell, Stewart (West of Scotland) (SNP)  
 McArthur, Liam (Orkney) (LD)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Tom (Hamilton South) (Lab)  
 McGrigor, Jamie (Highlands and Islands) (Con)  
 McInnes, Alison (North East Scotland) (LD)  
 McKee, Ian (Lothians) (SNP)  
 McKelvie, Christina (Central Scotland) (SNP)  
 McLaughlin, Anne (Glasgow) (SNP)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 McMahon, Michael (Hamilton North and Bellshill) (Lab)  
 McMillan, Stuart (West of Scotland) (SNP)  
 McNeil, Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Milne, Nanette (North East Scotland) (Con)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Mulligan, Mary (Linlithgow) (Lab)  
 Murray, Elaine (Dumfries) (Lab)  
 Neil, Alex (Central Scotland) (SNP)  
 O'Donnell, Hugh (Central Scotland) (LD)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Park, John (Mid Scotland and Fife) (Lab)  
 Paterson, Gil (West of Scotland) (SNP)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Robison, Shona (Dundee East) (SNP)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Salmond, Alex (Gordon) (SNP)  
 Scanlon, Mary (Highlands and Islands) (Con)

Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Elizabeth (Mid Scotland and Fife) (Con)  
 Smith, Iain (North East Fife) (LD)  
 Somerville, Shirley-Anne (Lothians) (SNP)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Stewart, David (Highlands and Islands) (Lab)  
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Sturgeon, Nicola (Glasgow Govan) (SNP)  
 Swinney, John (North Tayside) (SNP)  
 Thompson, Dave (Highlands and Islands) (SNP)  
 Tolson, Jim (Dunfermline West) (LD)  
 Watt, Maureen (North East Scotland) (SNP)  
 Welsh, Andrew (Angus) (SNP)  
 White, Sandra (Glasgow) (SNP)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Whitton, David (Strathkelvin and Bearsden) (Lab)  
 Wilson, Bill (West of Scotland) (SNP)  
 Wilson, John (Central Scotland) (SNP)

### Against

Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)

### Abstentions

MacDonald, Margo (Lothians) (Ind)  
 Smith, Margaret (Edinburgh West) (LD)

**The Presiding Officer:** The result of the division is: For 113, Against 3, Abstentions 2.

### *Motion agreed to,*

That the Parliament agrees to the general principles of the Forth Crossing Bill and that the Bill should proceed as a Hybrid Bill.

**The Presiding Officer:** The next question is, that motion S3M-6067, in the name of John Swinney, on the financial resolution to the Forth Crossing Bill, 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)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Allan, Alasdair (Western Isles) (SNP)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brocklebank, Ted (Mid Scotland and Fife) (Con)  
 Brown, Gavin (Lothians) (Con)  
 Brown, Keith (Ochil) (SNP)  
 Brown, Robert (Glasgow) (LD)  
 Brownlee, Derek (South of Scotland) (Con)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Campbell, Aileen (South of Scotland) (SNP)  
 Carlaw, Jackson (West of Scotland) (Con)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)  
 Constance, Angela (Livingston) (SNP)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)

Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Don, Nigel (North East Scotland) (SNP)  
 Doris, Bob (Glasgow) (SNP)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 FitzPatrick, Joe (Dundee West) (SNP)  
 Foulkes, George (Lothians) (Lab)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marilyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Annabel (West of Scotland) (Con)  
 Gordon, Charlie (Glasgow Cathcart) (Lab)  
 Grahame, Christine (South of Scotland) (SNP)  
 Harvie, Christopher (Mid Scotland and Fife) (SNP)  
 Henry, Hugh (Paisley South) (Lab)  
 Hepburn, Jamie (Central Scotland) (SNP)  
 Hume, Jim (South of Scotland) (LD)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Adam (South of Scotland) (SNP)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kelly, James (Glasgow Rutherglen) (Lab)  
 Kerr, Andy (East Kilbride) (Lab)  
 Kidd, Bill (Glasgow) (SNP)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Lamont, John (Roxburgh and Berwickshire) (Con)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lochhead, Richard (Moray) (SNP)  
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Ken (Eastwood) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 Marwick, Tricia (Central Fife) (SNP)  
 Mather, Jim (Argyll and Bute) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 Maxwell, Stewart (West of Scotland) (SNP)  
 McArthur, Liam (Orkney) (LD)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Tom (Hamilton South) (Lab)  
 McGrigor, Jamie (Highlands and Islands) (Con)  
 McInnes, Alison (North East Scotland) (LD)  
 McKee, Ian (Lothians) (SNP)  
 McKelvie, Christina (Central Scotland) (SNP)  
 McLaughlin, Anne (Glasgow) (SNP)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 McMahon, Michael (Hamilton North and Bellshill) (Lab)  
 McMillan, Stuart (West of Scotland) (SNP)  
 McNeil, Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Milne, Nanette (North East Scotland) (Con)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Mulligan, Mary (Linlithgow) (Lab)  
 Murray, Elaine (Dumfries) (Lab)  
 Neil, Alex (Central Scotland) (SNP)  
 O'Donnell, Hugh (Central Scotland) (LD)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Park, John (Mid Scotland and Fife) (Lab)  
 Paterson, Gil (West of Scotland) (SNP)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Robison, Shona (Dundee East) (SNP)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Salmond, Alex (Gordon) (SNP)  
 Scanlon, Mary (Highlands and Islands) (Con)

Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Elizabeth (Mid Scotland and Fife) (Con)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Somerville, Shirley-Anne (Lothians) (SNP)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Stewart, David (Highlands and Islands) (Lab)  
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Sturgeon, Nicola (Glasgow Govan) (SNP)  
 Swinney, John (North Tayside) (SNP)  
 Thompson, Dave (Highlands and Islands) (SNP)  
 Tolson, Jim (Dunfermline West) (LD)  
 Watt, Maureen (North East Scotland) (SNP)  
 Welsh, Andrew (Angus) (SNP)  
 White, Sandra (Glasgow) (SNP)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Whitton, David (Strathkelvin and Bearsden) (Lab)  
 Wilson, Bill (West of Scotland) (SNP)  
 Wilson, John (Central Scotland) (SNP)

### Against

Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)

### Abstentions

MacDonald, Margo (Lothians) (Ind)

**The Presiding Officer:** The result of the division is: For 115, Against 2, Abstentions 1.

### *Motion agreed to,*

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Forth Crossing Bill, agrees to any expenditure of a kind referred to in Rules 9C.16.3(b)(ii) and (iii) of the Parliament's Standing Orders arising in consequence of the Act.

**The Presiding Officer:** I can now take a point of order from George Foulkes.

**George Foulkes:** I am grateful to you, Presiding Officer. I of course defer to your ruling with regard to the timing. Perhaps I should have raised the point of order right at the start of decision time; I will bear that in mind for the future.

The point of order relates to something that Margaret Smith raised in her speech during the debate on the Forth replacement crossing. I want you to confirm that, having voted for the bill at stage 1, we then have the opportunity for the various objections that were raised during the debate to be considered in detail at stage 2 and, if those objections are not properly considered and not accepted, it is then possible to vote against the bill at one of the later stages. *[Laughter.]*

**The Presiding Officer:** Order. I think that that is largely the purpose of stage 2. *[Interruption.]* Order. I am happy to confirm that the bill will return to the chamber to be passed—or not—at a final stage.

**George Foulkes:** Further to that point of order, Presiding Officer—

**The Presiding Officer:** I hope that this is a point of order.

**George Foulkes:** It is further to the point of order. The members who were jeering rather ignorantly were not in the chamber for the debate. If they had been here—[*Interruption.*] Oh shut up!

**The Presiding Officer:** With all due respect, I think that I need to know what the point of order is.

**George Foulkes:** If they had been in the chamber for the debate, they would have understood the point that was made in relation to what Margaret Smith said during the debate.

**The Presiding Officer:** That is certainly not a point of order and I think that we have covered the technicalities involved.

There is a fourth question to be put as part of decision time. I propose to put a single question on motions S3M-6406, S3M-6410 and S3M-6407. As no one objects, the question is, that motions S3M-6406, S3M-6410 and S3M-6407, in the name of Bruce Crawford, on membership of and substitution on committees, be agreed to.

*Motions agreed to.*

That the Parliament agrees that Elaine Smith be appointed to replace Margaret Curran as a member of the Subordinate Legislation Committee.

That the Parliament agrees that—

Alex Johnstone be appointed to replace Jackson Carlaw as a member of the Subordinate Legislation Committee;

Jackson Carlaw be appointed to replace Alex Johnstone as a member of the Transport, Infrastructure and Climate Change Committee.

That the Parliament agrees that—

Malcolm Chisholm be appointed to replace Margaret Curran as the Scottish Labour Party substitute on the Local Government and Communities Committee;

Karen Gillon be appointed to replace Elaine Smith as the Scottish Labour Party substitute on the Subordinate Legislation Committee.

## Pentland Ferries

**The Deputy Presiding Officer (Trish Godman):** The final item of business is a members' business debate on motion S3M-6331, in the name of Mary Scanlon, on Pentland Ferries. The debate will be concluded without any question being put.

*Motion debated,*

That the Parliament congratulates Andrew Banks of Pentland Ferries for the work that he has done since its inception in 1997; notes that Pentland Ferries receives no state aid to support its services; considers that the recent addition of the MV Pentalina is a welcome boost and that these services provide a crucial lifeline for island communities and businesses, particularly the agriculture and fishing industries, through a substantial volume of passenger and freight transport; commends the perseverance of Andrew Banks who has literally built up the business since 1997, constructing the pier at Gills Bay, and commends the continued service that Pentland Ferries provided, when the MV Hamnavoe was diverted to Bergen to assist stranded passengers during the initial volcanic ash disruption, by ensuring that a link between Orkney and the mainland was maintained.

17:07

**Mary Scanlon (Highlands and Islands) (Con):** I had a members' business debate in 2002 on the northern isles ferries. Very little has changed since then. However, I welcome and commend the book "Pentland Hero" by Scottish National Party councillor in the Highland Council, Roy Pederson, who states clearly the David-and-Goliath battle that has been faced by Andrew Banks, who is a farmer's son from Orkney. To be politically balanced, I can do no better than quote from the foreword by Lord George Robertson, former Secretary of State for Defence and secretary-general of NATO and a Labour MP for 21 years, because I do not think that I could have put this better. He said:

"This is the story of how the islands of Scotland, the subject of noisy and wholly justified championing over the years, have in fact been betrayed by the very authorities they trusted to protect their vital connectivity with the mainland. It is also a story, as yet unfinished, of how the taxpayer has for many years shored up inefficient, inappropriate, over-expensive ferry services where in many cases there have been cheaper, efficient, subsidy-free alternatives. The book chronicles a classic example of how one man had the tenacity, the resources, the persistence and public-minded spirit to provide a ferry service for his fellow citizens between his native Orkney Islands to the nearest part of the Scottish mainland. It is a tale of governmental skulduggery, unfair competition and elected authoritarianism—all designed to drive him from his dream of a better and cheaper service for the public—and all of it organised and orchestrated by the very people, in Edinburgh and Kirkwall, elected to look after the islanders' interests."

Those are George Robertson's words, not mine. He compares the enterprising spirit and profitable

ferry crossing with the state-owned CalMac Ferries—and with NorthLink Ferries Ltd—which manages to make a loss on every route it operates. Andrew Banks faced, and still faces, countless obstacles, hostility and a cash-rich competitor with limitless taxpayers' funds. According to Roy Pedersen's book, Orkney Islands Council has now publicly admitted that it refused Andrew Banks access to a council-owned pier in order to constrain his services.

Nonetheless, Andrew Banks was recognised by his fellow Orcadians. When the local newspaper *Orkney Today* launched in 2004 an annual trophy to recognise individuals who had made outstanding contributions to their community, Orcadians chose Andrew Banks—the Pentland hero—as the outstanding ambassador for Orkney and a shining example to others. Unlike many elected politicians, civil servants and others of the day with responsibility for ferry services—as George Robertson said—Orcadians recognised the entrepreneur's invaluable contribution.

I will compare Pentland Ferries' MV Pentalina with NorthLink Ferries' MV Hamnavoe. The Hamnavoe cost £30 million; the Pentalina cost £7 million. NorthLink's Hamnavoe needs a crew of 28, while Pentalina has a crew of 10. The Hamnavoe travels at 17 knots and the Pentalina travels at 16 knots. The Pentalina's fuel consumption rate is 620 litres per hour; the rate on NorthLink's Hamnavoe is three times greater, at 1,835 litres per hour. For all its cost, the Hamnavoe takes only 17 more cars than the Pentalina.

As interesting as those comparisons is the comparison of subsidy. Pentland Ferries services receive nothing—not a penny. In 2007, NorthLink received £31 million. A report that was published in 2006 drew attention to a subsidy for NorthLink of £78 million. In 2008-09, the subsidy for CalMac and NorthLink rose to £90 million. Their boats involved huge capital costs, which taxpayers funded, and the new piers cost more than £50 million.

In comparison, Andrew Banks bought two second-hand CalMac ferries, built two piers and ran a ferry service at a profit. He had more than 11,621 passengers in July 2001, in his first year of operation. That was an excellent tourism year in Orkney. Andrew Banks's service gave local people the opportunity to travel to the mainland on a shorter and cheaper route than that of the subsidised NorthLink, whose subsidy rose from 22 per cent in 1991 to 62 per cent in 2007.

An example of the skulduggery that Lord George Robertson mentioned comes from online advertising. A Google search for "Pentland Ferries" took people directly to a link to [www.northlinkferries.co.uk](http://www.northlinkferries.co.uk).

I commend Pentland Ferries for maintaining the ferry link between Orkney and mainland Scotland when the Hamnavoe was diverted to Bergen to assist stranded air passengers during the initial volcanic ash disruption.

The greatest trading company in the industrial world was the Hudson's Bay Company. Many Orcadians were at that company's helm. We should congratulate Andrew Banks and Pentland Ferries on battling the state, elected politicians and civil servants to provide a first-class service from Caithness to Orkney.

We need entrepreneurs and we need to value them. I hope that the debate conveys the message that Scotland needs entrepreneurs such as Andrew Banks and that the state, the Government and all elected politicians will work to support them rather than be against them.

17:14

**Rob Gibson (Highlands and Islands) (SNP):** I congratulate Mary Scanlon on securing the debate. As a Transport, Infrastructure and Climate Change Committee member, I was involved in the committee's ferries inquiry a couple of years ago. Much of the evidence that Mary Scanlon described surfaced when the committee took and weighed up evidence.

Pentland Ferries has made a success of the short sea route to Orkney from the Caithness coast. The Scrabster to Stromness route is much longer and much more exposed.

The qualities of the new catamaran MV Pentalina on the route under debate are well tested. By contrast, the design of the Hamnavoe is much less cost effective, although a design other than the catamaran would probably be needed to serve the open ocean route. The ferry design that was commissioned at the same time as the large NorthLink ferries could easily carry more cars and, indeed, such ferries do so safely on routes similar to Orkney and Shetland.

As we have heard, despite disdain from civil servants and Orkney Islands Council, Andrew Banks persisted. Thanks to the Gills Bay harbour committee and after a major setback with the linkspan, Andrew Banks was able to get a sheltered berth for his roll-on, roll-off ferry. Orkney Islands Council did not help in respect of the Burwick harbour proposal that would, at least in summer, have cut the journey time by half an hour. Cuts in journey times are needed. The more time someone spends on a ferry, the more expensive it is; road and other modes of transport are cheaper than ferry transport. The proposed short sea route was not helped by the decisions of Orkney Islands Council; the journey time is longer than it needs to be.

The Scottish Government recognised the reliability of the Pentalina when the volcanic ash emergency began. With hindsight, people can now see that some of the steps that were taken at the time were over the top. However, at the time, we did not know the effect of the volcanic ash. The Scottish Government's decision to send the Hamnavoe to Bergen was an important part of bringing people home. Locals from Caithness who were stranded in Norway included the UHI Millennium Institute lecturer Linda Ramsøy, who was delighted to have been given the chance to get home and back to work, as were many other people.

Unnecessary alarm was whipped up in Orkney by people who should have known better. Figures for the past four years show more than 250 weather-related cancellations to NorthLink ferry services to the islands and 620 weather-delayed sailings. People who use those services to attend mainland appointments may have been inconvenienced by the three-day disruption that ensued as a result of the Bergen rescue, but there are many more days in each year on which the NorthLink service has not delivered because of the weather. As for bypassing the Aberdeen-Kirkwall-Lerwick service, NorthLink has abandoned 41 calls since 1 July 2006. People correctly said that hospital appointments were affected during the short time when the Hamnavoe was not available, but there have been many more occasions when that also happens because of bad weather. Flights are also disrupted at those times.

A clearer definition of "lifeline services" is needed. When we see headlines such as that in *The Orcadian* of 22 April, "Pentland Ferries left to cover as planes grounded and Orkney's lifeline ferry service removed", we have to ask: what is a lifeline? A lifeline is a regular ferry that takes the plane's place to do the job of transporting people from the islands to the mainland.

**The Deputy Presiding Officer:** You should be finishing now, Mr Gibson.

**Rob Gibson:** The Scottish Government ferries review has to look at costs, which is why the present arrangements need to come under specific scrutiny. The present arrangements do not, for weather-related reasons, guarantee lifeline services. The debate that Mary Scanlon has raised allows us to look forward to a ferries review that will take these issues on board, and do so seriously.

17:19

**David Stewart (Highlands and Islands) (Lab):** I congratulate Mary Scanlon on securing the debate and I strongly endorse the text of her motion. She mentioned my old friend and

colleague, Lord George Robertson, who was very helpful and influential when we were at Westminster together. He is, of course, well known now for his many roles, particularly as a director of Western Ferries.

As we have heard, Pentland Ferries was set up by Andrew Banks in 1997. Initially, he ran and serviced routes between Invergordon and Orkney. At that stage, Pentland Ferries found it difficult to generate sufficient freight. However, Mr Banks is a man with vision and a determined nature, and he obtained a 99-year lease at Gills Bay terminal, about 3 miles from John o'Groats. In May 2001, the MV Pentalina-B started sailing into St Margaret's Hope.

Mr Banks understood the important role that ferries play in rural development and in attracting inward investment and sustaining indigenous jobs by providing lifeline services. At one stage, I was a member of the Transport, Infrastructure and Climate Change Committee with Rob Gibson. In the past, the committee has argued that we need a national ferry strategy if we are to break away from the Cinderella service feel and atmosphere that ferries have had in the transport family, compared with road, rail and aviation. The mantra of better integration of different modes of transport has echoed through the lecture halls of every transport conference in history. However, we have a system that cannot co-ordinate the end of the winter timetables for bus, rail and ferry services with the start of the summer timetables, so the ferry sails into Oban just as the train departs.

Andrew Banks understands that ferry customers want comfort, speed, frequency and reliability. The MV Pentalina, which was built in the Philippines, is the state of the art. As Mary Scanlon pointed out, it has a capacity of 350 passengers. It can take either 32 cars or eight articulated lorries, and has an impressive speed—compared with ferries in the west of Scotland—of 18 knots. The ship has been designed to handle rough waters and will sail all year round.

This debate and previous debates about ferries generally have highlighted the need to develop new routes, as Mr Banks has done; the need to improve the frequency of services; the need to utilise vessels better; the need for a common design of vessels, with greater automation; the need to upgrade piers, as has happened at Gills Bay, to allow greater turnaround in harbours; and the need to cut the time for commissioning new vessels. Mr Banks has shown how a private individual can locate a gap in the market and develop a viable service there. By his hard work and imagination, he has highlighted wider issues relating to ferry services in Scotland.



17:22

**Liam McArthur (Orkney) (LD):** Like David Stewart, I congratulate Mary Scanlon both on her motion and on securing this evening's useful debate. I also thank David Stewart for declaring Lord Robertson's Western Ferries interest in his absence.

The debate is useful in a number of respects, not least in providing the Parliament with an opportunity to acknowledge the tremendous efforts of Andrew Banks and his wife Susan in developing what is a family business, in every sense of the world. Andrew's characteristic modesty would lead him to struggle with Mary Scanlon's implication that he may be the inheritor of John Rae's legacy, but we will leave it at that.

Andrew Banks has been involved since 1997 in the enterprise that we are debating. However, as the motion indicates, the Pentland Firth service got up and running only in 2001, since when it has steadily built up an impressive and loyal customer base. On a personal level, the debate provides me with the chance to put on record my gratitude to the staff and crew of Pentland Ferries for the work that they do and the way in which they go about providing a service to my constituents and those visiting Orkney.

As a regular user of the service, I recall one recent occasion when I had cause to rely heavily on the willingness of Pentland Ferries staff to meet the needs of their customers. Along with Peter Peacock and other members of the Rural Affairs and Environment Committee, I had been attending an evidence session, in Thurso, on the Crofting Reform (Scotland) Bill. So engrossing was the evidence of Drew Ratter and his fellow witnesses that I left Thurso a little later than intended and arrived at Gills Bay as the bow doors were closing. Such is the fair-minded and egalitarian nature of Orcadians that I am confident that I was allowed to board the Pentalina despite being the local MSP, rather than because of it. In any event, I am pleased to be able formally to put on record my thanks and apologies to the crew for their help that day.

Over the years, Pentland Ferries has built up a loyal customer base—in part, no doubt, due to the approach of its staff. A key factor has been a timetable that often proves more convenient for some travellers and freight operators. Although Pentland Ferries has received no public subsidy over the years, Andrew Banks has been successful in keeping his pricing structure competitive and has been rewarded in the business that he has been able to attract. Moreover, as other members have mentioned, he has invested in a new vessel that, as the motion indicates, has provided a real boost to the service. It is only fair to acknowledge the serious difficulties

that Andrew Banks experienced in securing the catamaran, difficulties that placed enormous strains on the business. It is to his credit—and to the relief of many people in my constituency—that Andrew and his colleagues were able to emerge from that period still in a position to build on the success of the business.

Mary Scanlon reminded us that in 2002 she secured a members' business debate on wider issues to do with ferry services to the north isles, including the lifeline service that NorthLink Ferries provides. During that debate, my predecessor as member for Orkney, Jim Wallace, highlighted the significant improvements that had been made to ferry services to and from as well as within the north isles during his time representing the islands. Since then, despite Mary Scanlon's assertion, further improvements have been made, not least through the inclusion of freight in the NorthLink contract, the roll-out of customised cassettes for livestock transport and the provision of additional cabin capacity on the popular Aberdeen route.

**Mary Scanlon:** I did not assert—at any time—that no improvements had been made on the NorthLink service. I would not want anyone to get the impression that I did.

**Liam McArthur:** I will read the *Official Report*. That was the impression that I got.

There is concern in Orkney that the steady improvement in our lifeline ferry services is under threat. I heard what Rob Gibson said, but attempts by the Scottish ministers to put the Aberdeen service on a go-slow and the decisions to divert the MV Hamnavoe to Bergen and have the MV Hrossey bypass Kirkwall have fuelled people's fears. It is understandable that my constituents are asking questions—I think that Rob Gibson is asking questions along similar lines—about why ministers can remove a lifeline service in a situation that is urgent but cannot be considered an emergency. Although Pentland Ferries responded well in the circumstances, it remains the case that, in effect, ministers removed both Orkney's lifeline ferry services simultaneously and without consultation.

Although I understand and share Mary Scanlon's admiration for Andrew Banks and Pentland Ferries, I do not think that my constituents would thank her or Scottish National Party councillor Roy Pedersen for arguing for the removal of the NorthLink service. Indeed, there is a strong case for saying that in recent years and at certain times in summer the demand on the various routes could not have been met by a single carrier. When we consider the situation in relation to ferry services between Gourrock and Dunoon, it is not difficult to understand why people

in Orkney are nervous about similar disruption to their essential lifeline.

17:27

**Charlie Gordon (Glasgow Cathcart) (Lab):** I commend Mary Scanlon for securing the debate.

I encountered Mr Banks two years ago, when he gave evidence to the Transport, Infrastructure and Climate Change Committee's inquiry into ferry services, to which Rob Gibson referred. He made a big impression on me and I thought that he was a remarkable man. He told us that he was carrying 80 per cent of the freight into Orkney and carrying 80 per cent of the sheep out of Orkney. I would be delighted to hear that he is doing even better now. He also told the committee that he was receiving no public subsidy. He said that he did not have a fancy financial arrangement, he had an overdraft. It was refreshing to encounter a witness who gave such direct answers.

I have been reading the *Official Report* of that meeting, to remind myself of what Mr Banks said about wider issues to do with the future of ferry services. He talked about the possibility of privatising Clyde, Hebridean and northern isles ferry routes, which could be individually tendered for. When we went into detail, he said that three or four CalMac Ferries routes could be quite profitable. However, when he was pressed on what would happen if a private operator went out of business he suggested that CalMac might step in, which made me wonder whether there would be a CalMac to step in if everything had been privatised.

Mr Banks made an interesting and surprising point when he told the committee that road equivalent tariff on his Orkney run

"would drop our fares by about 50 per cent".—[*Official Report, Transport, Infrastructure and Climate Change Committee*, 13 May 2008; c 731.]

Perhaps the minister will comment on that.

From an operational point of view, one of the most impressive things about Mr Banks's service was his then-new initiative for integration of his ferry service with an onward bus service to Inverness. The intermodal approach is entirely to be commended.

In its report to the Parliament after its inquiry, the committee said that, when the European Commission had clarified certain matters that had been outstanding for a long time, the Scottish Government must expedite its forthcoming Scottish ferries review and bring the results to the Parliament. The Commission clarified matters some time ago.

Given that I lodged a parliamentary question on the issue, which the minister is due to give an oral

answer to next week, perhaps he could tell us now and save himself the trouble: when will he come to the Parliament with the detailed outcome of his ferries review? In a debate of such a nature, a number of best-value issues undoubtedly arise that are deserving of a much more comprehensive debate about the way forward for ferry services in Scotland.

17:30

**Jamie McGrigor (Highlands and Islands)**

**(Con):** I, too, congratulate my good friend and Highlands and Islands MSP colleague Mary Scanlon on securing an important debate. I put on record my thanks to Andrew Banks and all his team at Pentland Ferries and my appreciation for the excellent service that they provide to my constituents. He comes from an ancient line of marine pilots who have navigated the Pentland Firth, which is one of the most dangerous sea channels in the world, for generations. His company provides an excellent service.

My constituents are fortunate indeed that Pentland Ferries offers a fast, frequent, reliable, efficient and competitively priced service that provides the choice of an alternative to the NorthLink service and increased capacity. Andrew Banks also provides an invaluable service to farmers and crofters in the transport of their livestock. He does all that at no cost to the taxpayer. His ferry service runs through one of the most challenging areas of sea in the marine world. It is the type of business that we should be commending and promoting in today's Scotland.

I was delighted to attend the recent book launch of "Pentland Hero", which is published by the leading Scottish publisher Birlinn, and I recommend it to all my MSP colleagues, because it is a very good read, and to anyone who has an interest in how we can support free enterprise and improve ferry services in Scotland.

The book sets out just how many obstacles Andrew Banks faced in trying to establish his service and compete with NorthLink, with its multimillion-pound Government subsidy. His success is all the more remarkable, given that he overcame those obstacles and won on what would appear to be an unfair playing field. Policy makers need to understand what enables his company to operate so successfully that, had it received subsidy equivalent to that which is received by NorthLink, it would have been able to offer a free service on the lifeline Scrabster to Stromness route, which would have saved the taxpayer around £20 million a year.

**Liam McArthur:** Will the member give way?

**Jamie McGrigor:** I need to make some progress.

I believe that Andrew Banks offered to do much the same on the Campbeltown to Ballycastle route for no subsidy but was again ignored by the Scottish Government.

Although the debate focuses on Pentland Ferries, I commend Western Ferries, which operates, without subsidy, in my native Argyll and Bute and provides a first-class and customer-responsive service on the Gourock to Dunoon route. Western Ferries, too, offers an alternative option at no cost to the taxpayer.

The successful operations of Pentland Ferries and Western Ferries surely demonstrate that the private sector has much to offer the ferry sector in Scotland. We await with great interest the results of the Government's ferries review. We will continue to argue strongly that enterprising businessmen, such as Andrew Banks, who provide good ferry services should be able to compete fairly for more routes around Scotland's coastline.

I will end with a quotation:

"This book tells the story of one man fighting an industrial bully. It amplifies the lone voice of the consumer against the battalions of 'we-know-best' government monopolists, who have never turned in anything approaching a profit."

Those are not my words, but the words of Lord Robertson.

17:35

**The Minister for Transport, Infrastructure and Climate Change (Stewart Stevenson):** As other members have done, I thank Mary Scanlon for giving us the opportunity to discuss an extremely important topic. I share the admiration that others have expressed for Andrew and Susan Banks, and for the efforts that they have made in providing their service.

I will address one or two of the points that members have made. Mary Scanlon said that Pentland Ferries faces

"a cash-rich competitor with limitless taxpayers' funds".

In fact, the contract tightly constrains the funding that is available. That does not necessarily negate the member's general point, but it ought to tidy up that particular expression of it. Even if it is in the book that members have mentioned, it is not true.

**Mary Scanlon:** It was a quotation from Lord George Robertson.

**Stewart Stevenson:** I am sure that the *Official Report* will recognise the source, now that it has been put on the record.

The Pentalina is a different design to the Hamnavoe: it is a more modern design that would not necessarily have been available when

NorthLink procured its vessels and put them into service. That reflects the general point that designs change over time and can improve.

The Pentalina is run by a private company, so we do not have access—as we do for NorthLink services—to figures on reliability. We do not know how many carryings there are, but the figure is probably of the order of a quarter of the traffic of the Hamnavoe. Charlie Gordon suggested that about 80 per cent of freight and 80 per cent of sheep are carried by Andrew Banks. I do not have information to rebut or endorse that, but I note it as an interesting point.

Mary Scanlon highlighted tourism as being an important industry for Orkney, which of course is the case. She highlighted the fact that the subsidies for NorthLink have risen. Indeed, the ferry budget as a whole has continued to rise. Fuel costs are now an increasing proportion of the costs of operating ferries, which is reflected in the subsidies that we have to provide.

Although there are routes in Scotland that are capable of commercial exploitation, they are very much in the minority in terms of the number of routes, if not necessarily the number of carryings—it is clear that the routes with the greatest number of carryings offer commercial opportunities. In the ferries review, we are not discounting that there are many different approaches to providing ferries other than provision by the state.

**Jamie McGrigor:** While we are on the subject of routes, has the minister any news on the Campbeltown to Ballycastle link?

**Stewart Stevenson:** I suspect, given the terms of the motion, that it would be inappropriate for me to respond on a matter that is clearly outside the topic of the Orkney route. However, I recognise and understand Jamie McGrigor's continued interest in the subject. I met him recently, and the matters that we discussed in confidence are progressing.

Rob Gibson made the point that Pentland Ferries has been successful, which is absolutely correct. I am not familiar, as Liam McArthur and Rob Gibson perhaps are, with the difficulties that were experienced with Orkney Islands Council in relation to the provision of harbours. I do not find that Orkney Islands Council behaves in an irrational way, but I would be interested to hear more about that.

Dave Stewart talked about the difficulties of synchronising the changeover between summer and winter timetables, which is fundamentally more difficult even than he described it. Airlines worldwide have a common date on which they swap from summer to winter timetables. I have tried, but not yet succeeded, to persuade the train

operating companies—and bus and other operators—in the United Kingdom that it would be useful if they aligned the dates, because it is clear that we will not get the airlines to change worldwide. We will continue to engage on that subject, but it is formidably difficult to achieve, although it sounds so simple and obvious.

Members have spoken about the common design of vessels. We are working with the Northern Ireland Executive and the Irish Republic on using European money to build common designs, so that one could, in effect, order from a catalogue instead of having to design every new vessel.

It is disappointing that at present no UK yards are bidding for ferries, to the extent that when we went with the Islay ferry, I phoned managing directors to find out why no bids were coming from them. I am afraid that I do not see any early change in that situation.

**David Stewart:** Will the minister give way?

**Stewart Stevenson:** Presiding Officer, I will do so unless I am out of time.

**The Deputy Presiding Officer:** Please be brief, Mr Stewart.

**David Stewart:** Does the minister recognise that one of the problems in vessel commissioning across the world has been the scarcity of engines? As that is now getting slightly better in the world market, will that help to speed up the commissioning of new vessels?

**Stewart Stevenson:** Yes. One of the fundamental issues that prevented the Fairlie yard from bidding for the earlier contract was that the vessel would have had to sit complete on the slip for a year before the engine could be provided. The member makes a very good point. He clearly understands and is on top of the issue.

Liam McArthur pointed to the loyalty of Pentland Ferries' customers. I agree that Andrew Banks is very much to be commended for the work that he has done. When we had to remove the Hamnavoe from service so that it could go to Bergen to rescue people from across the United Kingdom and from further afield so that they could be repatriated to the UK mainland—something that was very much welcomed by those who were rescued—it was clear that, at that time of year, Pentland Ferries could pick up the service to Orkney. Let me absolutely agree that Andrew Banks is to be commended for his entrepreneurial spirit.

I encourage everyone to engage in the ferries review, on which we have sent out formal notices to communities over recent months. We will produce the consultation document shortly—it has come to my desk once and I have requested some

changes, so we are in the final stages—but, as the document needs to be approved by other ministers, I am not in a position to make absolute commitments as to when it will be published.

Clearly, given the large number of ferry routes and entrenched ways of working, it is time to look again both at how we organise our ferries and, more fundamentally, at the transport needs of communities. In some cases, roads might substitute for ferries if the right approach is taken. In other cases, it might be better to improve air links rather than ferry services. We need to look not just at ferries. Ferries serve economic and social purposes for communities, but there may be other ways of delivering on those. Let us open our minds to a wide range of possibilities and ensure that we all engage in the most useful and open-minded way on the subject.

I very much look forward to bringing the results of the consultation and discussion to Parliament in due course.

*Meeting closed at 17:42.*

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