



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# MEETING OF THE PARLIAMENT

Thursday 4 November 2010

Session 3

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## Scottish Parliament

Thursday 4 November 2010

[The Presiding Officer *opened the meeting at 09:15*]

### Managing Scotland's Finances

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

Good morning. The first item of business is a Labour Party debate on motion S3M-7330, in the name of Andy Kerr, on managing Scotland's finances. Time is tight, so I ask members to be careful about their timings.

09:15

**Andy Kerr (East Kilbride) (Lab):** Scotland stands at a crossroads—a critical moment in its history. It is also, of course, a critical moment in the history of the Scottish Parliament. The cuts that have been announced by Mr Cameron and Mr Clegg will destroy at least 100,000 jobs. It is not only those who work for our councils and schools and in the national health service who are under threat; the things that they do are under threat, too. The services that local authorities and the NHS provide, such as our children's education and meals on wheels, are part of the social fabric—the glue that keeps our communities together—and they, too, are under threat.

We have serious decisions to make in Scotland. The people whom we represent and the communities that we come from need us to defend them. The Scottish Parliament is in the front line in the fight against the new Thatcherites, and John Swinney and the Scottish National Party must decide which side they are on. At the moment, Mr Swinney looks like the best finance secretary the Tories have ever had. The evidence is there for all to see. It is not Cameron or Clegg who is responsible for 3,000 teachers losing their jobs—it is John Swinney. It is not Cameron or Clegg who is responsible for nurses losing their jobs—it is John Swinney. It is not Cameron or Clegg who is responsible for cancelling the Glasgow airport rail link, with the loss of 1,300 jobs—it is, of course, John Swinney.

The Tories have been beside John Swinney every step of the way. They have pressed their buttons to vote for cuts in jobs and services. We used to joke that Derek Brownlee was Swinney's little helper, but things must be the other way round now. Let us not forget the words of Mr McLetchie, who said that the next best thing to a Tory Government is an SNP Government doing Tory things. The case is proven. Mr Swinney is the best finance secretary the Tories could ever have had.

**Robert Brown (Glasgow) (LD):** Before Mr Kerr is too launched into his rant, will he tell us what level of cuts the previous Labour Government planned?

**Andy Kerr:** If Mr Brown had let me proceed, I would have got to that point.

We can sum up the SNP Government in just a few words. It began with pre-election focus groups, and then ill-thought-through and phoney manifesto promises. It was elected on a false prospectus and the nation is now ill prepared for the cuts that are ahead of us. The Government has been found out, and we have been left with Scotland's abdication to the Tory view.

I turn to the economic issues in the SNP and Conservative amendments. Let us be clear. No serious economist takes the view that there is anything other than an international financial crisis. We are faced with an international economic and banking crisis, from a crisis in mortgages in the US to a crisis in the trading rooms of London and Edinburgh and throughout Europe. It is not a British crisis nor a Labour crisis: it is a global crisis.

#### **Murdo Fraser (Mid Scotland and Fife) (Con):**

If Mr Kerr is correct, why did Britain have the worst public finances in the entire G20 when Labour left office? Whose fault was that?

**Andy Kerr:** We took action that the Tories would not have taken to save the banks in Scotland and jobs throughout the country, and to prevent a recession from becoming a depression. The Tory policy was not to take that action.

Let us consider the facts. We went into the crisis with record quarter-on-quarter growth—such growth was never achieved in the United Kingdom before—and the second-lowest debt in the G7. The rising debt—we acknowledge that there was such debt—was a consequence of lower tax yields due to unemployment and, of course, the measures that Labour had to take, and was right to take, in the face of the recession. The decisions that we took ensured that repossession, business failure and unemployment levels were half the levels that they were under the Tories.

What would we have expected from our SNP Government in the face of the recession and knowing what was coming up the line? We would have assumed that the dynamic trio of Mr Action Man Swinney, Mind-map Mather and Statistics Stevenson would have seen the dire situation and would have sprung into action to address the greatest economic challenge that we have ever faced in Scotland. However, we would have been wrong to assume that. We have seen glaciers moving more quickly than the SNP Government. With a record budget, Scotland should have been positioned in the strongest place possible to resist

the recession and the Con-Dem cuts that are to come. Instead, we are weaker. In the past three years, we have not had an SNP Government; rather, we have had a failing SNP election campaign. We have not had a Government that has acted in the interests of Scotland; rather, we have had a Government that has acted in the narrow interests of the Scottish National Party. The judgment of the people will be that, when they most needed leadership from the Government, in respect of education, budgets or making decisions, the SNP was posted missing.

Our motion represents not just a criticism of just one minister's inertia in the face of recession, which is bad enough; it is an indictment of an entire Government's casual incompetence in addressing what we face. Let us remind ourselves of Mr Swinney's record. He squandered nearly £1.5 billion and still produced unemployment that is higher in Scotland than in the rest of the UK. He cut the economic budgets for enterprise, regeneration, housing and tourism in the face of a recession. He cancelled GARL, even though it was under way, with the loss of jobs and economic competitiveness for Scotland. On his watch, we have lost 3,000 teachers, 1,000 classroom assistants and 4,000 NHS staff, including 1,500 nurses, despite year-on-year increases in the Scottish budget. He sat idly by as the Scottish construction industry ground to a halt, and twiddled his thumbs as the Scottish Futures Trust paid out six-figure salaries for single-figure results. He turned his back on the Scottish construction industry with the abject failure that is the SFT. Not a single new school will have been commissioned and built within the lifetime of the Government. Some 40,000 builders have lost their jobs. Each and every one of them is paying a personal price for a cheap line in the SNP's manifesto. On Mr Swinney's watch, unemployment in Scotland is higher than it is in the rest of the UK, and youth unemployment is rising at its fastest rate since devolution. That is the Swinney and SNP legacy.

Where has the money been spent? It has not been spent on any promises in the SNP's manifesto, which I have with me. Students are still waiting for their debt to be scrapped, and first-time house buyers are still waiting to receive a grant. We are still waiting for the SNP to build a single school, and children are still in classes that are bigger than the promised class size of 18. There has been broken promise after broken promise.

Mr Swinney claimed with a big fanfare that his number 1 priority was economic growth, but what did he do? It is no wonder that the Scottish business community was moved to say:

"What is happening now seems to directly contradict the SNP's stated primary aim of growing the Scottish economy.

At the moment there are more harmful things for business than positive ones from the Scottish Government."

That is a sad indictment of the Scottish Government. Did the Council of Economic Advisers tell Mr Swinney at any point over the meals at Edinburgh castle or Dumfries house that cutting the budgets of key economic drivers might be a bad idea? Did it say that conducting a national conversation was just the kind of activity that our money should be spent on, or that £9 million on a referendum bill would be of comfort to the 231,000 Scots who are currently unemployed? We should take that money and the £27 million that is being spent on the Scottish Futures Trust and use it to provide real jobs and opportunities for our young people. That is what would be in my budget.

Of course, we still do not know what the SNP's plans are. I asked Mr Swinney months ago to come forward with his budget, but rather than act swiftly knowing the tsunami of the cuts to come, he ran away. He was frightened of taking action. His excuse was that the Government needed to know the exact figures, despite the fact that its chief economic adviser, Andrew Goudie, has been telling us all since July that there would be cuts of £1.2 billion.

**The Cabinet Secretary for Finance and Sustainable Growth (John Swinney):** Will Mr Kerr consider the difference in the approaches that the Welsh Labour finance minister and I have taken to setting a budget? Both Jane Hutt and I decided to wait until the comprehensive spending review had been undertaken before we published a budget. If that approach is good enough for Welsh Labour, why is it not good enough for Scottish Labour?

**Andy Kerr:** It is not good enough for Scottish Labour, because in this Parliament we know what information the Government has. We have seen the reports from the chief economic adviser and we have seen all the commentary, so we know that Mr Swinney can produce a budget. I am unsure of the position in Wales, but the point is about Scotland, not Wales.

I want to address the Liberal Democrat amendment. After a comprehensive spending review, a serious Government would publish a three-year budget. After keeping us waiting for all those months, will Mr Swinney publish a three-year budget? It certainly does not look as though he will. As Scotland's finance secretary, does he seriously think that a one-year budget is responsible at this time, given the scale of the cuts that are to come? We need to plan, but we cannot do so because of Mr Swinney's decisions. Can he assure Parliament that the police, higher education bodies, local authorities and our NHS

will be satisfied with a one-year budget from the Government? His decision to publish only a one-year budget is irresponsible and will do more harm. Of course, it is all about elections and not recessions—it is all about the interests of the SNP and not the interests of the people. Scotland deserves better.

We have had layer upon layer of failed initiatives and repeated failures to act, as well as a host of broken promises and cheap words, but little action. That would be a let-down at the best of times but, as all members know, these are not the best of times. Scotland deserves a Government that will act more decisively in the face of the challenges. We deserve better on tackling joblessness, as our young people challenge the hopelessness that has already been created by the Governments in Edinburgh and London. Many members in the Parliament hoped that we had seen the end of the nightmare that was the Thatcher Government and that we would never again see the spectre of generational unemployment in Scotland. For Labour members, not only was that our hope, it was the primary reason why we fought for the Parliament to be created. Thousands of young Scots condemned to live from their school days to their dying day without the opportunity for work and the respect and dignity that it can bring—that is a ghost from our past being brought to the future.

As we come to the big debates on Scotland's future, we on the Labour benches will keep our promises. Our manifesto, unlike the SNP's manifesto for the previous election, will be fully costed and we will deliver it. Scotland needs a Government that is focused on the prospects of our people and not the prospects of its party. The SNP has let Scotland down—it has broken every promise that it made and it simply has not tagged its resources for those who are most in need, as a real Scottish Government would do.

We need to get Scotland building again by restarting what remains of the infrastructure programme that Labour left in 2007 to get the construction industry off its knees and back into work. We need to set a plan for recovery and invest in skills and training, not only for our young people, but especially for them, as we cannot afford to sacrifice their futures. We need to set a budget for three years, so that Scotland can plan for how to cope with the cuts, not by cutting thousands of teachers and nurses as the Government has done, but by protecting front-line services. That is what a real Government and finance secretary would do.

We have had three and a half years of mismanagement from Mr Swinney and it cannot go on any longer. The people of Scotland deserve better. They are looking for the Parliament to

stand up for them and for their jobs and services. Mr Swinney has to decide which side he is on.

I move,

That the Parliament notes that, despite the Scottish Government having the highest ever Scottish budget and £1.5 billion in reserves when it came to power, the Cabinet Secretary for Finance and Sustainable Growth's wrong choices, which include the waste of money on the discredited Scottish Futures Trust, the cancellation of the Glasgow Airport Rail Link, the cutting of key economic budgets such as enterprise, regeneration and tourism and the dramatic rise in rates for some businesses, have contributed to Scotland's unemployment rate rising above that of the United Kingdom; considers that the loss of more than 40,000 construction workers, almost 3,000 teachers, 1,000 classroom assistants, 1,500 nurses and 2,500 other NHS posts represents real people carrying out real services; notes that the number of young Scots who are not in work or education or training programmes has increased from 31,000 to 36,000 in the last year; condemns the UK Government for cutting back on support for young people when it is most needed; warns that the mistakes of the Thatcher years are being repeated, and calls on members to do everything in their power to prevent another generation of young people from being denied the opportunity of work or training.

09:28

**The Cabinet Secretary for Finance and Sustainable Growth (John Swinney):** The debate is an unusual choice for the Labour Party to bring forward in its own time, because it is a subject on which the Labour Party has absolutely no credibility whatever. Mr Kerr's motion makes not a mention of the mess that the Labour Party made of the public finances in its 13 years in government, although we had the usual washing of the hands by Mr Kerr.

**Andy Kerr:** For clarification, and bearing in mind the decisions that Labour took that developed the deficit, which of the measures that we took—such as that on VAT, the car scrappage scheme, youth unemployment initiatives and support for communities—would he not have taken to avoid the debt that he is talking about?

**John Swinney:** I am talking about the fact that, if Mr Kerr is going to come to the Parliament and chastise ministers of the Government, and me in particular, for our record in office, it is only fair that the Labour Party admits to the spectacular failures of its term in office, which were legion. The Labour Party had the strongest public finances, but it utterly squandered them. [*Interruption.*]

**The Presiding Officer:** Order.

**John Swinney:** It had a generational opportunity to fulfil Mr Butler's welcome desire to tackle poverty, but it failed miserably to achieve any of those objectives. So, Labour's motion is mightily unusual.

**Ms Wendy Alexander (Paisley North) (Lab):** Will John Swinney take an intervention?

**John Swinney:** In a moment.

Let me address some of the charges in the Labour motion. It is important that we move forward on the basis of a shared understanding of the choices that Parliament has approved in our budgets since 2007, rather than the distorted picture that the motion presents. Some of those choices have been difficult, but they were the right choices for Scotland, both now and in preparing us for the future. I remind Mr Kerr that all those difficult decisions had to take place in the context of a spending review settlement in 2007 that was the tightest since devolution, with an average annual increase in our departmental expenditure limit of just 1.4 per cent, compared with an average of 3.4 per cent in the period before that. *[Interruption.]*

I remind the muttering Labour members—*[Interruption.]*

**The Presiding Officer:** Order.

**John Swinney:** I remind the muttering Labour members that the Labour Government imposed a £500 million cut on our 2010-11 budget, which was the first real-terms cut since devolution. *[Interruption.]* Presiding Officer, a perpetual routine of muttering is going on this morning, but for all the muttering that goes on, I will carry on setting out the facts.

Mr Kerr's motion demonstrates clearly that he is not keeping up with the information on end-year flexibility. He criticises the use of the £1.5 billion that was apparently left for the current Administration. The first point that Mr Kerr conveniently forgets is that the previous Labour Administration, of which he was a member, allocated £655 million of that money to be spent in one year and one year alone—2007-08, which was the year that Labour doled out large sums of money in a failed bid to win re-election at the Scottish Parliament elections.

In not one single year for which I have been Scotland's finance minister have I allocated that amount of end-year flexibility for one financial year. While we were allocating that money in an orderly fashion over the three years of the spending review through a deal that I negotiated with the Treasury, Mr Kerr was not demanding that budgets be cut and that the money not be spent; instead, Mr Kerr and all his colleagues were queueing up to demand that we spend more money than we had negotiated from the Treasury to spend in an orderly fashion.

**Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** I agree with the cabinet secretary 100 per cent on what Labour did

immediately before the previous Scottish Parliament elections. To avoid the risk of that happening again in Scotland, will the Scottish Government publish more than simply a one-year budget for the coming year?

**John Swinney:** Mr Purvis knows what the First Minister told Parliament last Thursday, which was that the scale of the reductions in public expenditure that are coming merit our looking carefully at the medium-term position. We cannot simply continue with a roll-on of budgets as they have historically been. We need to fundamentally reconsider public services and the way in which they are designed. That is why we have the Christie commission and why we will consider the issues and set out thinking that will inform the focusing of medium-term financial priorities.

My final point on end-year flexibility is absolutely fundamental. If Mr Kerr was keeping up with the news, he would have realised that, if we had not spent the end-year flexibility that was held at the Treasury—which we did in an orderly and agreed fashion over a three-year period to boost spending in the Scottish economy and to protect us against economic decline—we would have lost that money, because the Treasury has now ended the end-year flexibility routine. In that case, Mr Kerr would have been here complaining about the fact that we had lost access to the supposed £1.5 billion of resources that he allegedly left for us.

The Labour motion goes on to address the difficult decision that we took, very reluctantly, to cancel the branch-line element of the Glasgow airport rail link. I said that we had to do that because of the long-term sustainability of the capital budget. If Mr Kerr wishes to reinstate the scheme, which I understand from the Labour Party conference is a fully costed Labour Party commitment—I will be interested to read more about that in the next few weeks—he must reconcile that commitment with the £800 million cut in next year's capital budget that has been applied by the United Kingdom Government. I point out that all but £150 million of that cut in the capital budget was planned by the Labour Government before it left office in 2010.

**Robert Brown:** Before the cabinet secretary leaves the subject of GARL, will he confirm whether options for the next Government—whatever its kind—will still be in place or whether the land on the site of the GARL branch-line development is being sold off by this Government?

**John Swinney:** The Government has a responsibility to manage the assets under its control. If there is no use for those assets, the Government takes steps to dispose of them in circumstances where it considers that to be the most appropriate step to take.



Mr Kerr's motion talks about support for Scottish business. The comments in his motion and speech are absurd. I remind Mr Kerr and the chamber that, under the previous Administration, between 1999-2000 and 2006-07, business rates increased by 29 per cent. We had a higher poundage rate in Scotland than in the rest of the United Kingdom. This Government has put in place measures to support the business community through the small business bonus scheme. Has the Labour Party supported that proposition? Has it baloney! The Labour Party has been among the strongest critics of the small business bonus scheme. Every time that I go to Mr McNeil's Local Government and Communities Committee to be questioned by Labour members, I get criticised about the small business bonus scheme.

Before I leave the budget, I remind the Labour Party of its sad history on budget decisions. In 2008-09, Labour Party members abstained on the final budget proposition in which I had accepted their amendment. In 2009-10, so determined were they not to get in a mess, they inadvertently voted against the budget. Within days, I secured Labour support for my 2009-10 budget by offering Labour members exactly the same deal that they rejected a week before. At the outset of today's debate, we need to be somewhat chary about the credibility of the Labour Party on managing Scotland's public finances. We all know that significant public expenditure challenges lie ahead. We have heard the comprehensive spending review and we have also heard, although not from Mr Kerr, the words of the previous chancellor that the Labour Party's cuts were going to be "deeper and tougher" than those under Margaret Thatcher.

We face acute challenges to public expenditure in the period ahead. The Scottish Government has made clear our view that the reductions in public expenditure are too far and too fast. We think that they jeopardise economic recovery in Scotland, which is in its early stages. In the second quarter gross domestic product figures for Scotland we have seen growth of 1.3 per cent, with particular strength in the construction sector. Why is there particular strength in that sector? Because this Government, contrary to what Mr Kerr alleged, brought forward capital expenditure and supported the construction sector at a time of economic difficulty. We introduced capital projects and delivered an infrastructure programme in 2010-11 worth £3.3 billion. In the course of this Administration, we will build or refurbish more schools than the previous Administration did and we have committed to delivering social housing. That will be the record on which we argue our case to the people of Scotland.

The budget will be set out in the next couple of weeks and I will engage in dialogue on it with Parliament. However, the challenge and debate

that we will have in Parliament will be around a limited financial envelope constrained by decisions that are taken by the United Kingdom Government. If there were ever a set of circumstances in which the people of Scotland needed to look at the facts in front of them and ask, "Are we in a better position if we have our budget axed by a United Kingdom Government or should we take our own decisions about how to grow and strengthen our Scottish economy, deliver employment for our people and deliver opportunities?" it is now. That approach rests with having financial powers in this Parliament and that is exactly what this Government will secure.

I move amendment S3M-7330.3, to leave out from second "that" to end and insert:

"the dire condition of the United Kingdom's finances due to years of Labour economic mismanagement; regrets the impact of the UK Comprehensive Spending Review that takes £1.3 billion out of the Scottish budget, including £800 million from the capital budget; regrets that UK Government cuts go too far and too fast, jeopardising the Scottish economy and putting jobs at risk, and calls for the Scottish Parliament to be given full financial responsibility as the best means of ensuring that Scotland can build sustainable economic recovery."

09:39

**Derek Brownlee (South of Scotland) (Con):**

This has been a depressing debate. Within two weeks we will face what will probably be the most challenging budget that we have had during devolution and the public probably expect politicians to work together to deal with the consequences. Instead, we have heard a tirade from the Labour Party and an attempt to blame everyone else for the problems that we face. Any hope that people might have had that Parliament would reach consensus on the Scottish budget has been shattered by the Labour motion today. That motion is not a vision for the future; it is a rant about the past.

In this two-and-a-half-hour debate, we could have debated the substance of policy options or any one of the long list of spending commitments rolled out by the Labour Party in Oban last week. Instead, we have a motion from Andy Kerr that blames everybody else for the problems that the country faces, airbrushing out the role of Labour in Government. If only we could airbrush out the debt that Labour left this country, we would all be in a much better place.

**Andy Kerr:** Given that we had the second-lowest debt of the G7 nations and quarter-on-quarter record growth, which part of the Labour intervention in recession measures would the member not have taken thereby incurring the subsequent debt? It is a simple question.

**Derek Brownlee:** The simple thing that the Conservatives would not have done is to start increasing the deficit in 2001. Seven years before we had a recession or the banking crisis, Labour doubled the national debt, but it does not like to talk about that. It left the largest deficit in the G20, but it does not like to talk about that either.

It is ironic that the Labour motion includes a condemnation of the Scottish Government's use of the reserve. That is ironic on so many levels that it is not true: first, because as we heard the Labour Party wanted to do that itself; secondly, because it was a Labour chancellor who authorised the drawdown of the reserve; and thirdly, because the Labour Party once voted for a budget that would draw down that money in the week after it voted against it. Most ironic of all, however, is that today the Labour Party condemns the devolved Government for spending the reserve when the Labour Government at Westminster had not a reserve but the largest deficit that we had ever seen. The Labour Party condemns another party for spending money that it had, whereas Labour was busy spending money that it did not have. It is absolutely astonishing.

We have heard a rambling rant from Labour today condemning a host of cuts, all of which are a consequence of the mismanagement of public finances by the Labour Government. The Labour Party does not propose to reverse all those terrible cuts that it talks about and it is interesting that it is careful not to mention whether it will reintroduce transitional relief, whether all those teachers who have lost their jobs will get guaranteed employment or whether it will take on people in the construction sector. Labour is careful to complain about things and not to make promises.

As we heard again today, Labour is fond of saying that the deficit is all down to the banking crisis. Andy Kerr is fond of telling us that Labour's recession was a global phenomenon. To be fair to Mr Kerr, the largest deficit in the G20 was certainly noticed worldwide. Labour's position on the deficit would be more credible had it not begun to increase that deficit in 2001.

**Ms Alexander:** Does the member concede that, going into the financial crisis, Britain had the second-lowest debt of any of the G8 nations? Yes or no?

**Derek Brownlee:** We had the longest and deepest recession that this country had ever known and the Labour Party had doubled the national debt—[*Interruption.*]

**The Presiding Officer:** Order.

**Derek Brownlee:** If the Labour Party wants to hear about the national debt, I will quote someone on that debt:

"Labour was insufficiently vigorous in limiting or eliminating the ... structural deficit."

Who said that? Tony Blair. We do not hear much about that from the Labour Party, do we?

When Labour started increasing the deficit, we were nine years into 16 years of uninterrupted economic growth. In the good times, Labour relied on borrowing so that when we got into economic difficulties, the deficit went out of control.

Today the SNP has made its argument again that the coalition's spending restrictions are

"too far and too fast."

The SNP is perfectly free to make that argument, but we must remember the consequences of taking a different view. There are only two alternatives to not having a spending squeeze: one is to borrow more and the other is to tax more. Until and unless we hear from the parties that condemn the UK Government's spending plans about their proposed alternative, they will have no credibility. We remember of course that the Labour Party proposed that we should be borrowing for 17 years, which is simply an unacceptable level of debt to pass on to future generations.

The debate that we should be having is not about the spending totals set by the UK Government, but about what the Scottish Government will do with the budget that it gets. In the next two weeks, when we have the substantive budget proposals from the Scottish Government, we will all have to confront difficult choices. Those are choices not just for the next year but for the long term. We think that the Liberal Democrat amendment addresses an issue of substance: the need for a longer-term spending review from the Scottish Government.

We argued against those who demanded that the Scottish Government publish a budget before knowing what the spending totals would be, but the totals are now clear; they are set out for four years. There really is no reason why the Scottish Government cannot publish a spending review for four years. The only reason that it might have for not doing so is that it fears the electoral consequences of setting out its spending proposals.

That is why we support in principle the Liberal Democrat amendment, as we made clear last week when the First Minister let the cat out of the bag in relation to his plans for a one-year budget.

The Labour Party has let the SNP off the hook today, because by ranting about the past rather than debating the future, it has demonstrated that it has learned absolutely nothing from its election defeat in May. Labour simply has not changed. It has shown that it is stuck in the past and is unable to offer a vision for the future other than more

debt, higher taxes and a wish list of spending demands. As always, it will be left to the other parties in this Parliament to face up to the reality, offer the leadership that Scotland needs and clear up the mess left by the previous Labour Government.

I move amendment S3M-7330.1, to leave out from “despite” to end and insert:

“the previous UK administration presided over a deficit in each year from 2001, seven years before the longest and deepest recession in British history and the banking crisis and nine years into a 16-year-long period of sustained economic growth, until its ejection from office in 2010; notes that the previous UK administration intended to continue running deficits for a further seven years if it were re-elected; regrets the failure of the Labour Party to acknowledge any responsibility for the state of the UK public finances and the impact that the fiscal mismanagement of the Blair/Brown years has had on the devolved budget, and calls on all parties in the Parliament to ensure that the Scottish budget for future years protects the vulnerable from the consequences of Labour’s legacy of overspending and debt.”

09:46

**Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** If, together with more significant things, Gordon Brown had not called a woman in Rochdale a bigot on 28 April, if history had been different and if Labour had won the general election, we know that there would not have been a separate budget in June. We know what Alistair Darling’s figures would have been and we know what the consequences for Scotland would have been, had his budget been implemented.

Labour has recently enjoyed quoting the Institute for Fiscal Studies, so I went back to the IFS’s paper, “Filling the Hole: How do the Three Main UK Parties Plan to Repair the Public Finances”, in which it presents its analysis of the different party platforms. Of course, it analysed the Labour Party’s plans very closely before the general election.

We know the areas that would have been protected in the coming spending review and the areas that would not have been protected, over what period they would have been protected and what level of cuts Alistair Darling and the Treasury would have proposed. We know that they would have protected health spending, but for only two years of the spending review period, not the four years. We know that they would have made other reductions. In fact, the IFS said that the unprotected areas would face average reductions of 7.1 per cent a year. Given that the revenue reductions over the whole spending review period up to 2015 in Scotland are 6.8 per cent—not 7.1 per cent—we know that, under the Labour plans, the Scottish DEL would have been lower over the four years than what we are now seeing.

Not only do we have a legacy of the biggest deficit in our nation’s history, but the plans that Labour published before the election would have had a worse effect on Scotland than what we will see over the coming four years. That is not according to me, but according to the Institute for Fiscal Studies—and, post-election, according to Alistair Darling, too.

Some issues about debt have been bandied about this morning, but let us not forget the real consequences of the debt. Members have talked about the comparative levels of debt around the world, but the IFS was very clear that we were in the worst comparative position. I am sure that Wendy Alexander knows that, but she forgot to mention it.

**Ms Alexander:** The point is, of course, that the current debt derives from the fact that, outside the United States, we have the largest financial sector in the entire world. As the member knows, the rescue went overwhelmingly to Scottish institutions. Does Jeremy Purvis want to comment on the budget deficit in Ireland, which is not the 12 per cent that we find in Britain but 32 per cent? His comments would be very welcome.

**Jeremy Purvis:** It is interesting that Labour is now praying in aid Ireland. On the issue that Wendy Alexander raises, I looked at what the IFS said about the situation before the international crisis. Let me quote the IFS back at the Labour Party, which has been very good at quoting it. In its election briefing note number 6, “The Public Finances: 1997 to 2010”, it states of the period that the Labour Party was in government that

“over the same ten years the vast majority of other leading industrial countries reduced their borrowing by more than the UK. And most also reduced their debt by more ... the UK was in a worse position relative to most comparable countries.”

What does that mean today for debt interest payments? In Scotland, we are paying £12 million a day, not to pay off the debt, but to pay off the debt interest. This year we will pay the same amount of money in interest payments alone that we pay the entire local government workforce. That is unprecedented and colossal. To whom are we paying the money? Our debt interest payments are providing profits for the bond traders, financiers and foreign Governments that are buying our debt. To those who say that they want the debt repayment to happen more slowly and to a lesser degree, I say that we would be paying more profits to the bond traders and the financiers who got us into this difficulty. We have to be honest about that.

**Rob Gibson (Highlands and Islands) (SNP):** Will the member take an intervention?

**Jeremy Purvis:** I will, if I have time later.

We know that Labour's plans would have gone further than what we have at the moment. The Labour Party made many policy announcements over the weekend and we look forward to its costings. I was very interested to read that the Labour spokesman who was asked how Labour would pay for all those policies said:

"they will pay for themselves".

There is a precedent for promising big without the commitment to deliver: there is the SNP manifesto of 2007, and we know what happened to that.

For today's debate we have options for where we want to reform the public services and reduce expenditure, to ensure that front-line services are protected and to ensure that public services can plan properly. What we are hearing from councils and colleges is no surprise. Even today, Linda McTavish, the respected chair of Scotland's Colleges said on BBC radio that a one-year settlement would be very problematic for Scotland's colleges. Councils need more than one year's figures for their workforce planning and expenditure profile.

John Swinney said today that it is impossible for the Scottish Government to give figures for more than one year. That impossibility did not seem to exist at the SNP conference in Perth, when the SNP made spending commitments beyond next April. To quote the cabinet secretary, it is "baloney".

Our public services need indicative figures going forward. The Scottish Government has not suggested a series of reforms; it has asked someone else to produce another report. We have had the independent budget review group report and now the Christie review is under way. When will the Scottish Government put forward its proposals for reforms in the public sector?

We have said that Scottish Water should borrow not from the taxpayer but from the market and that it should be generating energy. We have called for national quangos to be wound up and for better services to be delivered more efficiently and more cheaply. We have called for consultant distinctions awards—a fully devolved area of expenditure—to be set at zero over the spending review period. Other bonuses in the public sector should not be paid. Reducing top pay in the public sector over the spending review period would save £0.25 billion.

We have said that efficiency in the public services should be increased. The independent budget review group report said that it should be increased by an additional 1 per cent. We think that it is reasonable and sensible for it to be 0.75 per cent. Over the spending review period, that would save £2 billion.

We have said that the ballooning prescriptions bill in Scotland needs to be tackled over the spending review period, which would save £475 million.

Government can reform. It needs to reform. It needs to identify savings that can be freed up for front-line services. If we have more debates like this one, in which the Government says that it will not present more than one year's figures, and if we get the same messages from the Labour Party, the same mistakes that were made in 2007 will be made again, which will let down the people of Scotland.

I move amendment S3M-7330.2, to leave out from first "notes" and insert:

"believes that, in order for local authorities, NHS boards, universities, colleges and the wider public sector to plan services most effectively, the Scottish Government should publish a spending review for the period 2011-12 to 2014-15 in addition to its one-year budget proposals for 2011-12."

09:54

**Malcolm Chisholm (Edinburgh North and Leith) (Lab):** My main theme today is the way in which the cabinet secretary and the Scottish Government have been playing politics with the public finances and making the wrong choices.

However, lest I seem to be too negative, I will start by praising the cabinet secretary—briefly, in case I alarm my colleagues—in relation to two constituency issues. First, I commend the responsible way in which he has responded to the tram crisis by setting party politics aside and calling for the project to be completed, given that it cannot possibly be in the interests of Edinburgh or Scotland for it to fail.

Secondly, I commend the approval that the cabinet secretary has given to £84 million of borrowing by the City of Edinburgh Council for developments at the waterfront in my constituency being paid for by the retention there of new business rates income. In the summer, I called for some of this tax increment finance to be used to complete the tramline to Newhaven, and I am pleased that Jenny Dawe, the council leader, and Charles Hammond, the chief executive of Forth Ports plc, have supported that proposal this week.

Unfortunately, when it comes to public finances more generally, party politics come to the fore. We can see that in the wording of the SNP amendment, which talks of

"the dire condition of the United Kingdom's finances due to years of Labour economic mismanagement".

That ignores the low levels of debt in 2008, before the recession, which—I remind Derek Brownlee—were much lower than those in 1997. It ignores the

banking rescue and the international financial crisis; it ignores the way in which Labour prevented recession becoming depression and saved thousands of jobs in the process; it ignores the fact that the cabinet secretary and the SNP supported the spending decisions of the Labour Government and—as far as I can remember—repeatedly called for more spending; and it ignores the way in which the cabinet secretary admitted at the Finance Committee that a period of fiscal consolidation must occur.

As far as I can see, while believing, like us, that what is proposed by the current UK Government is going too fast and too far, the cabinet secretary has agreed with most, if not all, of the economic and financial measures that were taken by the previous Labour Government, yet we still have the party-political nonsense that is evident in the motion. *[Laughter.]*

**The Presiding Officer:** Order.

**Malcolm Chisholm:** The second example of the Government playing party politics with the public finances is seen in the lack of leadership in the budget discussions. That leadership was called for by the Finance Committee's report in June, but most, if not all, of the recommendations of that report were simply ignored by the cabinet secretary. We did not need a full detailed budget, but there should have been an outline to kick-start debate and avoid the paralysis that we have seen over the summer and autumn months. That evasion for party-political purposes has now been compounded by the astonishing news that we are to get a budget for only one year—news that has not just astonished but alarmed public bodies throughout Scotland. The rhetoric is all about the defence of front-line services, but how on earth can front-line services be protected without planning on a three-year basis? Once again, supposed party-political advantage is to the fore and the sensible planning of public services is very much in the background.

When it comes to choices, there is the same conflict between rhetoric and reality. Sustainable economic growth is supposed to be the number 1 priority of the Scottish Government, but as the Finance Committee, the Economy, Energy and Tourism Committee and many outside commentators have pointed out, the main areas that were cut in this year's budget were the capital and revenue areas that are usually linked to economic development. Several examples of that are referred to in the motion, but I will give a local dimension to it. Ron Hewitt, chief executive of the Edinburgh Chamber of Commerce, wrote to me in the late summer about the decision to remove transitional rates relief, pointing out that

"many businesses have faced rates increases of 50%, 100% and even 200% this year."

The UK Labour Government's transitional relief scheme limited annual increases to 12.5 per cent. When I took the matter up with the cabinet secretary, I received the same negative response as some of my colleagues.

It is, however, not too late for the cabinet secretary to do some good. The motion flags up the coming crisis for young people—a crisis that has already arrived for those who are not in employment, education or training. We have already seen the largest annual increase in that group since the establishment of the Scottish Parliament. That is why Labour's announcement of a Scottish future jobs fund, which would provide 10,000 jobs or training places for young people, is so important. That pledge, coupled with the commitment that we have given to the provision of apprenticeships for everyone who leaves school with the relevant qualifications, shows our determination to avoid the mistakes of the Thatcher years, when unemployment was a price worth paying and young unemployed people were a group worth ignoring.

I hope that the cabinet secretary will take up those suggestions, so that I can praise him on a future occasion, just as I did briefly at the start of my speech.

09:59

**Linda Fabiani (Central Scotland) (SNP):** I read Andy Kerr's motion with a sense of, "Oh, no. Here we go again." We have heard the rant before—as always, against the background of Labour's cynical and uncoded promises, which were this time outlined at the Labour Party conference. We had already heard of Labour's plans to increase council tax; now, Labour has announced its spending plans. In these times of cuts that are being imposed by Whitehall, they would mean an additional tax burden on Scotland of some £3,000 per family over the four years of the next Parliamentary session. Can Andy Kerr tell us what those income tax rises—pre and post-Calman—would mean for families in Scotland? They would not be progressive tax rises, because they would hit only those who pay the basic rate.

I note, too, the warning in the motion that "the mistakes of the Thatcher years are being repeated"

by the UK Government. I cannot help but think back to the spring when Alistair Darling, the then Labour Chancellor of the Exchequer, admitted that under a future Labour Government there would be cuts "deeper and tougher" than Margaret Thatcher's cuts of the 1980s. Furthermore, he planned to keep cutting for a full seven years. I condemn the savagery of the Conservative-Liberal Democrat Government, but we should never forget that the Labour way is to take credit in the boom

years and to run for cover when an admission of responsibility is required. The mistakes of the Thatcher years are indeed being repeated—by Labour, by the Conservatives and by the Liberal Democrats. Denis Healey once promised to

“squeeze the rich until the pips squeak.”

Labour’s intention and the Conservatives’ action is to squeeze our services until the public squeak, and to keep on squeezing.

**Andy Kerr:** The council tax freeze in South Lanarkshire next year will cost the council £15.31 a year per household and £45 for those in the highest band, which is band H. That is how we fund our services to the community. We have not said that we are in favour of a council tax increase; we want the Government to fully fund the freeze.

**Linda Fabiani:** Labour has always insisted on a non-progressive council tax and we have had to ameliorate the effects of that on families. If Labour members had truly cared about families in Scotland, they would have backed the proposal for a local income tax, which would be fair and progressive.

The cuts started under Labour and have been continued by the current coalition Government. It is interesting that when the benefits system changes were announced, Labour’s big concern was for the higher earners who would lose out in child benefit. If it is also concerned about the loss of universality, how come that does not extend to the universality that was introduced by the SNP Government? In Scotland, Labour has abandoned the ethos of collectivism and the common weal: for the Labour group in this chamber, universality is conditional. That is a measure of how far the Labour Party has shifted from the labour movement, which once espoused aspirational core values. How times change.

On “The Politics Show Scotland”, Andy Kerr said:

“we’ve got areas of Scotland which are deprived, which will never come back up again.”

What a lack of ambition, and what an admission by the party that controlled urban Scotland locally for decades and which controlled Scotland nationally for 13 years in its most recent stretch of government. Scotland trusted Labour for far too long. Thankfully, with an SNP Government, Scotland now sees alternatives.

I hear Labour politicians—members of the party that walked us blindfolded into this economic mess—mocking other nations for having to make cuts. We have heard them talk disparagingly and, sadly, somewhat gleefully about an “arc of insolvency” that includes Ireland, Iceland and Norway. That is not only crass; it is a faulty analysis. The Organisation for Economic Co-

operation and Development expects those countries to recover from recession more quickly than the UK. The figures already show that they are moving in the right direction, and each of them has a better economic future than the UK, to which Scotland is currently tied. The UK is the only one of these nations that has a balance of trade deficit. Moreover, its growth rate is exceeded by that of Ireland, and Norway has exports that are worth almost three times as much as those of the UK. The arc of prosperity is now the arc of recovery, and Scotland should join that arc. Scotland should take control of its own finances so that it can join those independent countries, which best serve their populations.

The Calman proposals, which have been discussed many times here already, will not serve Scotland well or give us any powers to address the country’s real and deep-seated problems. We know about the gap that will appear because of the effect of Calman on Barnett and we know that there will be no short-term borrowing powers to help us to manage Scotland’s finances for the duration of that gap. A problem is that, if Calman is imposed, there will be a disincentive for Scotland.

We need to be in a position to take responsibility for our economy and taxation system and we need to have the freedom to alter the system to Scotland’s benefit. Last night, I heard businessmen talk of the benefit to Scotland of our country’s being able to deal with corporation tax in order to give investors incentives to be here.

No matter where they hail from or how well intentioned, a UK Chancellor of the Exchequer can never set a course that is uniquely to Scotland’s benefit. Scotland needs more than that. We need the economic freedom to move in a different direction and to provide a different set of economic and fiscal alternatives and incentives. Scotland needs the measures that John Swinney has set out in his amendment. I commend it to the chamber.

10:05

**Murdo Fraser (Mid Scotland and Fife) (Con):** I welcome the opportunity that the Labour Party has given Parliament this morning to scrutinise all the spending commitments and promises that it has made, and its attempt to try to square that with a reducing budget to the Scottish Government. After all, I am sure that we all agree that it is important that all political parties have credibility when it comes to finance issues. The public will not treat lightly any party that comes forward with a huge list of uncoded pledges when there is not enough money to go round.

That was exactly the point that was put to Mr Whitton on Monday evening when I was on the

radio with him. His defence to the charge was an interesting one: he said that the SNP had broken all the promises that it made at the last election and that, because the SNP had not delivered on so many of its key pledges, it is all right for Labour to do so. His argument was rather like that of the little boy whose only defence, on being challenged when caught stealing a biscuit, is that his little sister had stolen two. I see that Mr Whitton is on his feet. I give him another chance to make his defence.

**David Whitton (Strathkelvin and Bearsden) (Lab):** I rise to speak in defence of both my little sisters. They would never say such a thing of me.

The member has misquoted me. When I was on the radio, I spoke about the commitments that we debated at our party conference. If Mr Fraser had been listening, he would have heard me say how the commitments would be paid for.

**Murdo Fraser:** I listened very hard. Perhaps when Mr Whitton winds up for the Labour Party later in the debate, he can explain in detail how those commitments will be paid for.

On the subject of daft things that Labour politicians have said, I have a word to say about ginger rodents. Members may be well aware of my long-standing interest in championing the red squirrel. Cynics and those in other parties may say that, as a Scottish Conservative, I have a natural affinity for an endangered species. That said, it is worth reminding the chamber that the Scottish public holds the red squirrel in very high regard. I remind members on the Labour benches—their leader, in particular—that such is the public affection for the red squirrel that a recent opinion poll showed that nearly 70 per cent of the population support a cull of the grey squirrel. I am glad to say that the high priestess of political correctness, Ms Harriet Harman, has now retracted her outrageous gingerist comments about the Chief Secretary to the Treasury, Danny Alexander, who is doing a fine job in the coalition Government of controlling public spending. Instead of resorting to playground insults, I wish that Labour would take a leaf out of his book.

A serious challenge faces us in how to deal with the reduction in the Scottish Government budget. Let us be clear: the reduction is not as bad as the Scottish Government had anticipated. It is £900 million as opposed to the expected £1.2 billion. The SNP is claiming that the cut is larger than that. However, as the Scottish Parliament information centre has made absolutely clear, the bigger gap that the Scottish Government alleges results from the Government having decided—entirely at its own initiative—to defer to next year the £300 million cut that was due to be made in the current year. Of course, that

decision increases the challenge that we have in the coming year.

On this side of the chamber, we have set out a range of proposals on how we would help to make the budget reduction. We have suggested a recruitment freeze, except for essential posts; taking Scottish Water out of state control; keeping prescription charges for those who currently pay; an initiative to cut absenteeism; and a public sector pay freeze for those who earn more than £21,000. Taken together, our proposals add up very close to the £900 million that needs to be found. In addition, we can find the money without having a negative impact on front-line services.

If we listen to some of the comments that are made about the cuts that are coming, we would think that they were taking the country back to the dark ages. In fact, it is now clear that by the end of the spending review period, all they will do is put Scotland back into the spending position of 2006-07. In those days, we had a Labour-led Administration at Holyrood. Not even its harshest critic would now say that, at that time, we all were living in squalor and poverty. Difficult decisions will have to be made, but let us not overstate the impact of the cuts.

What is Labour proposing? At its conference last weekend, the party came forward with a whole set of commitments. Notwithstanding Mr Whitton's protestations, the commitments have not been costed properly except by some very helpful researchers in the Scottish National Party who came up with a figure of £1.7 billion over the next four years. That is a tax bombshell of almost £3,000 for every Scottish household over the next session of the Parliament. *[Interruption.]* If Labour members want to dispute the figures, let them say how Labour has costed the commitments and where the money will come from. Indeed, far from identifying where the money will come from, Labour is falling over itself to make new spending commitments, yet the same Labour Party has the gall to criticise the SNP for playing the same trick at the elections three years ago. We should also not forget who has ultimate responsibility for the mess that the country's finances are in. In 1997, Labour inherited a golden economic legacy that turned to dust under its watch.

**Malcolm Chisholm:** Will the member give way?

**Murdo Fraser:** I am sorry, but I am in my last minute.

Labour said that there would be no return to boom and bust, but delivered both. Those on the Labour benches will argue that the cause of the recession was—

**Andy Kerr:** The global crisis.

**Murdo Fraser:** —the global crisis, as Mr Kerr has just said, and that the Labour Party should be absolved of blame because other countries were affected, too, but we know that, on leaving office, Labour left us with the worst set of public finances in the G20. As Jeremy Purvis said, Labour left us with debts that cost us £120 million a day in interest payments alone.

Let us not see any attempt by Labour to shift the blame on to anyone else. Labour was in charge; it made a mess of the public finances. Labour must bear the responsibility. What a pity that no member on the Labour benches has had the good grace to at least show a hint of contrition today over the problems that the country now finds itself in. The Parliament should reject the ludicrous and impertinent motion from the Labour Party—a party that is clearly not fit to be back in office.

10:12

**Michael McMahon (Hamilton North and Bellshill) (Lab):** In this morning's debate, we have already heard a number of members outline a litany of the Scottish Government's mistakes, mismanagement and muddles. Given the plethora of bad decisions that this Government has made over the past three or more years, no doubt we will hear many more as the debate progresses.

While the Government's financial incompetence has resulted in a catalogue of broken promises, wayward priorities and puerile policies, there has at least been consistency in the way the SNP has pursued its populist policies against all the evidence that has been arrayed against it. There has also been consistency in the way the Conservative party has always supported the Government on the budget and in pursuit of its aims in moving forward. When a Tory budget is being delivered, it is hardly surprising to find the Tory party supporting it.

In spite of the evidence of the damage that has been caused to local government services by the previous three years of underfunding, and regardless of the service reductions and job losses that we have already witnessed in local areas, Mr Swinney is ignoring the conclusion of his own independent budget review and is persisting in trying to sustain his underfunded council tax freeze. I am aware that discussions are on-going with the Convention of Scottish Local Authorities and that another deal might be done under which a quid pro quo will be cobbled together that will see the council tax freeze extended for another year.

Holding a gun to councils' heads may achieve the short-term populist outcome that the SNP wants to take into next year's election—

**Joe FitzPatrick (Dundee West) (SNP):** Will the member take an intervention on that point?

**Michael McMahon:** At times, being in the chamber feels like being in an episode of "QI"—we just have to say the buzzword and Mr FitzPatrick is on his feet. I am happy to hear his pearl of wisdom.

**Joe FitzPatrick:** Iain Gray said on television that Labour would cap council tax at 2 per cent. How will the cap be enforced?

**Michael McMahon:** The legislation is in place for that to happen

The Government's dependence on populist rhetoric to attempt to attain political advantage with the electorate has clearly blinded it to the damage that it is doing to Scottish local government. A key criticism of the council tax freeze has come from the Chartered Institute of Public Finance and Accountancy, which believes that a consequence of the freeze

"is that local autonomy has effectively been limited"

and that

"accountability has been impaired by this national arrangement."

Unlike Mr Salmond and Mr Swinney, I respect the autonomy and local democratic accountability of local authorities and I share councils' contempt for the shameless politicking behind the SNP's commitment to a two-year freeze based on a one-year budget. That was outlined in last week's letter in the press from COSLA leader Pat Watters, who exposed the baloney that is Mr Swinney's two-year commitment.

I fully recognise that it will be for local authorities to decide whether they accept the one-year budget that Mr Swinney proposes and whether it will include a continuation of the council tax freeze. However, regardless of the outcome of those negotiations, this question will remain for us: just how many services is John Swinney prepared to see being cut from our councils for Alex Salmond to save the price of a good curry on his council tax per month?

As the Institute of Revenues, Rating and Valuation pointed out a few months ago

"the current year-on-year council tax freeze ... could not sustain the present level of service delivered by local government, even in the medium term."

The freeze appears at best to have simply put off the inevitable and, at worst, to have seriously damaged local services.

The Government puts the council tax freeze before all else, even though the concordat had commitments such as support for kinship carers.



Those hard-pressed grandparents are still waiting for the concordat to deliver for them.

The concordat also pledged to bestow class sizes of 18, but all we got was another broken promise. Already, 3,000 teachers and 1,000 classroom assistants have gone under the agreement, along with the long-term commitment to maintain teacher numbers. It will be interesting to see the outcome of the discussions with COSLA on what further damage the teaching profession is to face.

Who else will be offered up as a sacrifice on the altar of an underfunded populist policy that is unsustainable and damaging to local government? No one likes to pay more tax, and promising to abolish a tax is a popular policy. Unfortunately for Mr Swinney, he has made that promise before and has no credibility left.

George Bernard Shaw once said:

"For every complex problem there is a simple solution that is wrong."

If the council tax is the complicated quandary, then the local income tax is the easy, but misguided, response. No doubt the SNP will try to resurrect that populist pledge for the next election, even though it jettisoned it in this session when it found out the damage that it would do.

In spite of the expert opinion against the Government's position, Mr Swinney continues to ignore the facts, prefers to bury his head in the sand and ploughs on with his economic mismanagement regardless. The council tax freeze fig leaf is wilting, but a forest of fig trees could not provide enough cover to hide the Government's economic incompetence. Mr Swinney wants our councils to pay for that ineptitude but, ultimately, the Government will pay the electoral price because Scotland knows that it deserves better and will get better with Labour.

10:17

**Joe FitzPatrick (Dundee West) (SNP):** Today's motion sums up the Labour Party's approach to politics in Scotland for the past few years: rather than put forward constructive alternatives for dealing with the cuts—most of which were planned by Labour, members should remember—it has a list of spending commitments that grows by the day.

The Labour Party's alternative reality absolves it of all responsibility for the mess that it left. Labour members seem to think that, if they keep blaming others, people will be conned into believing them. As a wise man once said and as has perhaps been overquoted,

"You can fool some of the people all of the time, and all of the people some of the time".

However, no matter how often Labour recites its negative messages or how loud Labour members rant, the vast majority of Scots will not be taken in. We see confirmation of that in a recent Ipsos MORI poll, which showed that 81 per cent of Scots put the blame for the current financial problems where it belongs: at the door of the Labour Party first and of the coalition second.

Despite appearances, there are some intelligent minds among Opposition members. That makes it all the worse that they allow their hatred of the SNP to cloud their judgment. Labour has never really accepted that it lost the election. Admittedly, the result was close, but the Labour Party lost the confidence of the Scottish people and its current approach to the budget will make the choice for the electorate in six months' time very straightforward. This time round, Labour might find that it is not so close.

Let us move on from the fantasy of the Labour motion and examine the facts. Jobs are being put at risk by the UK Government and the current constitutional set-up that lets it govern. That is the set-up that our colleagues on the Labour benches are so keen to support.

I ask Labour members to put their hands up if they would prefer sovereignty to be returned to the people of Scotland in this Parliament rather than our continuing to be ruled by the Tories from London. I am not surprised that none has their hand up. There we have it: the Labour Party prefers the Tories to the people of Scotland governing themselves. It is absolutely clear and we now have it on the record. [*Interruption.*]

**The Deputy Presiding Officer (Trish Godman):** Order.

**Joe FitzPatrick:** At the election in May, Labour members throughout the country will call for a Tory-Liberal coalition to take all the important decisions on the future of Scotland at the same time as they argue against those decisions. They talk about the dark days of Margaret Thatcher, but they opened the door to the Tories regaining power by refusing even to consider discussions for a rainbow coalition. [*Interruption.*]

Labour members might want to try to blame the Liberals for the coalition, but they would not even open the door and give the Liberal Democrats the opportunity to enter a rainbow coalition to prevent the Tories from getting in. The Liberals are the Tories' little helpers, but so is the Labour Party because it opened the door.

**David Whitton:** While he is rewriting history, I remind Mr FitzPatrick that 11 SNP members of Parliament—including one who is sitting behind him—let Margaret Thatcher in.

**Joe FitzPatrick:** To go back to the history lesson, once again the Labour Party preferred the Tories to be in power to giving sovereignty to the people of Scotland. Let us come back to the more recent past and remember that a Labour chancellor promised spending cuts that would be “deeper and tougher” than Thatcher’s and that a Labour Prime Minister invited the iron lady round for a cup of tea and some advice.

Despite the limited powers available to our Scottish Government, we have been able to make a real difference to families and businesses throughout Scotland. Due to the SNP Government’s economic recovery plan, the recession has been shallower and shorter in Scotland than in the rest of the UK. The total fall from peak to trough in Scotland as a result of the downturn was 5.8 per cent—lower than the comparable drop in the UK of 6.4 per cent.

The most recent figures available for the economy, from the second quarter of this year, show that the SNP’s economic recovery plan is continuing to work. GDP in Scotland grew by 1.3 per cent compared with growth of 1.2 per cent in the UK. The Scottish construction sector also grew by a massive 10.4 per cent over the quarter, and there was an increase of 2.5 per cent in the production sector. Both outperformed the UK as a whole.

I am not saying that everything is rosy—it is not and these are difficult times—but our Government’s decisions are clearly the correct ones and make best use of our limited powers.

In recent times, the Labour Party has been more concerned with scoring cheap political points than doing what is best for the people of Scotland. Voting the budget down is an example of that, but the latest politicking comes in the form of demanding that a budget be published within hours of the UK spending review announcement.

Originally, Labour demanded that a budget be produced even before the Scottish Government had the figures, but that was quickly changed to a demand that John Swinney should produce a budget the way that Iain Gray does, with a raft of uncoded commitments that bear no relation to reality. That is good for headlines but not for the families and businesses of Scotland. Labour might be willing to do a budget on the back of a fag packet but, thankfully, John Swinney is more meticulous.

The SNP Government has made clear some of the measures for which it will seek support: a council tax freeze; maintaining free personal care and concessionary travel; keeping Scottish Water under public ownership; applying Barnett consequential from health to the health service; and abolishing prescription charges.

I am hopeful that Labour will start to make amends for years of wasteful spending on trams, Trident and the private finance initiative but, if today’s debate is anything to go by, we can expect it to continue peddling its negative message of doom spun together with uncoded commitments while we in the SNP continue working with the Scottish people to get through the hard times. Working together, we can make Scotland better.

10:24

**Ross Finnie (West of Scotland) (LD):** I will borrow a phrase from Mr Francey, who used to commentate for BBC Radio Scotland—oh dearie, dearie me. When I read the debate’s title, I thought, “Good.” I thought that the general clamour that was evident some weeks ago for the Parliament to devote more time to discussing in a concrete and constructive way how we would manage Scotland’s finances had been taken on board and that, even better, the Labour Party had given up some of its parliamentary time to contribute to that process.

I listened with great care to Mr Kerr. The longer I listened, the more I realised that he had turned the debate into a board game—a sort of financial Cluedo in which we had to work out which chancellor at what time and in what place is alleged to have mugged which economy with which blunt financial instrument. That board game is relatively simple but—unfortunately—it took Andy Kerr 12 minutes and 47 seconds to make his first move. Even when he did that, we were still left in the dark about which economic instrument he would deploy and where he would deploy it in the current financial crisis. It was deeply disappointing.

As Wendy Alexander said, we have a crisis. It is sad that the banking situation had much to do with businesses in Scotland. Of course, we can argue about who, where, when or what, but the one point with which we cannot argue is that the United Kingdom faces the prospect of paying £120 million every day in interest. If people tell me that they are seriously interested in not burdening the next generation with debt, I find it difficult to accept that they do not mean addressing the payment of that £120 million. Each one of us in the chamber can convert that £120 million into something different on which we would prefer to spend it—whether it is more doctors, nurses or teachers or more schools or hospitals. Members can work out how much they would get for £120 million a day.

I am sad that the focus of attention has not been on aspects such as the independent budget review’s report, which set out at least a framework for discussion. We might disagree with bits of it, but it merits at least a longer discussion than is normally accorded in our timescale for setting budgets. Before anyone intervenes, I say that I

have long felt that that timescale is not long enough.

I understand that the cabinet secretary would like to have a perfect budget, but his credibility on that is undermined because he and his fellow ministers announced at their party conference budget commitments that entailed three-year spending commitments. Unless he has also costed those commitments and included them in an overall budget, he cannot have it both ways. If part of the budget can be announced, the outline of that budget can be given to the Parliament. What the cabinet secretary has said is not a credible proposition and does not help him.

The defence that John Swinney gave in his opening speech and which Linda Fabiani repeated relates to independence. It is that, somehow, only the Scottish National Party has thought of growth, which the Government at Westminster does not think of and has excluded. That is interesting. In that case, the SNP must explain exactly what the Bank of England is doing when it undertakes the difficult exercise of introducing more quantitative easing.

Quantitative easing is not about restricting monetary policy or curbing growth. The difficult task of monetary management is aimed directly at trying to reoil the financial wheels of our banking institutions, to get the economy moving and to help with growth. If anyone in Scotland thinks that they are ill done by because the Bank of England engages in that exercise—which is a nonsense proposition that should not be listened to—they are dealing in economic illiteracy. The Bank of England and the Government in Westminster are just as concerned about the need to deal with growth. However, we are dealing with a structural deficit. By definition, such deficits do not lend themselves to being eliminated by the normal process of economic growth. However they arise, structural deficits require to be addressed in their own terms.

Here in Scotland, the budget is coming quickly on us. It is a great sadness that we have not used the valuable time this morning to engage more constructively with the propositions that were laid out in the independent budget review's report. All parties in the Parliament would have benefited greatly from having more time to begin to explore with the cabinet secretary a constructive way of developing our budget. Instead, we have been given somewhat selective, not very careful and not even very considered history lessons, none of which will provide a lesson for the future or help to construct a better budget for Scotland this year.

10:31

**Lewis Macdonald (Aberdeen Central) (Lab):**

Parliament's role is of course to hold the Government to account. When SNP ministers first came to talk to the Economy, Energy and Tourism Committee three and a half years ago, they were keen to tell us that their central purpose in government would be sustainable economic growth, that they would be friendly and supportive to business and that they would champion renewable energy. Alas, in all those respects, their record has failed to match their rhetoric.

From the SNP's first budget onwards, the central importance of sustainable economic growth has been undermined in the devolved areas for which John Swinney and Jim Mather are responsible. We have witnessed year-on-year real-terms reductions in the budgets and responsibilities of Scottish Enterprise, Highlands and Islands Enterprise and VisitScotland—the agencies that ministers should use to support businesses and achieve sustainable economic growth.

Not only that, SNP ministers have removed powers and responsibilities from the enterprise agencies, which has reduced the agencies' ability to do their job and their input to the wider Scottish economy. Ministers have centralised decision making in Glasgow and Inverness by abolishing local enterprise companies and have failed to replace them with effective local consultative structures.

This week, the Economy, Energy and Tourism Committee took evidence at Sabhal Mòr Ostaig on the Isle of Skye from 14 witnesses from across the Highlands and Islands who represented councils, businesses, community enterprises and chambers of commerce. From every perspective, the story was the same: that the remit and activity of Highlands and Islands Enterprise has been diminished since 2007 and that HIE no longer acts as the fantastic economic driver that it and its predecessor, the Highlands and Islands Development Board, have been in the past 50 years.

That is little wonder when the cut in HIE's budget has been nearly three times as great as that in Scottish Enterprise's budget. However, that is not all. Ministers have imposed on HIE a narrower version of the Scottish Enterprise business model, at the expense of what HIE used to do—the provision of integrated and locally based support for a wide range of small businesses and community enterprises across sparsely populated rural areas. That integrated local support has gone because ministers failed to recognise or to value the difference between Scottish Enterprise and HIE.

HIE's distinctive contribution has been valued in the Highlands. We heard that some 60 per cent of the people of the Western Isles now live on land that belongs to the local community. The population of the Isle of Gigha has doubled since the island came into community ownership. The revival in the culture and confidence of Gaelic speakers in the Hebrides has had direct economic benefits—in Stornoway alone, more than 200 jobs are associated with Gaelic. HIE played a key role in community land buyouts, the Gaelic renaissance and the birth of community energy companies. The clear view of many of our witnesses was that HIE could not have played that role with the limited remit and the reduced resources that it has today. It is hard to think of a harsher verdict on SNP ministers' stewardship in the Highlands.

Business representatives from throughout Scotland have come to the Economy, Energy and Tourism Committee in the past three years to raise a wide variety of concerns. Many of them are reflected in Labour's motion—they range from the failure to maintain the pipeline of public sector construction projects, long before any hint of global recession, to the threat to jobs and businesses of introducing an extra Scottish income tax to fund local government. We have heard time and again how, on the key policies for which it is responsible, the SNP's actions and inactions have hindered sustainable economic growth. For many businesses, the final proof that SNP ministers do not understand their needs was John Swinney's decision to provide no transitional relief for those that were hit by the highest increases in non-domestic rates following this year's revaluation.

**Derek Brownlee:** If the Labour Party were to win the election next May, would it introduce transitional relief in the present revaluation period? Would it increase the budgets of the enterprise agencies?

**Lewis Macdonald:** The Labour Party will campaign for the transitional relief that businesses are looking for and we will continue to press John Swinney—who I am sorry is not in the chamber—to provide it.

Mr Swinney still places stories in newspapers that lead on statistics such as

“almost 60% of businesses in Scotland are paying less or no more in business rates.”

The actual figures are that only 44 per cent of businesses are paying less and 41 per cent are paying more. The statistic that really matters is that more than 45,000 businesses across Scotland face an increase in their rates liability of in excess of 12.5 per cent. That is an astonishing hike for a huge number of companies. It is simply bizarre

that Mr Swinney was quoted in the press this week as saying that a transitional relief scheme that capped annual rates increases would benefit only “the public sector and a relatively small number of large businesses.”

A figure of 45,000 is hardly a relatively small number.

When Alex Salmond goes to Moray, as he will, to talk about the need for private sector resilience in the face of public spending cuts, he may want to explain why 1,617 local businesses in Moray alone face rates increases of more than 12.5 per cent. The Scottish Government cannot blame that one on Westminster.

This week, Mr Salmond was enthused by the opportunity to announce a renewables infrastructure fund of £70 million over four years, perhaps to make up for the decisions by the Liberal Democrats and Tories at Westminster not to deliver on the fossil fuel levy and not to set up a green investment bank before 2013. The First Minister loves to make announcements. It is just a shame that John Swinney forgot to tell the Economy, Energy and Tourism Committee where the cash-strapped enterprise agencies would find the money, given what we know from our continuing inquiry into that subject.

Perhaps Mr Swinney can take the opportunity to tell us—if his colleagues will tell him—whether any of the £70 million is new money, what the enterprise agencies will not do to pay for it if it is not new money and whether all of the £70 million is still available, or whether some of it has already been committed to particular projects. Those are the kinds of things that he might have told us in advance if there had been a carefully considered and fully costed scheme. If he cannot give us those answers, the suspicion will grow that this was another example of ministers making it up as they go along, and that is no way to manage Scotland's money.

10:37

**Rob Gibson (Highlands and Islands) (SNP):** Part of the Labour motion warns that

“the mistakes of the Thatcher years are being repeated”.

If they are being repeated, that must be happening at the hands of the Government in London, because when we talk about the potential for Scotland, we must assess ourselves in the light of Labour's claim that the worldwide recession was not Labour's fault but was something that happened to it, for which someone else was responsible. Let us never forget that people on the trading floors of the casino banks could not believe their luck, because Gordon Brown let financial services rip.

**Andy Kerr:** Would the member care to comment on the First Minister's oft-used remark that it is about time that we got rid of the "gold-plated" regulation of the Scottish financial services sector? How does that tally with what he has just said?

**Rob Gibson:** I remind the Labour Party that John McFall said that under Gordon Brown, there was a soft-touch, not a light-touch, approach.

The unionist parties are very quick to claim that economic problems such as those that Royal Bank of Scotland and HBOS had are impossible to solve in small European countries. Scotland's current economic problems have occurred when it has been part of the UK. How on earth can those problems be used as an argument for the union?

**Robert Brown:** Will the member take an intervention on that point?

**Rob Gibson:** Not at the moment.

The only way in which the UK Government could bail out the banks was to borrow a whole lot, thereby adding to the already huge deficit. When we look at Scotland's condition, the real lesson from the economic downturn and the slashing of public spending is that Scotland needs financial responsibility so that we can grow our way to recovery and protect the most vulnerable in society. Evidence from the OECD countries shows that decentralisation of economic powers leads to increases in GDP, longer-term economic growth and greater revenues from Government to spend on services.

What are we being presented with by each of the parties that opposes the Scottish Government? We are being offered the Calman financial proposals. We do not know the detail of what will be offered by the Con-Dem Government, but let us think about it. Under Calman, Scotland would be given control of only 20 per cent of our revenues, so 80 per cent of the tax that was raised in Scotland would continue to go to the UK Government. As my colleagues have mentioned, key powers such as those relating to corporation tax and control of North Sea revenues, as well as key elements of environmental taxation, would remain reserved.

Under Calman, any unexpected drop in income tax revenues, such as the one experienced during the downturn, would leave Scotland facing a huge funding gap and inevitable cuts. As I have said, countries normally avoid that problem by using short-term borrowing to plug any unexpected gaps when receipts are low, which they pay back when receipts are high. The UK Government has that power—indeed, as part of the bail-out of the banks, the Treasury is making a profit from it. However, under Calman, Scotland would have no short-term borrowing powers. Any increased

revenues that were generated as a result of improvements in Scotland's economy would go to London, not to Scotland. That would create a disincentive to grow the economy. If that is the proposal that the Labour Party is making in its motion, there has to be another way. There could be something to be said for recycled wish lists, but they must contain something that is worth recycling. In this case, Labour's recycled wish list does not.

I turn to the SNP's conference and the attitude of the Opposition parties to our pledges to attempt, through the budget process, to freeze the council tax for another two years. We have heard that their attitude is that we must come up with the money to give local government a chance to develop. We want to try to keep free personal care as it is. Under the SNP, concessionary travel is safe and Scottish Water will remain in public ownership and will make more of its own energy, thereby reducing the cost to the taxpayer. The Barnett consequentials arising from the UK Government's protection of spending on the health service will be applied to the health service in Scotland and prescription charges will be abolished. It would have been interesting to hear some sort of response from the Opposition parties to all those proposals. Do they intend to protect things such as the health service and concessionary travel? We have heard absolutely nothing about any of that.

**Andy Kerr:** Will the member give way?

**Rob Gibson:** I am sorry, but I am in my final few seconds.

I think that Scotland has been bucking some of the economic trends. In 2008, Scotland entered the recession a quarter later than the rest of the UK—output in Scotland fell for five consecutive quarters, whereas output in the UK fell for six consecutive quarters. As the UK experienced a deeper recession than Scotland did, output grew by more in the UK than in Scotland during quarter 4 of 2009. We will have the opportunity to make a difference only when we have the borrowing powers that the other parties would deny us.

10:44

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

I think that it was during the most recent attempt by the Labour Party to debate such matters in the Parliament that I compared the nature of the debate to the situation following a minor car crash, when everyone gets out of their car and stands in a circle blaming everyone else for what happened. I had hoped that we might get a more constructive approach today, but I am reassured to find that we have made no progress whatsoever in that

department—the same revisionism has been taking place and I will conduct the same defence.

We seem to be in the peculiar position in which members feel that they can invent elements of history and state them in the Parliament in the hope that they become facts. The phrase that has been rolled out time and again is that we are suffering the worst cuts since the days of Margaret Thatcher. Would that be the same Margaret Thatcher who gave year-on-year, real-terms budget increases to Scotland throughout her period in government? Yes, we are in the peculiar position that we are suffering worse cuts in Scotland than were made by that imaginary person—the skeleton that the Labour members like to rattle when elections come along.

The debate has been about rattling skeletons. The Labour Party has made the revision of history its stock in trade, starting with the opening speeches of the debate. We were told that everything that happened to the economy under the Labour Government was the result of international deficiencies. International problems caused Labour's problems in government, and yet everything that happened in Scotland was the SNP's fault; that is a strange combination of understanding. Furthermore, everything that has happened since May this year is the fault of the Tory-Liberal coalition in London.

That kind of rhetoric will not go down well with the Scottish people, who want to see their politicians working together constructively, looking forward and attempting to find a way out of the current crisis. The Labour Party's tunnel vision, characterised by the 1,000yd stare that can be seen in its members' eyes every time that someone raises a point that criticises their perceived logic, means that we do not have the support of the Labour Party in achieving that necessary consensus. Labour is isolated in Scotland, and it will remain isolated because it will not see the bigger picture.

The problem that we have in Scotland is that, increasingly it would seem, we believe that the public sector and public sector expenditure is the only way out of the crisis. If we look at the Labour Government that was in power in London for 13 years, we see a party that enjoyed the benefits of a booming economy for a long time, but failed to realise that what it should do with a booming economy is grow the tax base and not just enjoy the fact that the tax yield happens to be buoyant at the time. That is why we had a structural deficit before we had an international crisis. That is why this country had a crisis that took us from being one of the most buoyant economies in the G7 to being one of the least buoyant, with the biggest deficit at the end of that period. We are worse off

because of the way in which Labour conducted itself.

Earlier in the debate, Jeremy Purvis took the opportunity to point out very clearly that Scotland's budget after the spending review is rather better than it might have been if Labour had won the election. The spending commitments that Chancellor Alistair Darling made prior to the election suggest that, for Scotland to be any better off than it is today, he would have had to propose a second budget in which he abandoned all his plans. Perhaps that reflects the sudden review of policy that the Labour Party has enjoyed under its new leadership.

Scotland needs politicians who work together. That is why I would love to see the Labour Party come on board and get involved in the process of discussion, engagement and involvement that other parties in the Parliament are prepared to consider. Yet we hear the same criticisms time and again. Labour takes the year zero approach. It seems to believe that, if it denies everything that happened on its watch and starts from year zero, it can argue a completely different case and retain its credibility.

Malcolm Chisholm's Freudian slip seemed to tell the truth, although he did not quite realise what he had said; it was a truth repeated time and again by other speakers. We have heard the extraordinary idea that budgets can perhaps be increased in Scotland, but it is not the Labour Party's job to say whether that will happen through tax increases or some form of borrowing, or whether, as it would seem, it will simply make local authorities pay for it all by ending the council tax freeze and pushing up the level of council tax. I was interested to hear that we will see a flowering of local democracy by ending the council tax freeze and allowing local politicians to make decisions about how they will raise taxes—up to a limit of 2 per cent.

We are very lucky. The 6.8 per cent real-terms cut over four years in the Scottish budget is not nearly as bad as it could have been. Scotland can survive this if its politicians pull together and if we engage constructively in the process of improving the efficiency of our public services and ensuring that they are adequately funded through this difficult period. Let us work together and reject Labour's motion.

10:50

**Ms Wendy Alexander (Paisley North) (Lab):** I particularly welcomed Ross Finnie's contribution, and that of my colleague Lewis Macdonald, who spoke about what the forthcoming budget should do for Scottish business. The Scottish Government's strategy for business is too rarely debated in the chamber. I note that, at the

moment, John Swinney, Jim Mather and Stewart Stevenson are absent from the chamber. We have just one minister in the chamber, and he has no direct responsibility for the Scottish business community or the economy. I hope that those ministers will have the chance to read the *Official Report* later.

I congratulate the Government on its ability to dine, meet and eat for Scotland, but the question is: where is the beef? The Government will be judged on its deeds, not its words. It has been exceptional at speaking warm words, but it has a weak will. The economic strategy was published exactly three years ago this month, and it has never been debated again.

Of course, the Government's key pledge was to match the UK growth rate by 2011. That pledge has been systematically undermined by anti-business actions. Having got almost every call wrong during the financial crisis, the Scottish Government sat back and did nothing to protect the small businesses that were affected by the consequent credit crunch. It took the SNP Government more than 18 months to call on the Office of Fair Trading to investigate small business banking in Scotland. Indeed, it only got around to doing that once it knew that that was going to happen anyway. The Government promised that there would be a Scottish investment bank, but not a single loan will have been made in three years and nine months. All that is evidence of warm words and a weak will.

We should consider Scottish infrastructure and recall that, in 2007, we were promised a replacement for public-private partnerships. That has not happened. Under Labour, half the infrastructure pipeline was funded by traditional capital, and half was funded by non-traditional capital. An example is schools. Given the fact that we are now facing big cuts in traditional capital spending, the SNP has left us with not a single new non-traditional school building project in the pipeline. It is not just that no schools will be bought from revenue; no single planned health project will be funded by capital from revenue. In the rest of the UK, all those forms of non-traditional procurement are coming back following the credit crunch, but in Scotland, our Government has simply opted out. In the transport field, the plans to build the final 10 miles of the M8 have been sitting on the Minister for Transport, Infrastructure and Climate Change's desk for more than two years. Warm words, but a weak will.

I will be fair to the SNP. It made a good start with the extension of Labour's rates relief scheme, which it rebranded as the small business bonus. However, it has even wiped out that benefit. Rates revaluations are meant to be neutral, but this year the SNP will take £150 million extra from Scottish

businesses. On top of that, the revaluation has fleeced and punished flourishing businesses with one-off rises of more than 200 per cent in their rates bills. More warm words and weak will.

Let us look at our once proud enterprise network. Scottish Enterprise's chief executive was paid for not turning up—

**Derek Brownlee:** Will the member take an intervention?

**Ms Alexander:** Let me finish this point.

Scottish Enterprise's chief executive was paid for not turning up for the first half of this year, while Scottish Development International—our key agency for growing the export base—was left without a chief executive for 12 months. VisitScotland was left without a chief executive for only four months—we should be grateful for small mercies. Meanwhile, the cash cut to Scottish Enterprise has been 16 per cent on a like-for-like basis since the SNP came to power, and the cut to HIE has been an eye-watering 43 per cent after exceptional items are excluded. No wonder Scottish unemployment is now above the UK average.

**Derek Brownlee:** Given what Wendy Alexander has said about the danger of simply having warm words without real actions, would the Labour Party increase the budget of Scottish Enterprise and HIE and would it introduce transitional relief within the current revaluation period?

**Ms Alexander:** I will talk about what I think that the budget should do to address some of the issues.

There were warm words on the Government's world-leading legislation on climate change, but the energy efficiency action plan was delayed by three and a half years. On the SNP's watch, the nuclear industry—a source of low-carbon power—has been blighted, and even in renewables it will be next April before any port development moneys are available in Scotland. That is four years after the SNP came to power, and in the meantime General Electric, Siemens and Mitsubishi have all committed to manufacturing facilities in the rest of the UK. We have seen more warm words but a weak will.

What do we have to look forward to with the SNP? We will see the return of the local income tax to clobber Scottish businesses, an empty pipeline for schools and health, all the rainy day money spent and, finally, Scottish universities left high and dry.

**The Deputy Presiding Officer (Alasdair Morgan):** Wind up, please.

**Ms Alexander:** In the next five years, our biggest decision will be the fate of our universities,

and the SNP has done nothing: no independent report, no high-powered commission, no modelling or research and no wide-ranging debate. We have had just the promise of a white paper—

**The Deputy Presiding Officer:** The member's time is up.

**Ms Alexander:** It is time to make way.

10:57

**Stuart McMillan (West of Scotland) (SNP):** When I read the subject of today's debate, I was a wee bit surprised. I actually had to check the calendar to make sure that it was not 1 April. Let us face it, I thought. If Labour members are talking about managing public finances, they are either being ironic or showing barefaced cheek, with selective amnesia thrown in for good measure. I continued to read the motion and realised that they are clearly out of touch with reality and with the electorate.

Only last week we learned of the now infamous leaked Labour document with its wish list of uncoded proposals. We have already heard much of Labour's uncoded wish list and it warrants even further scrutiny but, as time is not on my side, I will be able only to scratch the surface of how Labour wants to provide a tax hammer blow to taxpayers in Scotland.

Apart from being unionists together, the other thing that links Labour, its on-off coalition partners the Lib Dems, and the latter's masters, the Tories, is support for the disastrous Edinburgh trams project. This week, their pet project sank to a new low, and I am sure that next year the good people of Edinburgh who day in, day out suffer the shambolic trams project—or the no-trams project, as it should now be called—will remember who inflicted the disaster on them.

**Alex Johnstone:** I genuinely want to ask a question to get a straight answer. Can the member confirm that the SNP members on the City of Edinburgh Council now favour and support the project too?

**Stuart McMillan:** Certainly. As we have already heard this morning in the debate, the comment was attributed to John Swinney that the project should move forward as soon as possible. Everyone who pays tax would recommend that, too.

If the Edinburgh farce was not bad enough, Labour is determined to reintroduce the GARL project in the west. Public opinion is not for it, and the money is not there—there has been an £800 million cut in the capital budget. Where will the money come from to build GARL?

Another item of public spending is free personal and nursing care. The Sutherland report highlighted that free personal care had been underfunded since its inception and Nicola Sturgeon was congratulated on providing an additional £40 million per annum to improve the operation of the policy. If Labour is now saying that it would remove that additional funding and, according to its wish list, spend it on providing recycling bins in town centres and buying free newspapers for all 18-year-olds, that tells the Parliament and the electorate in Scotland of Labour's priorities.

**Andy Kerr:** I clarify that the leaked document is actually a published Labour Party document. It is not our manifesto, but I have the SNP manifesto in my hand. One of its commitments to students was on financing of £1.7 billion, which was never paid. The member should not say that our party is misleading the Scottish public; the SNP did that from the outset.

**Stuart McMillan:** It is in the Labour wish list that it wants to provide newspapers to 18-year-olds and therefore to remove the money.

Labour's motion also talks about 3,000 teachers who are out of work. I know that facts and figures are not Labour's strong point—otherwise, the shambles that are the UK public finances would not be getting slashed too far and too fast by the Tories and Lib Dems down in London—but I would have expected someone from Labour to read the *Official Report* of First Minister's question time last week, when the First Minister was challenged on teacher numbers. In reality, 575 teachers were claiming jobseekers allowance—not 3,000. That is 575 too many, but if Labour members are serious about employing more teachers, I suggest that they cease their politicking on this critical issue and tell the councils where Labour is in power to start employing teachers again. Of the fall in the number of teachers in employment, two thirds come from councils where Labour is in power.

**Andy Kerr:** Will the member give way?

**Stuart McMillan:** I already have done, and I will now make some progress.

Labour members also talk about the NHS and job losses. What they have conveniently forgotten is that there are more nurses and NHS staff now than when the SNP came to power in 2007. Added to that is the additional investment of the dental hospital in Aberdeen.

The summary of today's debate is thus: a vote for Labour will stop investment in free personal care for the elderly, but it will buy newspapers for 18-year-olds. It will cut the number of nurses and doctors after the record numbers provided by this SNP Government. With GARL, Labour will introduce the farce of the Edinburgh trams to the



west of Scotland so that our economy can suffer too. It will scrap the Scottish Futures Trust, which has already brought in £111 million of savings according to independent reports, and it will extend the hugely costly PPP/PFI hammer-blow projects. Labour will scrap the council tax freeze, affecting the poorest and the elderly the worst, and it will introduce a basket of taxes to make Scotland the most heavily taxed part of the UK. The plans are estimated to cost Scottish households some £3,000 in additional taxation over the next four-year parliamentary session.

There are many more examples, but I am sure that most of us in the chamber are depressed enough by the long list of despair that Labour will be offering Scotland next year. I am sure that the telephone lines out of the Parliament will be busy as MSPs and staff call their general practitioners to get a prescription for Prozac at the thought of Labour waging war against local communities and our constituents if it wins next May. Thanks to the SNP Government, prescription charges are down to £3 and will be free from next April. As we know, Labour wants to hike the prescription charge as well. I do not know what has happened to the air of optimism that Ed Miliband is talking about, but it certainly has not filtered into the Labour psyche up here. The bottom line is that voting Labour will seriously damage our health.

I spoke in Labour's economy debate in April, and things have not moved much further forward since then. The only way in which progress can be made and that this Parliament and Scotland can move forward is with the normal powers of an independent Parliament, rather than the pocket money Parliament so favoured by the unionist parties. I urge the chamber to back the amendment in the name of John Swinney.

11:03

**Hugh Henry (Paisley South) (Lab):** It is a shame that Stuart McMillan was not able to deliver that speech to SNP members earlier, because he might have ended up a bit higher up their list in his attempts to return to this Parliament.

Jeremy Purvis made some prescient points about the three-year budget, which I will return to, but one thing that has come out in this debate is that we need leadership, maturity and statesmanship from Government ministers. They are the ones who have the facts and figures at their disposal; they are the ones who understand what is ahead of us. The rest of us—the other parties in the Parliament—can only guess at this stage about exactly what is to come. There is therefore a duty on them to start showing some leadership and to take some responsibility.

I had hoped that the SNP had moved beyond its opportunism of 2007. The exchange that took place a short time ago on student debt was interesting. I remember the letters going backwards and forwards to *The Herald*. Allan Wilson, my good friend, pointed out that there was no way that the SNP could deliver its policy on that. He pointed out that they were telling lies, and there was a flurry of letters from people who are now ministers in this Administration to say that he was misleading the people of Scotland. Who has been proved correct? Allan Wilson was the one who told the truth.

There were misleading comments—to say the least—on class sizes. We know from an answer under freedom of information legislation that the First Minister and others misled the Parliament and that officials in this Administration told university principals that the promises would not be delivered, and not just by 2011; they said that they might not even be delivered by 2015.

**The Deputy Presiding Officer:** On two occasions, the member has used words that I would not wish him to use. He should not talk about people lying and he should not talk about ministers misleading the Parliament.

**Hugh Henry:** With all due respect, Presiding Officer, my comments about lies were about things that were said before 2007 and outwith the Parliament. I think that I am at liberty to make such comments. As far as misleading comments by ministers are concerned, I refer you to the answer that Alex Salmond gave me in September 2007 and to the minutes of a meeting, attended by Donald Henderson and university principals, that prove that the promises made by the SNP would not and could not be delivered by 2011. If that is not misleading, Presiding Officer, I will take a word from you that does describe it.

**The Deputy Presiding Officer:** Order. The member is not to accuse other members of misleading the Parliament. I hope that I have made myself clear and that the member will continue with his speech.

**Hugh Henry:** Presiding Officer, I refer members to the official records of what was said and to the *Official Report*. I will move on.

The promises on class sizes would not be met. We are still waiting for the SNP to do a U-turn on student financing. The one-year budget is simply another device for the SNP to use to try to get elected. The SNP wants to hide the truth and defer the debate. I can understand some of its decisions to defer. I can understand why Alex Salmond is deferring on the referendum. He conned his activists into supporting the idea of a referendum and he has conned them again into delaying a

referendum until some future date. Everything has to be delayed in order to try to save Alex Salmond.

We need some honesty from Government ministers. The information is available to set out a three-year plan. Members should not be surprised if Opposition parties resort to a political knockabout when we have an Administration that is prepared to hide the reality rather than engage in constructive discussion. Even the promise of a two-year council tax freeze has no money on the table beyond one year. We need the full facts so that the Parliament can start to face up to its responsibilities. It is this Government's responsibility to create the opportunity for a mature debate. The Government has the facts.

We are prepared to pursue projects such as a Borders railway on a shaky economic analysis. The house building programme has collapsed, the costs will overrun and a permanent revenue subsidy will be needed. Even so, there has been no discussion about the maintenance backlog on council property of £1.4 billion; the road spending requirements of £1.7 billion; the university estate backlog of £0.7 billion; or the NHS estate backlog of £0.5 billion. Sports facilities in this country need to be upgraded at a cost of £2.7 billion. There are school improvements that will take 20 years to deliver and a problem in our prison estate, with numbers projected to increase by 20 per cent.

This Administration needs to come forward with the facts. We can only conclude that it is prepared to hide the facts in order to get by the election and then, if it is re-elected, it will present the reality. That is wrong and it is irresponsible.

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

11:09

**Robert Brown (Glasgow) (LD):** This has not been the Parliament's best day. The fact that the debate has been somewhat unedifying is perhaps epitomised by the earlier exchange between Stuart McMillan and Andy Kerr. I share Ross Finnie's sadness about the aridity of the content of the debate, which was set by the motion.

Today we have had shadow boxing before the Scottish budget. It is notable that the motion and amendment from the two largest parties in the Parliament fall into two camps on different sides of cloud cuckoo land—both equally remarkable for being equally irrelevant. Malcolm Chisholm's verbal mistake when he castigated the motion as party-political nonsense perhaps unintentionally set the tone of the debate. Labour suffers from a major problem of amnesia.

**Andy Kerr:** On that point—

**Robert Brown:** I will make some progress if Mr Kerr does not mind.

Labour tries to forget that its Government left us the biggest structural deficit in the G20, costing us £44 billion a year in interest alone, and heading, under Labour, for £70 billion a year. The least progressive thing that we can do is to burden future generations with Labour's debt. Every day that we ignore the deficit it gets worse and costs more. Yet all Labour can offer is the ultimate in blandness.

On blandness, I will take an intervention from Mr Foulkes.

**George Foulkes (Lothians) (Lab):** Is Mr Brown not aware that the structural debt is at one of the lowest levels since 1900? Is he not aware that less than a third of it is owed to overseas Governments and institutions? Most of it is owed to the United Kingdom—to pension funds and to the Bank of England. It is being totally exaggerated by the Tories and the hapless Liberal Democrats as an excuse—

**The Deputy Presiding Officer:** Order, Mr Foulkes, please.

**Robert Brown:** That was answered earlier in the observations about where the payments of that interest go. It is a good point, which the Labour Party might consider.

The SNP, on the other hand, lives on planet Zog. Someone told me that the SNP was the Scottish Government. However, instead of acting like a Government and offering the country a programme to deal with the public sector fiscal deficit as it affects our domestic Parliament, it first denies the need for the cuts—against all the evidence, not least from our near neighbours, Ireland and Iceland—then peddles Dr Swinney's magic pills that will cure all ailments. Independence lozenges are guaranteed miraculously to balance budgets, win football matches and grow economies. In the words of the old advertisement, they also kill flies.

In fact, independence has been dead in the water since the day that Alex Salmond told us that an independent Scotland would have thrown £100 billion—three times the Scottish budget—at Northern Rock, and since those later days when the resources of the United Kingdom had to rescue both Scotland's largest banks from disaster. It was unbelievable to hear Rob Gibson talking about the need for borrowing powers as if borrowing did not have to be repaid or backed by resources adequate to the situation.

**Rob Gibson:** Will Mr Brown take an intervention?

**Robert Brown:** No. I have taken an intervention already.

It is perhaps no surprise that the finance secretary devoted one sentence of his opening remarks to that issue, so central to the philosophy of the Government's amendment. However, that was made up for later by the eloquence and persuasiveness of Joe FitzPatrick and Stuart McMillan.

The Liberal Democrat amendment argues for a four-year Scottish spending review to give a stable structure to the bodies that depend on Scottish Government funding: the councils, the health boards, tertiary education and the wider public sector, including key voluntary sector agencies. That is an indispensable start, and the necessity of that has been recognised by the lead speakers of both the other Opposition parties. I hope that the finance secretary will take Jeremy Purvis's advice on that point.

Michael McMahon's comment about a two-year freeze based on a one-year budget was spot on. The Liberal Democrats, too, have contributed their ideas on how to free up £2 billion over the four-year period. Part of that is linked to the need to reform the enterprise quangos so that they do a better job of growing the Scottish economy. However, we also want to pursue the fairness agenda and curb the excess pay and bonuses that have got so out of hand at the top of the public sector.

We had a clear statement on the important issue of GARL and the way in which, by selling off the land, the Scottish Government is making a GARL project under a new Government almost impossible to achieve.

Most of us in the chamber came into politics because we wanted to change our world for the better, according to our various lights. We wanted—and we want—to deliver more opportunities for young people, to help create better housing and stronger communities, to fight poverty and injustice, to enhance civil liberties, to offer full employment, to empower Scotland through the establishment of the Parliament and to give power back to local communities. None of us came into politics to cut public services or to add to the financial burdens of hard-pressed citizens.

The world-changing circumstances of the past two years, however, mean that it has fallen to our generation of politicians to restore the public finances, bring back responsible concepts of saving and prudence in the management of public resources, make difficult decisions and implement unpopular measures. It is no use girning about it or pulling up the barricades and pretending that it is not happening. It is up to political leaders in the Scottish Parliament to show leadership and build agreement on the way forward. It is the rather lowly role of Government ministers, in particular, to do that. This is a testing time for our Parliament

and we cannot afford to fail to rise to the challenge in the way that this debate has done.

11:15

**Gavin Brown (Lothians) (Con):** It was courageous of the Scottish Labour Party to wish to debate the issue of managing Scotland's finances today. It has been a rather different debate from the one that I thought we might get when I saw the rather positive title. We heard the words "George Foulkes" and "bland" being used in the same sentence, which is a first—and, hopefully, a last. We heard discussion about red squirrels and, of course, a mention of Harriet Harman. It is nice that she got a mention because I note that her speech to the Scottish Labour Party conference, which I was keen to read, has been taken off the party's website.

I am pleased to announce, however, that Andy Kerr's speech from that conference is still available on that website—the speech that he gave today in the chamber was basically a cut-and-paste job, so that gave us helpful notice of what was coming up. I was tickled by one comment in his conference speech. Describing the past year, he said:

"In that time I've grown 365 days older, but no wiser".

There were a couple of other peaches that he did not repeat today. He said:

"We have the blame game. We have the unaffordable pledges".

I will not say what else he said, as it is not as interesting.

Today's debate has, I fear, been pretty negative. People have commented on Malcolm Chisholm's slip of the tongue, which resulted in him saying that the motion is party-political nonsense. Among the points that are made in the motion is the complaint that the enterprise budgets have been reduced, despite the fact that we have not heard the Labour Party say, in any budget discussion in the past three and a half years, that it wants those budgets to be increased. That has never been part of its platform. Today, neither Lewis Macdonald nor Wendy Alexander was prepared to pledge to increase the enterprise budgets that they complain about in their motion. Similarly, we heard the Labour Party complain about transitional relief but were given no commitment that it will introduce a transitional relief scheme if it is elected as the Government of Scotland next year.

It is surprising that the Labour Party would not make those commitments because, at the weekend, it committed to about £1.7 billion-worth of pledges and things that it wants to do if it forms the Government. Of course, we were given no idea at all about where that extra £1.7 billion will

come from, when we know that the Scottish budget will be reduced in April next year. David Whitton explained that he told us last night where he intended to find that money. I have to say that I am looking forward to his wind-up speech, in which he will tell us, line by line, how he intends to pay for those pledges.

We heard a commitment to scrap the Scottish Futures Trust, which will save Scotland about £23 million a year, so that is a start towards the £1.7 billion.

It came as a surprise to me to learn that the Scottish Labour Party is not too committed to the Borders railway. Hugh Henry described the case for it as being “shaky” and gave the impression that he thought that it ought not to be going ahead. I would love to know whether he discussed the matter with Rhona Brankin or David Hamilton MP before making his announcement in the chamber today.

**Jeremy Purvis:** We now know the position of the Labour Party, but I have yet to receive a response to a letter that I sent to Jackson Carlaw, of the Conservative party, about his recent statement in the chamber that he has yet to see a “convincing case” for the Borders railway. Could Gavin Brown quash that statement and give a categorical assurance that the Conservatives are in favour of the Borders railway?

**Gavin Brown:** As Mr Purvis knows, we have supported the Borders railway. However, as he also knows equally well, Mr Carlaw has been pretty busy of late. I am sure that he will get back to Mr Purvis at some point.

The mantra of the Scottish Government on the cuts is that they are too far and too fast. It is about time that the Government, Mr Swinney or any of the SNP members told us what they believe not to be too far and too fast. We have asked that question on countless occasions and have never been given an answer. Does the SNP believe, as the previous Labour Administration did, that we should wait until 2018 before we have a balanced budget? How much extra does it think the UK Government should spend next year? More important, should that additional money come from an increase in taxation or an increase in borrowing? We have asked that question many times and I think that we are now entitled to an answer.

**The Deputy Presiding Officer:** I call Bruce Crawford. You have no more than nine minutes, Mr Crawford.

**George Foulkes:** Bruce Crawford? What does he have to do with it?

11:22

**The Minister for Parliamentary Business (Bruce Crawford):** I see that the muttering from the Labour benches continues—

**George Foulkes:** On a point of order, Presiding Officer. Surely it would be more appropriate for the debate to be replied to by a minister who has responsibility for the item on the agenda.

**The Deputy Presiding Officer:** That is not a point of order.

**Bruce Crawford:** I inform Mr Foulkes that every minister in the Scottish Government has responsibility for the economy.

I applaud Ross Finnie for his mature and constructive approach. I might not have agreed with all that he said, but I appreciated his tone, his approach and the way in which he delivered his message. That was in stark contrast to Mr Kerr and his colleagues. Frankly, I almost gave up listening to the Labour speakers due to the tsunami of negativity that was coming from that side of the chamber. It is deeply depressing. What a depressing way to start a debate during a financial crisis the likes of which we have never known—not one new Labour proposal, not one new Labour idea and not one constructive utterance. All we got was name calling and hot air. The people of Scotland deserve better. They want people to make positive suggestions about how we can get through this situation.

**Andy Kerr:** Will the member give way?

**Bruce Crawford:** I will come back to the member—actually, I will not. I will not give way to any Labour members because I almost wanted to go home at the beginning of their contributions and, if I heard one more, I would have to depart this place.

In the motion, Andy Kerr says that the Scottish Government has squandered £1.5 billion-worth of reserves. What the motion does not say is that £255 million was drawn down in EYF from the 2007-08 budget by the previous Labour and Liberal Democrat Administration. Half of it went in that direction.

With regard to council tax, Michael McMahon should know well that we have put in £70 million a year in order to freeze council tax.

**Robert Brown:** Could Bruce Crawford clarify Michael McMahon's other point and say how it is possible to have a two-year council tax freeze based on a one-year budget?

**Bruce Crawford:** One thing that Mr Swinney has achieved throughout his time as cabinet secretary is the delivery of a balanced budget. He will continue to achieve that, and will manage to deliver exactly as we have said.

Michael McMahon talked about the need to respect local authorities and their ability to take decisions. That seems to run slightly contrary to the fuss that Labour members were making when ring fencing was removed to help local authorities to deal with their budgets in a much more constructive way. To cap it all, he went on to say that Labour is going to hammer the councils by bringing in legislation to cap council tax levels.

**Michael McMahon:** Will the minister take an intervention on that point?

**Bruce Crawford:** I will take an intervention from Michael McMahon.

**Michael McMahon:** Surely the cabinet secretary recognises that the council tax freeze has been underfunded and has damaged local authority services. The powers that are available to the Scottish Government are not the same as the ones that he uses to hold a gun to local authorities' heads by threatening to take away the money that is rightfully theirs in the first place to sustain the council tax freeze.

**Bruce Crawford:** The council tax freeze has been fully funded every year, with £70 million on every occasion, and Scotland's local authorities accept the situation.

I wish that Malcolm Chisholm was still in the chamber; other members have mentioned the slip of the tongue by which he attempted to accuse us of playing party politics while actually referring to a Labour motion that is blatantly party political. The motion is so devoid of ideas and constructive proposals as to be rendered meaningless.

It is obvious from Labour's approach that it is delighted that it is no longer in government at a UK level. That has freed up Labour members to be at their most depressing best and to embrace a default position of negativity. When Labour goes into the Scottish elections, there is no way that it will come out as the largest party in the Parliament.

**Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** I am somewhat puzzled. The minister says that the council tax freeze has been fully funded. Will he explain then why the SNP and Liberal Democrat-controlled Aberdeen City Council is making cuts? [*Interruption.*]

**The Deputy Presiding Officer:** Order. I can do without the continual run of interventions from Mr Foulkes, which makes it difficult for me to hear what members are saying.

**George Foulkes:** On a point of order, Presiding Officer. The Government's spokesman is able to reply to the point that Mike Rumbles has just made only because John Swinney has whispered the answer in his ear.

**The Deputy Presiding Officer:** That is not a point of order, Mr Foulkes. I ask you to sit down.

**Bruce Crawford:** In response to Mike Rumbles, I say that it is clear that Aberdeen City Council is facing particular challenges because of the way that it has dealt with its budget in previous years. It may be that the council was living beyond its means on occasion.

With regard to Gavin Brown's point, I reiterate a fundamental premise. The UK Government cuts to public spending are too fast and too deep, and they threaten economic recovery, jobs and public services.

I accept that fiscal consolidation is required to return the UK public finances to a sustainable footing; that is an unavoidable consequence of the previous Labour Government's mismanagement of the public finances. However, in the next four years we will see the deepest cuts to public spending since the second world war. Spending will be cut by more than £80 billion by 2014-15, while taxes will be increased by £30 billion.

As we all know, two thirds of the fiscal tightening that lies ahead was planned by Labour. It is wrong to ask us to withstand another shock at that level in year 1 of the spending review period, because the levels of economic activity are still below pre-crisis levels, and recovery and the state of the economy are so fragile. That is why all three devolved Administrations issued a joint declaration to George Osborne last month that outlined collective concern at the proposed cuts.

**Jeremy Purvis:** In June, the Scottish Government published forecasts that went past 2020. We are asking the Government, as it believes that the reductions are too fast and too deep, to tell us what would not be. What level of reductions does the Government believe would be appropriate?

**Bruce Crawford:** It would not be difficult for any Government worth its salt to do some reprofiling with regard to the first year, in which the cuts are particularly acute and particularly deep.

**Jeremy Purvis:** No cuts next year?

**Bruce Crawford:** That is not what I said, as Jeremy Purvis knows.

What are the implications of the comprehensive spending review for Scotland? It is clear that the Scottish budget faces significant cuts next year and beyond. The budget will fall by £3.3 billion in real terms over the next four years, which is an 11 per cent cut in real terms. Within that, our capital budget will fall by £1.2 billion—or 36 per cent—in real terms. Next year alone, our budget will be cut by £1.3 billion in cash terms. That includes an £800 million reduction in vital capital spending,

which is estimated to threaten some 12,000 jobs in Scotland.

I listened with interest when members argued against those figures; the Tories in particular disputed them. However, Scottish Government spending in 2010-11 was £29.2 billion, as approved by this Parliament. In 2011-12, it will be £27.9 billion. Whatever the issue, and however we make the sums work, that is a reduction of £1.3 billion.

11:30

**David Whitton (Strathkelvin and Bearsden)**

**(Lab):** I welcome the opportunity to participate in today's debate and to speak in favour of the Labour motion.

How do we sum up what we have heard this morning? We brought the debate to the chamber in advance of the budget announcement to illustrate the SNP's lack of direction on stimulating the Scottish economy, and my colleagues have more than done that with their excellent contributions. *[Laughter.]*

There was plenty of laughter when the Tories were making their contributions.

The SNP may complain, but it is just hard luck. It is the Opposition's job to bring the Government to account, which we are trying to do. The SNP repeatedly states that its primary purpose is sustained economic growth for the Scottish economy. We do not disagree with the sentiment behind that statement, but we question the SNP's delivery, which is all talk and very little action.

We agree that Scotland needs a strong economy for the benefit of those whom we seek to represent: Scotland's people. People need to know that there will be jobs, that they can put food on the table and provide a roof over their heads, that their local authority will deliver good schools and services and that, if they fall ill, the health service will be there to help.

A good, strong economy fuels all that. When Mr Swinney said that Scotland's economy had underperformed, and promised in 2007 to exceed the UK's growth by 2011, I hoped for all our sakes that he would achieve it. He entered government with an extensive list of manifesto commitments and a promise to prioritise sustainable economic growth and increase efficiency; we waited with bated breath for the change to come.

We might as well have turned off the lights to save money, because the reality was that the SNP had kept the Scots in the dark about its real intentions. What we have had, as Andy Kerr and other Labour members have outlined, is a raft of broken promises. There is precious little evidence that programmes to support economic growth

have or had been prioritised. Three years on, the Finance Committee is still seeking clarity on how economic growth is being prioritised. No amount of creative accounting or moving responsibility can give any signs that economic growth is a priority.

In truth, the earth was promised but nothing moved. Budgets for the development agencies Scottish Enterprise and Highlands and Islands Enterprise have been cut. The budget for VisitScotland, which was tasked with growing our tourism sector, was also slashed. Valuable infrastructure projects such as the Glasgow airport rail link, which would have provided 1,300 jobs and credible economic benefits, were dumped.

**John Swinney:** To follow up Gavin Brown's point, would Mr Whitton like to tell Parliament on which occasions the Labour Party has proposed to me—privately or publicly—that the enterprise budgets should be higher than they were in any of the budgets that I have brought forward?

**David Whitton:** I have not been present at every discussion that Mr Kerr has had with Mr Swinney, but I think that we have argued on every occasion for advances in the skills base. That is part of the responsibility that the Government passed on to Skills Development Scotland.

When he axed GARL last year, Mr Swinney said that it was desirable but not affordable. Apparently 1,300 construction jobs are not affordable, but £40 million thrown down the drain in cancelled contracts—to which Robert Brown referred—is affordable.

Jobs were dumped while vanity projects such as the national conversation, an independence referendum, the council of economic diners and the Scottish Futures Trust continued to be funded. Indeed, the proposed referendum was still in last year's budget, without the anticipated costs of £12 million or thereabouts being allocated. We know that the SNP likes to cost other parties' policies, but those proposals would have cost hard-working Scots about £40 million. They are ideas that owe more to the use of Government resources for party campaigning than to growing the Scottish economy.

For the benefit of Murdo Fraser, and more especially those SNP members who seem to have spent the past week going through Labour's policy document line by line, I say that we will produce a fully costed manifesto before next May's election. That is what we said at conference that we will do and that is what we will deliver.

Ross Finnie said that he was deeply disappointed in Andy Kerr, but I would wager that he is not as disappointed as the thousands of Lib Dem supporters who are appalled by their MPs, who are now the new Tories in Scotland. Speaking of Tories, I note that Alex Johnstone claims that

Labour is isolated in Scotland. It is not half as isolated as David Mundell, the sole Tory MP north of the border, who cannot even get his election expenses right. No wonder he was not good enough to be the Scottish secretary.

Linda Fabiani said, "Oh no, here we go again." I felt the same as I listened to her speech and those of other SNP members. For her benefit and that of others on the SNP benches, I say that the majority of Scots do not want to go it alone and the majority in the Parliament does not want independence. What sense would that make when our biggest market is our nearest neighbour?

When will Mr Swinney take responsibility for his Government's actions, or the lack of them? The issues were clearly illustrated by Wendy Alexander. The SNP now brags about the number of apprentice places that it has created yet, two years ago, Labour had to fight tooth and nail to have apprentice places reinstated after Mr Mather cut budgets and limited places to the construction and engineering sectors. There were no places for tourism, which is one of our major industries, no places for those doing information technology despite the huge skills shortage in that area, and no support for adults who need a chance to train for a second career. We had to wait until last month, three years after the SNP took office, for it finally to produce a refreshed skills strategy that we could support. However, that was easy for it to do as most of the strategy came from Labour anyway. Mr Swinney, his Government and his back benchers have to focus on the powers that they have to do something rather than moaning about the powers that they do not have but dream of having.

Mr Swinney also said that Mr Kerr should keep up with the news. Well, here is some breaking news for the cabinet secretary. It comes from Wales, of all places. The Welsh finance minister in a Welsh nationalist coalition Government will produce a three-year budget on November 17. Perhaps Mr Swinney should pick up the phone to Plaid Cymru and find out how it runs the economy down there.

Scotland's economy needed to be stimulated, and a key part of that could have been to ensure that infrastructure projects were approved and started. The Scottish Futures Trust, which the SNP estimates will cost £27.5 million by 2013-14, has been a costly mistake. The ideology that makes the SNP opposed to private finance is Mr Swinney's choice, and that choice has cost jobs rather than creating them. More than 40,000 jobs have been lost in the construction industry and apprentices, skilled workers and allied professionals have lost their livelihoods.

"The Scottish Government should recognise the crisis affecting industry and be bold by allowing councils and

health boards to use existing PFI models to bring new schools and hospitals forward now."

Those are not my words; they are the words of the Scottish Building Federation, which is the lead voice in the construction industry in Scotland. Sadly, like other dissenting voices, it has been ignored by Mr Swinney.

The confusion over the SFT is another indictment of the SNP's lack of financial rigour. We all know about the broken manifesto commitments on school class sizes, student debt, help to first-time buyers, the local income tax and even the independence referendum. We might well ask what we get from the SNP that might be its positive economic legacy. Sadly, it has only a record of failure.

What did the SNP Government do when the money and the opportunity to act were there? Where is the much-vaunted Scottish Investment Bank? Why the lengthy delays to so many wind farm projects? Why did it take a year to approve the Beaulieu to Denny power line? Even yesterday, the First Minister was at it. He announced a £70 million national renewables fund. That sounds great, but is it new money or not? When will it be introduced? Has the money been taken from the enterprise agencies? In addition, the lack of a transitional rates relief scheme will come back to haunt the Cabinet Secretary for Finance and Sustainable Growth.

Economic recovery in Scotland will be a myth unless it is supported by initiatives that contain more than broken promises and worthless words. The economic incompetence of Salmond and Swinney leaves Scotland standing on the brink of losing another generation to unemployment. They have failed to stem the rise in unemployment. The SNP has totally failed Scotland and Scotland deserves better.

## Scottish Executive Question Time

### General Questions

11:40

#### Unemployment (Young People)

##### 1. David Whitton (Strathkelvin and Bearsden)

**(Lab):** To ask the Scottish Executive what action it is taking specifically to tackle rising unemployment among 16 to 24-year-olds. (S3O-11840)

##### The Minister for Skills and Lifelong Learning

**(Keith Brown):** In Scotland, 63 per cent of 18 to 24-year-olds are in employment compared with 60.8 per cent in the United Kingdom. More than 85 per cent of young people in Scotland who left school in the summer of 2009 had sustained a positive destination nine months later. However, we are not complacent about the challenge. Tackling youth unemployment is a top priority for the Scottish Government and we are not prepared to accept the prospect of another lost generation. That is why we have launched a raft of practical actions, backed with £6.5 million of investment, to support leavers from school, college and university this summer.

**David Whitton:** No doubt the minister, like others, paid close attention to the Labour Party conference in Oban at the weekend, when we launched our intention to have a Scottish future jobs fund. Will the minister join me in backing that scheme?

**Keith Brown:** I can confirm that I followed the Labour Party conference closely, and particularly the words of Iain Gray when he said:

“when unemployment rises and poverty flourishes and opportunity disappears, people will look to Labour”.

That is exactly right. People want to know the cause of those things, and it was the Labour Party. They are also interested in the idea that the Labour Party wishes for the worst for Scotland in order that it can prosper. That is exactly the wrong approach. It is the opposite of the approach that we are taking, which is positive, specific actions, through the measures that I mentioned previously, to deal with the consequences of the malaise in the UK finances that has caused unemployment.

**Ian McKee (Lothians) (SNP):** How many new apprenticeships were created in the past year and what impact has that had on youth unemployment among 16 to 24-year-olds?

**Keith Brown:** As I have mentioned before, we have prioritised modern apprenticeships. Last year, more than 20,000 apprenticeships were

created, which was up from just over 10,000 the previous year. We have a similar target this year, with 15,000 in the budget that David Whitton supported and another 5,000 through European structural funding. We are therefore looking to carry forward last year's success by achieving another 20,000 apprenticeships.

On the effect on youth unemployment, there is obviously not a direct correlation, but youth unemployment in Scotland has remained stable right through the 12-month period.

#### Consumer Focus

**2. Rhona Brankin (Midlothian) (Lab):** To ask the Scottish Executive what discussions it has had with the United Kingdom Government regarding its decision to abolish Consumer Focus and what it considers the devolved implications to be for Scotland. (S3O-11819)

**The Cabinet Secretary for Finance and Sustainable Growth (John Swinney):** In response to the UK Government's changes to consumer protection functions, the Scottish Government is working with local government partners and Scottish stakeholders more widely to develop practical proposals that will serve the needs of consumers and service providers here.

**Rhona Brankin:** Does the cabinet secretary share my concern that the decision by the Tory-Liberal UK Government to abolish Consumer Focus will undermine consumers' and citizens' rights? Does he agree that Citizens Advice Scotland might not have the resources that will be necessary to fill the gap in service provision that is brought about by the decision, especially bearing in mind its increased workload following the welfare cuts that have been announced under the comprehensive spending review? Does he agree that the £70 million of refunds from npower that Consumer Focus secured last month is just one example of the good work that the organisation has done? Will he commit to ensuring that consumers' rights continue to be championed in Scotland?

**John Swinney:** I reassure Rhona Brankin that, notwithstanding the decision that the UK Government has taken, the Scottish Government entirely shares her view that the interests of consumer protection must be assured in any future arrangements.

Clearly, the UK Government has taken certain decisions that have implications for Citizens Advice Scotland. As I said in my original answer, we have to engage in a discussion with various stakeholders to ensure that the type of consumer protection that Rhona Brankin clearly wishes to see in place can be assured for people in Scotland. I give a commitment that the



Government will constructively explore that proposal in the period ahead. If Rhona Brankin wishes to make specific representations to the Government on the matter, I will be happy to receive them.

### **Rural Primary Schools (Argyll and Bute)**

**3. Jamie McGrigor (Highlands and Islands) (Con):** To ask the Scottish Executive what action it will take to prevent the closure of rural primary schools in Argyll and Bute. (S3O-11761)

**The Cabinet Secretary for Education and Lifelong Learning (Michael Russell):** Argyll and Bute Council is responsible for decisions on school closures in its area, in accordance with legal requirements, and the democratically elected local councillors will be accountable for the decisions that they take. As members will be aware, the council has postponed its decision and has asked officers to complete further work on the proposals.

As the member knows, the Schools (Consultation) (Scotland) Act 2010, which was proposed by this Government, establishes a presumption against the closure of rural schools by ensuring that a decision by a council to consult on a closure proposal is only a last resort. Argyll and Bute Council must, like all councils, follow the robust consultation process set out in that act, and if there is strong evidence that that has not been properly done, Scottish ministers will call in and could refuse consent to any closure decisions.

**Jamie McGrigor:** I am glad to hear that. Is the cabinet secretary aware of the anger felt by parents and communities throughout Argyll and Bute at the council's shocking plans to close 26 primary schools? Many of those people are already questioning the basis for the proposals and whether the council has genuinely explored all the other options before considering what should be the last resort of closure. Does he agree that rural primary schools such as Southend, Glenbarr, Barcaldine, Keills, Ulva, Luing and all the others are fundamental to the socioeconomic fabric of fragile rural and island communities and that government at all levels should be working to support them? Finally, will he assure local parents that he is doing so?

**Michael Russell:** I am very pleased that the 2010 act, which members unanimously supported, empowers parents in precisely these circumstances and that that empowerment is being assisted by other groups. I pay tribute to the Scottish National Party group on the council, which decided to press the other councillors for a delay, and I am glad that the councillors agreed to it. I praise the rural schools network on its information campaign, which has laid bare some of the arguments on the importance of providing

information, and the website forargyll.com on its tremendous job in bringing together information. Most of all, I praise the communities themselves. They need to know about the rights, protections and defence that they have through the 2010 act, which, as I say, was introduced by this Administration. When any such proposals are made, they should be well-informed proposals of last resort. Even then, communities have substantial rights that they should know about, and I am taking steps to ensure that that information is available to every rural community in Scotland.

**Des McNulty (Clydebank and Milngavie) (Lab):** Last weekend, while attending Labour's very successful Scottish conference in Oban, I took the opportunity to meet representatives from the Isle of Luing, who are particularly concerned about the council's proposals for their primary school. Is the cabinet secretary able to give more clarity on this issue? The council is proposing to close 26 schools, the trigger for which appears to be the financial settlement from the Scottish Government. As the cabinet secretary has made clear, he has a role in dealing with closure proposals but, bearing in mind that his Government created the financial circumstances that have led the council to go down this route, how will he conduct himself if the council decides to go ahead with them?

**Michael Russell:** Even I am staggered by that question—and I have very low expectations of Mr McNulty. I am staggered that he should be so blind to the effects of mismanagement by his party when it was in government and I am staggered that he does not realise that the financial pressures that we are all facing were created by that mismanagement.

**George Foulkes (Lothians) (Lab):** That is rubbish.

**Michael Russell:** However, I am not staggered by the fact that Lord Foulkes is, as ever, shouting. It is, like the bellow of a sea lion, a constant that is ever with us—and as inarticulate.

I am staggered that, instead of trying to assist the community on the island of Luing, which is what we are all trying to do, by making it clear that it has rights and can stand up to this situation, Mr McNulty wants to exploit it. That is the reality behind Labour holding its conference in Oban. It was in Argyll only because it wanted to exploit Argyll. However, the people of Argyll see through Labour, just as the people of Scotland will.

### **Ferries**

**4. Rhoda Grant (Highlands and Islands) (Lab):** To ask the Scottish Executive what plans it has to use the vessel MV Isle of Arran, which sails on the Islay route, on other CalMac Ferries routes

when MV Finlaggan comes into service. (S3O-11829)

**The Cabinet Secretary for Finance and Sustainable Growth (John Swinney):** MV Isle of Arran is one of two vessels on the Kennacraig to Islay route and will remain on it until MV Finlaggan enters service in spring 2011. Decisions on the future of MV Isle of Arran will be taken once the spending review is completed and following consultation with the vessel operator, CalMac Ferries Ltd, and her owner, Caledonian Maritime Assets Ltd.

Work on MV Finlaggan is nearing completion on time and on budget. Despite the current financial pressures, we are fully committed to the completion of this £24.5 million vessel and the necessary harbour upgrades, which will provide a significant boost to ferry services to Islay for the benefit of residents, businesses and visitors alike.

**Rhoda Grant:** The cabinet secretary will recall the mayhem caused this summer by the breakdown of MV Clansman, which left Uist and Barra with a totally inadequate service. Will he use MV Isle of Arran as a standby vessel for those routes? I suggest that any cost could be mitigated by utilising the vessel on the Lochboisdale to Mallaig route when it was not needed on other routes.

**John Swinney:** Rhoda Grant will be aware that such issues are very much at the heart of considerations in the spending review and about the utilisation of vessels that are no longer required for core routes in the Clyde and Hebrides network. I will take into account the member's representations—after all, the Minister for Transport, Infrastructure and Climate Change takes such decisions in consultation with the vessel operators and owners—and we will be mindful of any issues that emerge from the ferries review, which ministers are currently considering.

### School Building Programme

**5. Claire Baker (Mid Scotland and Fife) (Lab):** To ask the Scottish Executive whether it can guarantee the completion of its announced school building programme on time and on budget. (S3O-11817)

**The Minister for Skills and Lifelong Learning (Keith Brown):** We are committed to delivering 55 schools through Scotland's schools for the future programme.

**Claire Baker:** I thank the minister for that brief answer. He will be aware that Auchmuty high school in Glenrothes is to receive £18.7 million from the Scottish Futures Trust towards a new build, construction of which is due to begin in 2012-13. Can he guarantee that Fife Council is in a position to meet its portion of the funding

agreement, given the likelihood that local authorities will receive only a one-year budget with no guarantees beyond that? Indeed, does he share my concern that a one-year local authority budget will be very damaging to the school building programme?

**Keith Brown:** I certainly share Claire Baker's concern at the general state of public finances at a United Kingdom, Scottish and, as she has mentioned, council level. However, I point out that Fife Council's record on this matter is extremely good, having built since 2007 nine of the 303 new schools that the Scottish National Party Administration has overseen—53 more, I should say, than Labour was committed to. That represents more than £40 million of investment from the Scottish Government.

Ms Baker knows full well that the commitment in question depends on different parties and pressures, one of which is the huge 36 per cent reduction in capital expenditure that the Scottish Government will suffer over the coming year. Perhaps that underlines the view that, in the words of the Labour Lord Myners,

"There is nothing progressive about a government that consistently spends more than it can raise in taxation and certainly nothing progressive that endows generations to come with the liabilities incurred with respect to the current generation."

Although we in the Scottish Government—and, indeed, councils—are wrestling with the problem, we are nevertheless committed to our school building programme.

### Strathclyde Partnership for Transport (Meetings)

**6. Patricia Ferguson (Glasgow Maryhill) (Lab):** To ask the Scottish Executive when it last met representatives of Strathclyde partnership for transport. (S3O-11824)

**The Cabinet Secretary for Finance and Sustainable Growth (John Swinney):** Stewart Stevenson last met the chairman of SPT at the meeting of the joint chairs of the regional transport partnerships on 1 September 2010. Officials also meet SPT regularly, most recently on 2 November 2010.

**Patricia Ferguson:** The cabinet secretary will be aware of widespread concern that, like the Glasgow airport rail link prior to its cancellation, the fastlink project has been kicked into the long grass of Transport Scotland. Will the cabinet secretary assure the chamber that the Government remains committed to fastlink; confirm that that commitment is for the project described in SPT's on-line business case, not for some kind of glorified bus lane; and advise the chamber of the value of the Government's support

to allow SPT to pursue match funding and ensure that a scheme can be delivered in time for the 2014 Commonwealth games?

**John Swinney:** Ministers have made it clear on a number of occasions that the Scottish Government will contribute funding to fastlink with the objective of improving bus services between Glasgow city centre and the Scottish exhibition and conference centre. That will have obvious benefits for the 2014 games and the Southern general hospital. That has been our position, and it has not changed.

We have asked SPT to submit a plan that allows it to consider fully the timing and level of a Scottish Government contribution to the scheme. Decisions on funding the proposition can be made only when we have received a business case that has more up-to-date costs.

**Bob Doris (Glasgow) (SNP):** The cabinet secretary may know that I have met the SPT subway delivery modernisation team and that I have also met the Minister for Transport, Infrastructure and Climate Change, Stewart Stevenson, to push forward subway modernisation. That was in August. At that time, no detailed business plan or detailed technical and financial assumptions were coming to the Scottish Government from SPT to ask for the relevant financial support. Can the cabinet secretary give me an update? I am worried about the fantastic subway delivery modernisation team having its ambition to modernise the subway coloured by the poor corporate governance of SPT at large.

**John Swinney:** It is clear that there is a strong argument in relation to the effectiveness and performance of the subway in Glasgow, and that its modernisation is required. Scottish Government officials are working with SPT to consider the detail of its modernisation proposals and the part that the Scottish Government might play in the process. Good progress is being made, and I look forward to a firm proposal that includes financial, engineering and commercial aspects coming from SPT by the end of this year.

### Airports

**7. John Scott (Ayr) (Con):** To ask the Scottish Government what steps it is taking to support Scotland's airports. (S3O-11762)

**The Cabinet Secretary for Finance and Sustainable Growth (John Swinney):** Although Scotland's larger airports are privately owned, the Scottish Government provides support in a number of areas. We provide market and route analysis and marketing assistance to airlines in support of airports' route development activities, and assistance and advice to maximise airports' wider contribution to our economy, and we help

with drawing up airports' master plans and surface access strategies. We also provide funding to Highlands and Islands Airports Ltd as a Government-owned company that facilitates lifeline air services.

**John Scott:** As the cabinet secretary will know, the air route development fund, which, unfortunately, ended in 2007, was an extremely valuable and successful mechanism for supporting the creation of new routes to Scottish airports, including Prestwick. Will the cabinet secretary update members on the engagement that is taking place between the Scottish Government and the European Commission with a view to removing any legal barriers that prevent direct support for air route development?

**John Swinney:** I do not think that anything in the material substance of the problematic issues with an air route development fund has changed since the Government previously set out the position on the matter to the Parliament. We endeavour to be as supportive as we can be to the development of appropriate air connections to maximise the opportunities for direct air travel in Scotland and out of it to other parts of the world. The assistance that I described in my original answer is the focus of the Government's work to try to address that particular requirement.

### Postal Service

**8. Hugh Henry (Paisley South) (Lab):** To ask the Scottish Executive what action it will take to support a publicly owned postal service. (S3O-11830)

**The Minister for Enterprise, Energy and Tourism (Jim Mather):** Postal services are a reserved matter. However, the Scottish Government recognises their importance to communities and local economies throughout Scotland, and we will continue to press the United Kingdom Government to make decisions in the best interests of Royal Mail staff, communities and Scotland's economy.

**Hugh Henry:** I thank the minister up to a point for that answer. He and I share the view that communities and consumer groups throughout Scotland value the Post Office, but he stopped short of committing himself to a publicly owned postal service. Will he go one step further and commit himself, with the unions, consumer groups and communities throughout the country, to the idea that a publicly owned postal service is vital to Scotland's interests?

**Jim Mather:** That is rich. We must recognise not only that Labour put the service at risk, but that the current plan would have been brought forward by Labour under Peter Mandelson. Members should compare and contrast that with what we

have been doing with Scottish Water and learn from that how we would manage public assets in an independent Scotland.

## First Minister's Question Time

11:59

### Engagements

**1. Iain Gray (East Lothian) (Lab):** To ask the First Minister what engagements he has planned for the rest of the day. (S3F-2661)

**The First Minister (Alex Salmond):** Later today, I will take the opportunity to sign a pledge marking the fifth anniversary of the co-operation agreement between Scotland and Malawi. Thousands of Scots have worked hard to support Malawi's development and to improve the lives of many of the world's poorest people. In the past five years, the Scottish Government has supported some 207 projects, involving £13 million. I know that all members will join me in celebrating the contribution that Scotland has made to alleviating poverty and building capacity in Malawian communities. I also extend my thanks to my predecessor Jack McConnell for his support for and continuing commitment to the project. *[Applause.]*

**Iain Gray:** Yesterday, at the Education, Lifelong Learning and Culture Committee, we heard about the proposed cuts in Scotland's further and higher education sectors. Alastair Sim, director of Universities Scotland, said that cuts of 16 per cent will cause severe damage to the sector. He said that "urgent work" was required now to bring forward a workable scheme for Scotland. The education secretary says that he hopes that a funding solution can be found by next August. Is that the First Minister's idea of urgent action?

**The First Minister:** The timescale for bringing forward a Scottish solution on the issue is exactly the same as the timescale south of the border. The dramatic increase in student fees that the coalition Government south of the border is proposing—up to £9,000—will be introduced in the academic year in two years' time, which will be exactly the same academic year in which the Scottish alternative will be deployed. So the timescale south of the border for what is euphemistically called the new funding stream—the punitive introduction of extraordinary tuition fees—is exactly the same as the timescale for the Scottish alternative, which will seek to find a better answer for Scotland.

On the speculation about what will be able to be done in the coming year in the Scottish budget, I point out that the comprehensive spending review outlined a cut of 40 per cent in university funding south of the border over the CSR period and a cut of 25 per cent for colleges. If we extrapolate the figures for Scotland through the consequentials,

we get the sort of figures that are being talked about. I hope that everybody in the Parliament hopes that we can do better than that. However, I should say to Iain Gray that the first cut in university funding did not occur in the current financial year or in the CSR; instead, it was the Mandelson cut of earlier this year, which already put the university and college sector south of the border in a cuts position.

**Iain Gray:** Linda McTavish of Scotland's Colleges said:

"there are going to be colleges across Scotland that will fail."

Tony Axon from the University and College Union said that 4,000 jobs could go. Everyone told the First Minister that the crisis was coming. It is more than two years since we told him that he needed a review of higher education funding. Although he and I might agree that we do not like the answers that are coming forward south of the border, at least answers are being brought forward. That is not the timetable that we are following here. Why is the First Minister just starting to think about a Scottish answer to the problem now?

**The First Minister:** Iain Gray should have listened to the answer to the previous question. The Scottish alternative will be introduced in exactly the same timescale as that for the proposals south of the border. The difference is that we will find a different Scottish solution to an extraordinarily difficult position that was started by the previous United Kingdom Government and greatly accentuated by the current one. I see Labour members shaking their heads. Who proposed removing the ceiling on the top-up fee south of the border? It was the previous Labour Government. The timescale to which we are working for the Scottish solution is exactly the same timescale as is being proposed south of the border.

At some stage, Iain Gray will have to see that kicking things into the long grass with his commission was not the answer. We will bring forward a solution on exactly the same timescale as the timescale south of the border.

Last week, the Labour Party published a document that proposed £1.7 billion of additional spending commitments, set against a reduction in the Scottish budget for next year, forced by Westminster, of £1.3 billion. No amount of commissions or kicking into the long grass could solve the quandary of the Labour Party spending like there is no tomorrow when next year's Scottish budget is being cut by London.

**Iain Gray:** The First Minister needs to listen to the questions, too. We suggested a review almost two years ago. If he had held one, we would have a solution now. Tony Axon said yesterday that if

we had had a review, we would not be in this situation today.

I have listened to the education secretary talk about his timetable—there is a summit this month, a green paper next month, a leisurely stroll through the ideas and perhaps a solution next year. One would almost think that the First Minister knew that it will be someone else's problem by then. Does he not understand that higher and further education funding is a problem now? Does he not see that it is he who is kicking the problem into the long grass on the other side of an election?

**The First Minister:** If Iain Gray had an answer to the problem, he would not be suggesting a review; he would be telling us what his proposal was. He has made bold proposals, in that statesmanlike way that we have come to imagine, to increase the council tax, and then he said that he did not want to increase the council tax—and then he said that he would increase the council tax, but would cap it. It is reasonable to assume that if Iain Gray had a Scottish answer to the alternative that is being suggested south of the border of a 40 per cent cut in university funding and a 25 per cent cut in college funding, he would not come to this chamber with his great idea of a review; he would be telling us what his proposal was. Now he has one more question. It is a question, but perhaps he will give us a wee inkling of what Labour's policy is in that direction. *[Interruption.]*

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

**Iain Gray:** That is right; I have one more question, because this is First Minister's question time. For as long as the First Minister sits in that seat in the chamber, the question will be, "What is his answer?" Of course, if he had one we would not believe it anyway. It is not just Nick Clegg who has broken his promises to students; Alex Salmond dumped his promise to cancel student debt. He left Scottish students with less to live on than students in the rest of Britain. He abolished the graduate endowment, and last night his MP Pete Wishart said, "Of course we can bring the graduate endowment back." The First Minister cut university places by 10 per cent and now he does not know what to do.

Presiding Officer, you were at the Scottish reformation reception last night at which the First Minister reminded the audience that our ancient universities were founded by papal bull. Now they are being jeopardised by Alex Salmond's bull. Will the First Minister show some leadership and introduce his plans for higher education right now?

**The First Minister:** If Iain Gray is going to become a statesman, he will have to recognise

that it is best not to telegraph his jokes so far in advance.

Iain Gray will have to confront the position that, unless we want meekly to go down the road set south of the border—a road started on by the previous Labour Government and Peter Mandelson and now accentuated by the Con-Dem coalition—we will have to find the Scottish answer. It is not the case that university funding has been cut in Scotland; we have record university and college funding in Scotland, and far more than the previous Labour Administration was prepared to spend. When we reintroduced free education—incidentally, I tell Iain Gray that that was the point of my comments last night—we did it in the teeth of Labour opposition in this Parliament.

As we bring forward that solution, we know that the answer is not just to cope with the Con-Dem cuts without finding a way forward for Scotland. We know that the real answer for Scotland is to get control of our economy, so that we can grow revenue and invest in the future of this country, instead of being imprisoned in the Westminster straitjacket in which Iain Gray, for all his bull, is content to let Scotland suffer.

### **Secretary of State for Scotland (Meetings)**

#### **2. Annabel Goldie (West of Scotland) (Con):**

To ask the First Minister when he will next meet the Secretary of State for Scotland. (S3F-2657)

**The First Minister (Alex Salmond):** I have no plans to meet the Secretary of State for Scotland in the near future.

**Annabel Goldie:** Alex Salmond and his Scottish National Party colleagues have always been passionate and unquestioning supporters of the European convention on human rights and its incorporation into Scots law. In the light of subsequent events—most recently around the right of prisoners to vote—does he now regret that?

**The First Minister:** No. The European convention on human rights is something to which we should subscribe. However, I think that this Administration and this jurisdiction should be in exactly the same position vis-à-vis the convention as any other country.

I am interested in Annabel Goldie's question, because, as I understand it, it is the Conservative-led Government that is now proposing to introduce the right of prisoners to vote. Presumably, if the Conservative-led Government had a different answer, it would not now be proposing that.

**Annabel Goldie:** The Prime Minister made it clear in the House of Commons yesterday that the prospect of votes for prisoners is sickening. He said:

"It makes me feel physically ill".—[*Official Report, House of Commons*, 3 November 2010; Vol 517; c 921.]

I think that that sentiment is widely shared. He also made it clear that this is just another example of the mess that the coalition Government is having to clear up.

The First Minister faces a political paradox—a very inconvenient truth—because, in fact, he does not want many of those prisoners in prison in the first place; he wants convicts in the community. One can just see him outside our Scottish jails, brandishing a placard that says, "Freedom! Vote SNP for a soft-touch Scotland." On prisoners' votes, the First Minister should mop up his crocodile tears.

I will make a constructive suggestion. Regrettably, some prisoners will have to be given the right to vote and the UK Government is considering how to limit the damage, but surely in Scotland we could take some interim measures. Could guidance be given now to our Scottish judges that when they impose a prison sentence they should make clear whether the prisoner retains or loses the right to vote?

**The First Minister:** On the specific question that Annabel Goldie asks, we had better see what proposals come from the Government that is actually in charge of the issue before we give directions to the Scottish judiciary.

I am amazed by Annabel Goldie's totally extraordinary comments and attack on our incredibly sensible policy of limiting short-term sentences in Scotland, because that policy has been endorsed by none other an authority than Kenneth Clarke, who, last time I checked, was in charge of these things south of the border and who, last time I checked, was still a Conservative MP. I know that he is enthusiastically backed in that policy by his coalition partners in London—even if they are at variance on other policies, such as tuition fees.

I do not understand why Annabel Goldie wants to persuade me to depart from what seems an entirely sensible policy in Scotland when she cannot persuade her own Lord Chancellor south of the border to depart from exactly that Scottish policy. Indeed, Ken Clarke has been supported by none other than Ed Miliband in the move against short-term sentences.

On the SNP's track record, I remind Annabel Goldie that we now have the lowest crime rate in Scotland for 32 years, which seems to be some achievement.

### **Cabinet (Meetings)**

**3. Tavish Scott (Shetland) (LD):** To ask the First Minister what issues will be discussed at the next meeting of the Cabinet. (S3F-2672)

**The First Minister (Alex Salmond):** Issues of importance to the people of Scotland.

**Tavish Scott:** One of the issues that could be discussed at the next meeting of the Scottish Cabinet is the Government's responsibility for ferry services around Scotland. When the Scottish National Party was in opposition, it promised to cut quickly a pragmatic deal to give the people of Dunoon the ferry service that they need. Five years later, the people of Dunoon are still waiting. How long will they wait?

**The First Minister:** As Tavish Scott well knows, the review of ferry services is on-going. He will recognise the substantial increase that there has been in the budget for ferry services over the past three and a half years. I suppose that he will also have some sort of thought that, given the draconian cuts to Scottish public expenditure to which his party is now signed up, the traditional Liberal Democrat tactic of the past three and a half years of asking for additional spending on everything may not be as apposite as it once was.

**Tavish Scott:** I am not asking for more money; I am asking the Government to do what it is meant to do. The new ferry contract must be in place by the end of next June, otherwise the directors of the existing service will find themselves forced by the Scottish Government to risk huge penalties. They may decide to cancel the ferry, so local people who were promised action by the SNP will have no ferry on that route.

The truth is that the SNP has no intention of getting the tender out before next year's elections. It will put the ferry service at risk and leave local people in the lurch. We have had four years of the SNP doing absolutely nothing. What is more important to the SNP—securing that ferry service for local people or manipulating the whole process for electoral advantage?

**The First Minister:** The difference between Tavish Scott and me is that the Government is trying to secure the best possible ferry service for local people. That does not involve taking the action that he wants to rush into, which could well result in exactly the opposite consequence.

I welcome Tavish Scott's self-imposed declaration that he will no longer ask the Scottish Government for more money in his questions. I intend to hold him to that as we go through First Minister's question time after First Minister's question time. The next time that he stands up and asks for more money, I will remind him of this First Minister's question time. I am going to ring a bell

and tell him that he is out of order—with the Presiding Officer's permission, of course.

**Rhoda Grant (Highlands and Islands) (Lab):** The First Minister will be aware of the tragic death of Mandy Mathieson in Tomintoul last month. Press reports indicate that Ms Mathieson had a heart attack and that, although there was an ambulance 800yd away, it did not attend. Will the First Minister investigate the incident as a matter of urgency in order to provide answers for Mandy's family? Why did local staff not attend, and why was there an apparent delay in alerting the air ambulance? Will he also review the cover, skills and employment practices of the Scottish Ambulance Service in remote and rural areas to ensure that they are fit for purpose?

**The First Minister:** My sympathies and those of the whole chamber are with the relatives of the woman who has died. The Cabinet Secretary for Health and Wellbeing has received the report on the incident from the Scottish Ambulance Service, including details of the action that is being taken to investigate the circumstances fully. The ambulance technician concerned has been suspended by the Scottish Ambulance Service and an internal investigation is under way. The Scottish Ambulance Service has also asked the Health Professions Council to investigate.

The member will appreciate that it is not appropriate for me to comment further on the circumstances of a particular case, however tragic, while such investigations are under way. Nevertheless, I assure her that the investigations will be thorough and will come to a conclusion, which will be spelled out to the chamber. I know that she and members across the chamber would not want this tragic incident to deflect in any way from our admiration of and support for the work that the Scottish Ambulance Service does throughout the communities of Scotland.

**David McLetchie (Edinburgh Pentlands) (Con):** With reference to the First Minister's answer to my colleague, Annabel Goldie, does he not appreciate that one of the reasons why the crime rate in Scotland is lower is the fact that more of the bad guys are in jail? That fall in the crime rate will be at risk if the Government persists with its policy of stopping locking them up.

**The First Minister:** No. One of the reasons why the crime rate in Scotland is falling is the fact that there are more than 1,000 extra police officers on the streets in Scotland. Not only do we have the lowest crime rate in 32 years; we also have record clear-up rates of crime in Scotland.

As the former leader of the Conservative party in the Scottish Parliament, David McLetchie is suffering from the same dilemma as the party's present leader—indeed, the same dilemma that

will be bequeathed to any future leader of the Conservative party in this chamber. It is impossible to retain any credibility in the actions that they suggest the Government should take when their own ministers—no doubt in admiration for the dramatic decline in crime rates in Scotland—are pursuing the exact same policies as we are pursuing. David McLetchie should have a word in Ken Clarke's ear. Before Mr McLetchie comes to the chamber and attempts to persuade us to depart from a policy that is obviously working in practice, he should first see whether he can reconcile his party's irreconcilable positions.

### **Alcohol (Harm to Society)**

**4. Michael Matheson (Falkirk West) (SNP):** To ask the First Minister what the Scottish Government's response is to the study by the Independent Scientific Committee on Drugs that placed alcohol above heroin and crack cocaine in terms of the harm that it causes to society. (S3F-2676)

**The First Minister (Alex Salmond):** The study to which Michael Matheson refers reinforces the importance of tackling alcohol misuse, which is responsible for a significant amount of harm being caused to the drinker, those around them and society as a whole. Those are the reasons why we placed our proposals for a minimum price of 45p per unit of alcohol at the centre of the Alcohol etc (Scotland) Bill, as part of our wider framework for tackling alcohol misuse. We all are agreed that the cost of alcohol is key in terms of consumption levels and yet to date no credible alternative proposals for tackling the low cost of alcohol have been put forward.

The total cost of alcohol misuse is estimated at £3.56 billion per year in Scotland. That equates to £900 for every adult in Scotland. It is clearly time for bold action to turn around Scotland's relationship with alcohol.

This Parliament now has an opportunity to show leadership by supporting our minimum pricing proposals—proposals that will benefit individuals and the country as a whole—at stage 3 of the Alcohol etc (Scotland) Bill, which I understand comes to the chamber next Wednesday.

**Michael Matheson:** The First Minister is right to point out that the Opposition parties in the chamber have brought forward no credible alternative on pricing other than to say that they hope that the United Kingdom Government implements massive duty rises on what they call problem drinks.

I draw the First Minister's attention to recent claims in an Institute for Fiscal Studies report that it is not possible at present under European Union directives for all alcohol duty to be set according to

the number of alcohol units. It is therefore impossible for the UK Government to achieve the benefits of minimum pricing via taxation, as the Opposition parties had hoped.

Does the First Minister agree that the only meaningful action that this Parliament can take to tackle the issue of cheaply available alcohol is for it to take its responsibilities seriously and vote for minimum pricing next week?

**The First Minister:** I agree with Michael Matheson: the scale of the problem that we face means that this Parliament should deal with alcohol misuse issues now. Apart from the issues that he highlights, there is, of course, a history of retailers who instead of passing duty increases on to the customer simply pass them back to producers. Also, the underlying duty arrangements are unfair to our spirits industry at present.

I would have more respect for the position that some Opposition parties in the chamber enunciate if they proposed or did one of two things. First, if they proposed that excise duties should come under the responsibility of this Parliament, their policies might make some sense. They are not proposing that. Secondly, if their parties at Westminster were to take forward the excise duty policies that they suggest might be employed to tackle low pricing in Scotland, their arguments would have credibility. Given that one of the first decisions of the coalition Government was to reduce duty on cider, we will wait a long time to see that coherent policy being produced from London.

**Jackie Baillie (Dumbarton) (Lab):** The First Minister will be aware that, in highlighting the problem of alcohol abuse, the study said that action on pricing needed to be taken across the UK. I invite him to consider the very credible proposals that the three main Opposition parties in the chamber have put forward on how to tackle the issue with alcohol. Given that there is no price differential north and south of the border, we need to look at other factors to explain drinking behaviour in Scotland. I invite the First Minister to join the growing consensus in the chamber that we should take action on pricing across the UK. *[Interruption.]*

**The Presiding Officer:** Order.

**The First Minister:** What Jackie Baillie describes is not a growing consensus across the chamber but an excuse for inaction and for this Parliament to duck its responsibilities. As I outlined, the London Government made its initial decision on cider, yet cider is one of the products that is most in dispute.

Given that we will wait a long time for action from London, if Jackie Baillie believes that action on duty is the way to proceed, at what stage will



she reconcile the irreconcilable by announcing her support for the transfer of those powers to this Parliament? Then again, if she advocated that, she would not just be hoping that somebody else would do something. I would be interested to know the whole list of policies on which Jackie Baillie is waiting for action from the Conservative-Liberal coalition. It would be responsible to say that this Parliament should fulfil its responsibility to the people of Scotland and should act now.

### Power Stations

#### 5. Sarah Boyack (Edinburgh Central) (Lab):

To ask the First Minister what the Scottish Government's position is on new, non-replacement, fossil fuel-fired power stations. (S3F-2673)

**The First Minister (Alex Salmond):** The Scottish Government believes that those power stations must be fully decarbonised by 2030. That is in line with advice from the United Kingdom's expert Committee on Climate Change and consistent with our own targets under the Climate Change (Scotland) Act 2009.

Scotland has massive carbon capture and storage potential, which, along with our renewables industry, means that it is at the forefront of Europe's low-carbon energy revolution. The Scottish Government is committed to developing the renewables potential, which is why we raised the renewables target from 50 per cent to 80 per cent by 2020. We also accelerated the rate of approval for projects, which now stands at 36—double the rate under the previous Administration. I hope that Sarah Boyack still agrees with me that her party's argument that we should focus instead on wasting resources on dangerous, expensive and unreliable nuclear power is no answer at all.

**Sarah Boyack:** I thank the First Minister for his answer, although—as ever—he did not answer the question that I asked. I will try again.

We all know that new, unabated coal-fired power stations will make it much harder for us to cut our carbon emissions, as we must do if we are to achieve our 42 per cent climate change targets. That is why the Stop Climate Chaos Coalition and even some of the First Minister's own members are unhappy with new, unabated coal. Will he join Scottish Labour in ruling out new, non-replacement, fossil fuel-fired power stations—yes or no?

**The First Minister:** I am really puzzled that Sarah Boyack does not think that there was an answer to the question. Let me repeat what I said to her.

**Members:** Ah.

**The Presiding Officer:** Order.

**The First Minister:** The Scottish Government believes that those power stations must be fully decarbonised by 2030. She will have read the stipulations—

**Andy Kerr (East Kilbride) (Lab):** New ones.

**The First Minister:** I heard Andy Kerr's interjection in which he said that I was talking about new ones. That is because, in her question, Sarah Boyack asked me about new, non-replacement, fossil fuel-fired power stations. Even Andy Kerr does not usually criticise me for answering the question, as opposed to anything else.

According to Sarah Boyack's question, we are talking about the policy on new, non-replacement, fossil fuel-fired power stations. The answer is that those power stations must be fully decarbonised by 2030. That is not only a sensible policy for this Government but the same policy as was enunciated by the great Ed Miliband when he was secretary of state at the Department of Energy and Climate Change.

I know that Sarah Boyack's career is already in jeopardy because of her principled opposition to nuclear power but, if she conflicts with her new leader, that jeopardy will become a double jeopardy. Given my admiration for her, I would not like one of the few principled people on the Labour benches to be relegated even further.

**Ross Finnie (West of Scotland) (LD):** If we leave aside the bombastic rhetoric of the last reply—

**Stewart Maxwell (West of Scotland) (SNP):** Sit down, then. [*Laughter.*]

**The Presiding Officer:** Order.

**Ross Finnie:** The member really should not become confused by listening to his own rhetoric and the echo.

**Members:** Hear, hear.

**Ross Finnie:** The Scottish Government insisted on including new, fossil fuel-fired power stations in the national planning framework 2. Why did it do that when the report "The Power of Scotland Renewed—Clean, green energy for the nation's future" shows that it is entirely plausible that no large-scale, fossil fuel-fired generation capacity need remain online by 2030?

**The First Minister:** I do not agree that the national planning framework does what has been suggested, as Ross Finnie would well know if he studied the document carefully. We have gone down the route that the Committee on Climate Change proposed to us, which was to ensure that any new fossil fuel-fired power station would be

carbon-capture enabled and fully decarbonised by 2030. That is totally consistent with our Climate Change (Scotland) Act 2009 targets, which Ross Finnie also knows are the most ambitious in the world.

### **Students (Cross-border Flow)**

**6. Elizabeth Smith (Mid Scotland and Fife) (Con):** To ask the First Minister, further to the reported comment of the “source close to the Scottish Government” in *The Sunday Times* that the Scottish Government was in the business of controlling the cross-border flow of English students coming to study in Scotland, whether the Scottish Government plans to extend this control to Welsh and Northern Irish students. (S3F-2671)

**The First Minister (Alex Salmond):** Elizabeth Smith has been in politics long enough to know that, if *The Sunday Times* had had a comment from the Scottish Government, it would not have referred to a

“source close to the Scottish Government”,

who could even have been her—well, perhaps it could not have been her, but it certainly could have been one of a wide range of people.

Scottish universities have always welcomed students from around the world and the Government wants that cosmopolitan character to be maintained. Of course, the Conservatives are about to introduce £9,000 tuition fees in England, in the hope that that will make up for the massive cut of 40 per cent in university teaching funding over the next four years south of the border. That is why we need to find a Scottish solution. I hope that Elizabeth Smith will be at the forefront of advocating something rather better than what her party advocates south of the border.

**Elizabeth Smith:** If it is incorrect to say that that spokesman had anything to do with the Scottish Government, is it correct to say that the Scottish Government has considered plans on how to make students from the rest of the United Kingdom pay, although it is still silent on what will happen to Scottish students? Does the First Minister agree that that is a Scottish Government guddle that is in no one's interests—least of all those of our universities and students, who cry out for leadership on the issue?

**The First Minister:** Perhaps I pre-empted Elizabeth Smith too much. I am not sure whether she understands that the fee level for students in Scotland—whether they are from Scotland or elsewhere in the UK—is £1,820. The difference is that the Scottish Government takes responsibility for Scottish students' fees. It is of course open to any funding authority south of the border to do the same for English students who come to Scotland. That is the present position.

I was not absolutely clear from Sarah Smith's supplementary question whether she fully appreciated—*[Interruption.]* I was not totally convinced by Elizabeth Smith's supplementary question that she fully appreciated the current position, as opposed to any suggestions that she might make.

I hope that, if Sarah—if Elizabeth Smith forgives me for changing her name, for which I apologise profusely—*[Interruption.]*

**The Presiding Officer:** Order.

**The First Minister:** If Elizabeth Smith forgives me for that, perhaps she will agree to change the Conservative party's policies, which threaten the students of Scotland, England, Wales and Northern Ireland.

12:33

*Meeting suspended until 14:15.*

14:15

*On resuming—*

## Scottish Executive Question Time

### Health and Wellbeing

**The Presiding Officer (Alex Fergusson):** Question 1 was not lodged.

#### Podiatry Services

**2. Elaine Smith (Coatbridge and Chryston) (Lab):** To ask the Scottish Executive what its position is on access to podiatry services being based on clinical need rather than ability to pay. (S3O-11852)

**The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon):** The planning and provision of national health service podiatry services are a matter for NHS boards. Podiatry is provided on the basis of clinical need, as judged by a registered podiatrist. As part of NHS service provision, there is no charge to patients for NHS podiatry services.

**Elaine Smith:** In Lanarkshire, revised criteria for podiatry have stopped general practitioners referring their elderly patients for nail cutting, which is having a negative impact on those patients' health and wellbeing. Does the cabinet secretary recognise that the majority of elderly people are unable to carry out essential nail cutting for themselves and have a clinical need for the service? Does she accept that the refusal to offer that vital service on the NHS has a disproportionate impact on the poorest and most vulnerable elderly patients, who cannot afford to pay privately? Given that she has indicated to me in a letter that the service could be provided by nursing staff or foot care assistants, will she ensure that it is provided free on the NHS?

**Nicola Sturgeon:** I am sure that Elaine Smith appreciates that assessment of clinical need in this or any other regard is a matter for clinicians—in this case, for registered podiatrists. When a registered podiatrist considers that foot care is required for clinical reasons, that is provided on the NHS. It is worth pointing out that free personal and nursing care also has a role to play. Personal care services are provided by local authorities at home, without charge, to people aged 65 or over; payments for such care are made for self-funded residents of nursing or care homes. Personal care can include foot care, including nail care.

Individuals should discuss their situations with their local podiatrist, who may be able to offer advice, where there are non-clinical needs, and

training for support workers or carers. The podiatry service should always work with individuals and carers to resolve any concerns or anxieties about what can be done. I am happy to give consideration to any constituency cases that Elaine Smith wants to bring to my attention.

**Mary Scanlon (Highlands and Islands) (Con):** Many elderly people in Highland have been taken off the list for regular podiatry assessment. Will the cabinet secretary ensure that podiatry services are provided on the NHS to all elderly people who are assessed as being in need of such services? That is a wonderful investment that helps to ensure mobility and independence.

**Nicola Sturgeon:** As I said to Elaine Smith, clinical assessment is paramount in such cases. Podiatry, like all NHS services, is provided on the basis of assessed clinical need. That assessment should always be made by the appropriate health care professional—in this case, the podiatrist. Where it has been determined that clinical need exists, services should be provided on the NHS.

#### Glasgow Western Infirmary (Patient Care)

**3. Pauline McNeill (Glasgow Kelvin) (Lab):** To ask the Scottish Executive, in light of the intended closure of Glasgow's Western infirmary, what action has been taken to ensure that its patients continue to receive a high standard of care. (S3O-11843)

**The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon):** NHS Greater Glasgow and Clyde will continue to provide high-quality services and to maintain high standards of care for patients at the Western infirmary, which will remain an important acute hospital within the Glasgow network of hospitals until the new south Glasgow hospital is opened and services are transferred there. The board is implementing a significant programme of capital investment to refurbish areas of the Western infirmary and is following up infection control environmental audits to improve the basic fabric of ward areas.

**Pauline McNeill:** Will the cabinet secretary give me a cast-iron assurance that patients at the Western infirmary will not receive an inferior service while the new Southern is in its planning stages? The closure of Stobhill hospital is expected to put added pressure on the Western and its sister hospital, Gartnavel, with regard to acute and emergency beds. What will the cabinet secretary do to ensure that there is not undue pressure on beds at the Western infirmary and how will she satisfy herself that, during the on-going changes, there will be no detriment to the services that are used by patients who attend the Western infirmary?

**Nicola Sturgeon:** I thank Pauline McNeill for her question and her interest. I can say unequivocally that patients who use the Western infirmary during the period up to the transfer of services to the new Southern general have the right to expect the same standard of care that they would get in any other circumstances. Through the normal methods and means of managing the performance of all NHS boards, I will ensure that that is the case.

As Pauline McNeill is aware, the timetable for the closure of the Western infirmary is 2015-16—once the new south Glasgow site is opened. In the meantime, as I have said, the board intends to fully utilise the Western as an acute hospital and it is committed to investing in it to maintain high-quality standards of care.

As part of the continuing implementation of the acute services review, vascular services from both the Southern general and Glasgow royal infirmary have been relocated to the Western on an interim basis. Likewise, renal surgery services will transfer there from the GRI around the end of the year.

Pauline McNeill might be interested to know that the health board has allocated £2.5 million of capital investment to refurbish F block, the former Beatson centre, to accommodate medical beds. Levels 7, 8 and 9 of the phase 1 building are currently being refurbished to accommodate renal and vascular services, and that investment amounts to more than £5 million.

I hope that all those things give Pauline McNeill the assurance that she seeks—that patients using the Western until such times as services transfer to the new Southern general can expect the highest possible standards of care.

#### **Football Clubs (Supporters Trusts)**

**4. Bill Butler (Glasgow Anniesland) (Lab):** To ask the Scottish Executive whether it has a position on the involvement of supporters trusts in the ownership and governance of football clubs, given their community links and benefits. (S3O-11820)

**The Minister for Public Health and Sport (Shona Robison):** Football clubs and the relevant football authorities are responsible for managing how they run their clubs and the sport. We expect the footballing authorities and clubs to ensure that appropriate mechanisms are in place to allow their supporters' views to be represented.

The Scottish Government fully recognises the valuable role that supporters play in football, which is why we have provided funding to Supporters Direct in Scotland, a group that ensures that ordinary supporters have their voices heard.

**Bill Butler:** The minister is no doubt aware of the plight of Dundee Football Club, which has slipped into administration for the second time in seven years. The situation has resulted in the club receiving a record 25-point penalty from the Scottish Football League. Dundee FC is one of Scotland's oldest clubs, with a proud history. Has the minister been in touch with the club's administrator and HM Revenue and Customs to discuss what assistance the Government can offer to the club's supporters at this time?

Does the minister agree that this sorry situation highlights the need to continue to back Supporters Direct in Scotland and its message that supporters should be given a greater say in the running of their clubs?

**Shona Robison:** I am more than aware of the issues surrounding Dundee Football Club, some of which are complex financial issues. Bill Butler should be aware that Dee 4 Life has representation on the club's board. Given the complex financial issues, I am not sure that a greater role by supporters on the board would necessarily have made a big difference in this case. Nevertheless, a greater role for supporters on boards is something that we would wish to encourage.

On the specific matters that Bill Butler raised, I am in contact with Dundee FC and with a number of fans who have been in touch with me. I will meet representatives of the club on Saturday. Bill Butler will appreciate that actions sometimes speak louder than words, and I hope that he might join a number of other politicians who will be attending the Dundee match, watching the team play Partick Thistle on Saturday—paying at the turnstile, of course, and importantly so in this case. Bill Butler is more than welcome to join us; I am sure that he would be made very welcome by the board. That is an open invitation to him, and to anybody else in the chamber, to join us on Saturday.

**The Presiding Officer:** I am tempted to say, that is if they are not attending Stranraer's game on Saturday—but I will not.

**Marlyn Glen (North East Scotland) (Lab):** I am pleased to hear that the minister will attend Dens Park. As has been said, the thoughts of football fans in general and, in particular, Dundonians, are with Dundee FC and the 25-point penalty meted out to it. Will the minister meet the Scottish Football League to discuss the situation and the impact on Dundee and the local economy?

**Shona Robison:** The process from here on in is that the first appeal will be made to the SFL. Beyond that, the appeal will be to the Scottish Football Association. Yesterday, I met the SFA to

discuss a number of matters. During the meeting, I raised the issue of Dundee FC to ensure that the SFA is aware of the issues that have been brought to my attention by fans and the club. As would be expected, given that the SFA is involved in the appeal process, it would not necessarily have been appropriate for the SFA to pass comment, but I can assure the member that it is well aware of the issues involved. As a local member, I will continue to do all that I can to support Dundee FC, which is, of course, a great institution for the city and one of Scotland's very important football clubs.

### **Hospitals (Patient Care)**

**5. Margaret Smith (Edinburgh West) (LD):** To ask the Scottish Executive what action is being taken to improve the standard of patient care in hospitals. (S3O-11782)

**The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon):** Patient safety and quality of care are key priorities for both the Scottish Government and the national health service. Through the quality strategy, we continue to support the NHS to ensure that it delivers the quality health care that patients want and deserve. Programmes such as leading better care, releasing time to care and the patient safety and health care associated infection programmes are key drivers for improvement, and the proposed care governance approach that is being taken forward by the chief nursing officer will further support care delivery.

**Margaret Smith:** I am sure that the cabinet secretary will agree that the recent survey by the Royal College of Nursing, which concluded that 54 per cent of nurses feel prevented from providing care with dignity to a standard that they are happy with, is very worrying, especially as three quarters of those who felt that they could not provide such care cited a lack of staff as the main problem.

Will robust risk assessments be carried out to consider carefully the impact of any proposed changes to the nursing workforce on the safety and quality of patient care? Given the RCN's commitment to look at ways in which it can manage services better and manage the workforce better, will the cabinet secretary give an assurance that she will work with the RCN and health boards to minimise nursing job losses wherever that is possible?

**Nicola Sturgeon:** I thank Margaret Smith for an important question. Input from the RCN and professional bodies such as the RCN is always extremely welcome and helpful. It is essential that we use the leadership, the professionalism and the skills of nurses, and of midwives and allied health professionals, to take forward the quality

strategy and the other programmes of work that I have mentioned.

Members will have heard me say previously in the chamber and elsewhere that, as the health service faces up to the efficiency challenge that lies ahead, it must concentrate as far as possible on non-staffing efficiencies. However, where workforce changes are proposed, it is essential that they are robustly risk assessed—I assure Margaret Smith that risk assessment is part of the boards' workforce planning arrangements—and that any staffing changes do not compromise the quality of care. One of the things that I have done this year is to establish a national scrutiny group to look at the boards' proposed workforce changes to ensure the vital relationship between those changes and the quality of care. Of course, the RCN is represented on the scrutiny group.

### **Chlamydia (Testing)**

**6. Elaine Murray (Dumfries) (Lab):** To ask the Scottish Executive what action it is taking to encourage sexually active individuals under the age of 25 to undergo testing for chlamydia. (S3O-11846)

**The Minister for Public Health and Sport (Shona Robison):** As part of our national sexual health strategy "Respect and Responsibility" and national outcomes 2008-11, national health service boards are required to ensure that young people have access to sexual health information, advice and services, including chlamydia testing and treatment, when that is appropriate. NHS boards are also required to comply with service standards set by NHS Quality Improvement Scotland, which support testing for chlamydia in the under 25s.

**Elaine Murray:** The sexual health statistics, which were published last week, highlighted the work that needs to be done to ensure that chlamydia testing is targeted at the 16 to 25 age group. NHS Dumfries and Galloway has a commendable rate of testing but also has the highest proportion of positive tests among young men, at 18 per cent. Are further initiatives planned to make young men in particular aware of the need for prevention and testing?

**Shona Robison:** I congratulate NHS Dumfries and Galloway on the work that it has undertaken to encourage young people who might be at risk to come forward for testing and treatment. It is clear that the board sees the benefits of testing and treatment for improved sexual health outcomes for that group of young people. I am sure that it will be keen to continue the service and, perhaps, to customise and develop it to meet local circumstances. I will be happy to furnish the member with information about developments in the area.

**Murdo Fraser (Mid Scotland and Fife) (Con):**

The minister will be aware of concerns about the rise in sexually transmitted infections among older members of the population. It might be comparatively simple to target messages at under-25s, who might be at college or university. What is the Government doing to try to target sexual health messages at more middle-aged members of society?

**Shona Robison:** The issue was identified in the sexual health strategy. Society has changed, and people quite often develop new relationships in their middle years. It is important that we realise that STIs are not the domain just of young people. Therefore, the strategy to do with the information that is given to the older age group is important, as are treatment and testing. The matter is being taken forward as part of our sexual health strategy, in recognition of the changing society in which we live.

**The Presiding Officer:** Question 7 has been withdrawn.

**Malignant Melanoma****8. Nanette Milne (North East Scotland) (Con):**

To ask the Scottish Executive what action it is taking to address the incidence of malignant melanoma. (S3O-11764)

**The Minister for Public Health and Sport (Shona Robison):** The Scottish Government recognises the importance of tackling skin cancer. Through improvements in cancer services, education and legislation, we are seeking to reduce incidence rates and improve outcomes for patients.

**Nanette Milne:** Given figures that show a 71 per cent rise in malignant melanoma diagnoses during the past decade, will the minister agree to look at the age incidence and consider whether the age of presentation of malignant melanoma is changing? Will she also agree to consider the potential need to improve awareness education for different age groups, targeting schoolchildren and their parents, as has been done in other countries?

**Shona Robison:** I am always happy to consider ideas that are raised. I will take forward Nanette Milne's point.

I am sure that the member is aware of good things that we have been doing, such as the sunsmart campaign, which is run by Cancer Research UK and targets all age groups with the same key public health messages. We should remember that Scotland has been at the forefront of legislating to tackle sunbed use. Members of the Scottish Parliament came together to agree to an important step forward in ensuring that people are aware of the risks associated with sunbed use.

There is always more to do, but we should acknowledge the progress that has been made.

**Community Empowerment Action Plan**

**9. Bill Kidd (Glasgow) (SNP):** To ask the Scottish Government what plans it has to develop and expand the impact of the community empowerment action plan. (S3O-11799)

**The Minister for Housing and Communities (Alex Neil):** The Scottish Government launched the community empowerment action plan jointly with the Convention of Scottish Local Authorities in March 2009. I am pleased with the progress that has been made during the past year and a half.

We have much to build on as we go forward, such as the work that is being done to support the transfer of assets from councils to community groups, programmes to improve how agencies work with communities, and a range of examples, from across the country, of what can be achieved by communities doing things for themselves.

**Bill Kidd:** Most members put increased community participation and empowerment at the core of Scottish politics. In the context of invigorating democracy, I am sure that the minister is aware of the upcoming national event in Govan, which aims to highlight the success of community-based projects. What further plans does the Scottish Government have to build on the current successes of community asset ownership?

**Alex Neil:** I am delighted that an event celebrating creative approaches to regeneration will be held in Govan, and I am pleased to say that a senior Scottish Government official will be a key speaker at that event.

I agree that, in the right circumstances, community organisations owning assets can be a powerful way to develop communities. I was pleased to speak at the first of the Development Trusts Association Scotland seminars, and I understand that the programme is progressing well, with increasing interest being shown by local authorities in the possible benefits of community asset ownership. I look forward to seeing the programme's final report next year.

**Armed Forces Personnel (Health Statistics)**

**10. Bill Wilson (West of Scotland) (SNP):** To ask the Scottish Government whether it holds statistics relating to the incidence of cancer, stillbirth and birth deformities in Scottish armed forces personnel and their families. (S3O-11812)

**The Minister for Public Health and Sport (Shona Robison):** The Scottish Government holds no specific records relating to the incidence of cancer, stillbirth and birth deformities in respect of armed forces personnel and their families who

are based in Scotland. We understand that the Ministry of Defence, similarly, does not break down military statistics by geographical area of birth, upbringing or recruitment.

**Bill Wilson:** In view of the considerable circumstantial evidence linking cancers, stillbirths and birth deformities to exposure to the depleted uranium that is used in armour-piercing shells in Iraq and Afghanistan, for example, would the Scottish Government consider collecting information on the incidence of such problems and investigating whether they might be linked to depleted uranium exposure? Or will it ask the United Kingdom Government to do so, if it is ruled to be a reserved matter?

**Shona Robison:** I am not sure that the Scottish Government would be best placed to do that, but we are certainly open to discussing the matter with the MOD. It might be best if I write to the member with more detail on that.

### NHS Lanarkshire (Meetings)

**11. Andy Kerr (East Kilbride) (Lab):** To ask the Scottish Executive when it last met representatives of NHS Lanarkshire. (S3O-11832)

**The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon):** I and my officials meet all health boards regularly. The most recent meeting with NHS Lanarkshire representatives was on 25 October 2010.

**Andy Kerr:** A number of constituents have approached me because they have been unable to obtain admittance to accident and emergency services at Hairmyres hospital. It has, in effect, been closed to those local people. I have taken the matter up with NHS Lanarkshire, as it is a great concern to them. Is the cabinet secretary aware of the situation? What discussions have she or her officials had with NHS Lanarkshire, the royal colleges or any other relevant bodies on the matter? What plans are in place to ensure that the situation does not occur again?

**Nicola Sturgeon:** I understand from NHS Lanarkshire that, for a short period in October, Hairmyres hospital experienced high levels of activity. However, I can tell the member and the chamber that Hairmyres hospital was never closed to new emergency admissions. The member will be aware that when there are peaks of activity in any of the three Lanarkshire hospitals they operate as an emergency clinical network, which means that patients can be redirected between the three hospitals to ensure that they receive the treatment that they require without delay. That situation occurs in all health boards in Scotland—it is not unique to Lanarkshire.

I ask the member to reflect on the fact that, had the previous Labour Administration had its way, there would be only two hospitals operating full accident and emergency services in Lanarkshire—one fewer than there are at the moment.

**Margaret Mitchell (Central Scotland) (Con):** According to figures that were released in August, the number of patients aged 65 and over with a recorded diagnosis of malnutrition and treated in acute hospitals in NHS Lanarkshire rose from 66 in 2007-08 to 70 in 2008-09. There were also increases in NHS Ayrshire and Arran and in NHS Forth Valley, in contrast to a fall in the overall Scottish figure. What measures is the minister taking to address this vexing issue, which affects some of Scotland's most vulnerable people?

**Nicola Sturgeon:** Margaret Mitchell raises an extremely important issue. We all recognise the problem of malnutrition among all older people, not just those in hospital. She will recognise that, although we should not be complacent about what happens to patients in hospital, many older patients are admitted to hospital already suffering from malnutrition.

The issue of food, fluid and nutrition in hospitals is a huge priority. Over the past couple of years, we have issued new guidance to hospitals to ensure that all patients—not just older patients, although it is often particularly important for older patients—get access to the food and nutrition that they need in hospital. That is very important for their general wellbeing and for the process of recovering from whatever they are suffering from.

We have also done a great deal of work to ensure such things as protected meal times within hospitals, so that older people who require assistance with eating get that assistance. The issue is hugely important. I give Margaret Mitchell an absolute assurance that I will continue to work with NHS boards to ensure that any issues that are identified in this regard are properly and adequately addressed.

### Insulin Pump Therapy

**12. David Stewart (Highlands and Islands) (Lab):** To ask the Scottish Executive whether there has been an increase in the number of patients receiving insulin pump therapy in the past three years and, if so, what the cost has been to the national health service. (S3O-11853)

**The Minister for Public Health and Sport (Shona Robison):** Between February 2007 and the end of 2009, the number of people with type 1 diabetes using an insulin pump increased from around 200 to about 553.

Data on the total cost to the NHS of insulin pump therapy are not held centrally. However, NHS Quality Improvement Scotland has calculated

the cost of a pump at around £2,000 and the associated insulin and consumables at around £1,800 a year.

The main resource element, of course, is the staff who are needed to deliver the education programmes that people with diabetes must complete before deciding whether to start insulin pump therapy.

**David Stewart:** Does the minister accept that the uptake and availability of insulin pumps across NHS board areas is a serious issue? What further steps is the Government taking to avoid a postcode lottery for patients who have insulin-dependent diabetes, particularly in terms of paediatric provision?

**Shona Robison:** The member has raised the issue previously and I acknowledge his long-standing interest in the matter. As he is aware, we have been very proactive with boards, including asking for their plans, to ensure that we increase the number of people who can access an insulin pump. He is also aware of our work on the national procurement insulin pump framework, which has been designed in such a way as to release savings that can be reinvested in diabetes services. Thus far, 156 pumps have been purchased through that mechanism with maximum potential savings of around £100,000. More needs to be done and I am very keen to see more action in that direction. It is a good way of ensuring that we maximise the money that goes directly to diabetes services.

**Nanette Milne (North East Scotland) (Con):** I absolutely share David Stewart's concerns about a postcode lottery. For instance, the figures for NHS Grampian show that only 2 per cent of those who have insulin-dependent diabetes and who qualify for a pump have access to insulin pump therapy. The Scottish diabetes action plan does not project an increase in the number of those who will gain access to such therapy. In view of the apparent postcode lottery, will the minister consider reviewing the guidance to NHS health boards on the provision of insulin pumps?

**Shona Robison:** As I am sure the member is aware, the Scottish diabetes action plan, to which she referred and which was published in August, sets out a series of actions that are designed to support boards in making significant and sustained progress in improving pump provision. Progress should include the development of waiting time criteria for pumps and a national insulin pump study day, the aim of which is to ensure that staff are aware of requirements. There is a mixed picture, as we have discussed previously in the chamber. The member cited the figure for NHS Grampian. If we look at the figure for NHS Fife, which is 4.4 per cent, and that for NHS Tayside, which is 4.6 per cent, we see that other boards are

further along the path that we would like all boards to follow. The issue is important. Through the procurement framework, we have set incentives for boards to use the mechanism and, in turn, release savings from which they can benefit by making investment in their services. We are encouraging boards on a number of fronts down that road. I hope that that will bear fruit over time.

### **XMRV (Blood Testing)**

#### **13. Charlie Gordon (Glasgow Cathcart) (Lab):**

To ask the Scottish Executive what its policy is on blood testing for the presence of xenotropic murine leukaemia virus-related virus. (S3O-11828)

**The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon):** Based on up-to-date medical and scientific advice from a range of expert advisory bodies and committees, the Scottish National Blood Transfusion Service in Scotland does not currently screen blood for xenotropic murine leukaemia virus-related virus as the virus has no known association with any blood-borne infection.

**Charlie Gordon:** I understand that patients who suffer from long-term conditions such as myalgic encephalomyelitis are no longer allowed to donate blood. One such patient—a constituent of mine—has been refused a referral for a blood test by her general practitioner on ethical grounds, a view that her local health board backs. Does the cabinet secretary recognise the increased concern among such patients? If so, how will she address it?

**Nicola Sturgeon:** I thank Charlie Gordon for raising the issue. I understand the concern of such patients. Indeed, a member of the public asked me a question on the topic at the public question and answer session at the Greater Glasgow and Clyde NHS Board annual review on Monday this week.

Charlie Gordon is right in what he says. As I said, a risk assessment of a possible link between XMRV and ME/chronic fatigue syndrome found no evidence of a link or a risk of transmission to transfusion patients. However, the assessment led to recognition that donor selection criteria guidelines for people who have ever had ME/CFS were not in line with the guidelines for other relapsing conditions. In those cases, deferral is lifelong, but that is to protect the potential donor, not the blood recipient. The United Kingdom blood services standing advisory committee on the care and selection of donors and the joint professional advisory committee therefore took the opportunity to update the guidelines. As a result, from 1 November this year, any patient who has ever had ME/CFS will be permanently deferred from donating blood to protect their own health, not to protect those receiving the blood.



I am sure that Charlie Gordon accepts that, in such cases, the Scottish Government must act on the basis of the best scientific evidence and advice that it has. In that respect, we followed the most recent advice that was given to us.

### **Dentistry (Far North)**

**14. Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** To ask the Scottish Executive how national health service dentists can be encouraged to relocate to the far north. (S3O-11784)

**The Minister for Public Health and Sport (Shona Robison):** Responsibility for the overall provision of national health service dental services in the area rests with NHS Highland. The board is undertaking a range of measures to improve access to NHS dental services in the Highlands.

**Jamie Stone:** The same NHS Highland has warned that, if gaps cannot be filled in the current overstretched service, people could face having to travel to Inverness for out-of-hours and emergency appointments. Indeed, although the new publicly funded dental unit at Thurso's Dunbar hospital, which we all welcome, will open in the spring, there is already concern about whether we can staff the unit. By the end of this month, as many as three out of four posts may not be filled.

Does the minister agree that the situation is urgent? Despite the Scottish Executive's best efforts, it transcends decisions made by NHS Highland. Will she agree at least to meet me and representatives of the community to discuss how we could tackle the issue constructively and in a forward-looking manner?

**Shona Robison:** I am always in favour of constructive discussions, so I would be happy to do that. However, we should acknowledge the efforts that NHS Highland is making, such as its international recruitment initiative. Although it has had some setbacks with people leaving, which happens, it is trying again to recruit through that initiative.

I should also say that between 1 September 2009 and August this year more than 14,000 new patients were registered with an NHS dentist in Highland. They were not previously registered anywhere in Highland, so real progress has been made.

The £5.6 million over two years that has been allocated to the primary and community care premises modernisation programme is being used to provide new dental premises in Caithness. A four-surgery dental clinic is under construction in Thurso in the grounds of Dunbar hospital.

The health board seeks to do more. Although there are long-standing challenges with dental

provision within the Highlands, we should also recognise some of the positive steps that NHS Highland is taking.

**Rob Gibson (Highlands and Islands) (SNP):** Will the minister tell us about the first destinations of dentists who are trained in the University of Aberdeen dental school and other Scottish dental schools? How many of them have been attracted to the far north?

**Shona Robison:** I will be happy to provide Rob Gibson with the detail of that. The University of Aberdeen dental school has clearly identified encouraging students to go out on vocational placements in the north of Scotland as important because it gives those students the opportunity to consider basing themselves in areas in the north of Scotland once they are qualified. I am confident that that will produce real benefits for those areas, but I am happy to write to him with more detail on that.

**Jackie Baillie (Dumbarton) (Lab):** The minister is aware of discussions about the provision of salaried dentists in areas that have shortages of dental practices, but progress on that seems to be delayed. Will she ensure that any barriers to employing salaried dentists are dealt with quickly?

**Shona Robison:** I can say with certainty that the employment of salaried dentists has been a tremendous success in the NHS. Through the recruitment of salaried dentists, we have tackled long waits the length and breadth of Scotland, so I am not sure whether the picture that Jackie Baillie seeks to paint has any basis in fact whatever.

### **National Health Service (Training)**

**15. Helen Eadie (Dunfermline East) (Lab):** To ask the Scottish Executive whether training in the national health service continues to be a priority for the Scottish Government. (S3O-11823)

**The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon):** Yes—training is a priority. Our priority is to deliver the highest-quality health care to people in Scotland by providing person-centred, safe and effective care. Appropriate training is an essential part of that and is required of all NHS boards as part of the staff governance standard.

**Helen Eadie:** Will the cabinet secretary note that, in NHS Fife's area, e-mails have been sent to tell clinicians to stop all training immediately? Were they sent with the Scottish Government's knowledge, consent and blessing? If not, why is that happening in Fife?

**Nicola Sturgeon:** I am not aware of the e-mails to which Helen Eadie refers. If she cares to copy them to me, I will be happy to investigate and come back to her with my view on them. I have

learned from experience to ask to see the full context before giving a full answer.

Helen Eadie is right to raise the issue of training. Much that we are talking about in relation to how the NHS will face up to the difficult financial climate involves sensible service redesign, to make services more efficient and improve their quality for patients. That will be achieved only if we have a well-supported, well-trained and skilled workforce.

All the work that we do on training is important. At the start of last year, we published "A Force for Improvement", which is the workforce framework for the NHS in Scotland. As I said in my first answer, we also have the staff governance standard, which says that all staff will be appropriately trained. Systems of personal development planning and review are in place across the NHS. We also have the knowledge and skills framework that lies at the heart of the agenda for change.

I assure Helen Eadie absolutely that, notwithstanding the difficult financial climate that the NHS faces—in common with everybody else—training and supporting our staff will be a key priority.

#### **Out-of-hours Medical Services**

**16. Alex Johnstone (North East Scotland) (Con):** To ask the Scottish Executive what action it is taking to increase confidence in out-of-hours medical coverage and deal with confusion regarding accessing services. (S3O-11765)

**The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon):** We are committed to ensuring that all patients have the necessary information to guide them in accessing safe, timely and appropriate out-of-hours health care that is provided by a range of health professionals.

**Alex Johnstone:** The cabinet secretary might be aware of the perceived threat to the Grampian medical emergency department—GMED—coverage in the Stonehaven and Mearns area. Will she guarantee that that service does not face an immediate threat and that any review that NHS Grampian undertakes will ensure that a proper service is maintained in that area?

**Nicola Sturgeon:** I am aware that the GMED out-of-hours service has considered how to maintain a safe and quality service while trying to better match clinical capacity to patient demand. Service managers are meeting clinical and non-clinical staff across the Grampian board area to examine potential options for that. However, I assure Alex Johnstone that that is work in progress. To date, no proposals or option appraisals have been tabled. I am sure that he will

also be reassured to know that any issues and concerns that are raised during the exercise will be taken into account fully before any changes are recommended, let alone approved.

**Robert Brown (Glasgow) (LD):** One aspect of out-of-hours care is the availability for people with possible epileptic seizures of access to electroencephalogram technicians, who operate—broadly speaking—from 9 to 5, Monday to Friday. Will the minister reassure me about the number of such technicians who are in post? Do health boards have effective protocols for dealing with out-of-hours services in that situation?

**Nicola Sturgeon:** Several measures are in place. Robert Brown might be referring to the report that was recently published on the issue. I do not have at my fingertips the number of technicians and the detail for which he asks, but I am happy to write to give him that information as soon as possible.

## **Historic Environment (Amendment) (Scotland) Bill: Stage 1**

**The Presiding Officer (Alex Fergusson):** The next item of business is a debate on motion S3M-7295, in the name of Fiona Hyslop, on the Historic Environment (Amendment) (Scotland) Bill.

14:55

**The Minister for Culture and External Affairs (Fiona Hyslop):** I begin by thanking Karen Whitefield and the Education, Lifelong Learning and Culture Committee for their careful and informed scrutiny of the Historic Environment (Amendment) (Scotland) Bill and for preparing the stage 1 report on the bill. I also thank all the individuals and organisations who commented on the draft bill, which was subject to public consultation in 2009, and those who contributed to the wider stakeholder engagement process that has played a key role in helping to develop and refine the bill's provisions.

Before I move on to discuss the bill and the key issues that are raised in the committee's report, I would like to say a few words about the importance of Scotland's historic environment. The role that the historic environment plays in providing the people of Scotland with a sense of place has been brought home to me in rather stark fashion in recent weeks with the damage, through fire, of the Star and Garter hotel in my home town of Linlithgow. The hotel, which is a B-listed Georgian building, has adorned the east end of the town since the middle of the 18<sup>th</sup> century and has been an iconic building in Linlithgow's townscape. The reaction to the fire has demonstrated the prominent role that that listed building has played in helping to define the physical character of Linlithgow High Street, and the obvious connection that it has with the sense of place that is felt by the people who live there.

The importance of the historic environment is not limited to a sense of place. It also makes a significant contribution to the economy, for example through tourism and the support of indigenous craft skills. It is intrinsic to our strong sense of cultural identity, it provides the people of Scotland with a rich environment in which to live and work, and it is inspiring and has a significant role to play in developing a sustainable economic future for Scotland.

In introducing the bill, the Scottish Government's aims have been threefold: to improve the management and protection of our unique historic environment by addressing the specific gaps and weaknesses in the current legislative framework that were identified during a year-long stakeholder

engagement process in 2007; to avoid placing significant burdens or duties on central or local government, owners of assets, business or members of the public; and, in a challenging economic climate, to keep the implementation cost low.

One of the bill's underlying objectives is to harmonise aspects of historic environment legislation with the planning regime when it is practicable to do so, which has been particularly welcomed by stakeholders. However, the bill should also be seen to complement the work that is already being done by Historic Scotland in partnership with local authorities to streamline and simplify our system of heritage protection. Examples of that are the establishment of joint working agreements between local government and Historic Scotland, and the managed removal of a duty on local authorities to notify the Scottish ministers of certain casework.

The bill will contribute to the Scottish Government's purpose by enhancing the ability of the Scottish ministers and planning authorities to manage in a sustainable way Scotland's unique historic environment. The bill will support the Scottish Government's greener strategic objective, and will contribute directly to the meeting of national outcome 12 by providing a much-improved legislative toolkit to help to protect and enhance our built environment for future generations.

The committee considered the evidence that was submitted to it very carefully and produced a thorough and thoughtful report. I will touch on some of the key issues that are discussed in that report.

The bill will enhance the ability of the Government to work with developers and owners by enabling the Scottish ministers to set out in a grant award letter the terms of recovery in the event of a disposal or a breach of a condition of grant. I am pleased to note that the committee concluded that that proposal is sensible and will provide a higher level of certainty to grant recipients.

The proposal in the bill to modify the current defence of ignorance in relation to unauthorised works affecting scheduled monuments will modernise an archaic piece of law and bring the framing of such offences closer to that of other environmental offences.

The committee stressed the importance of the availability of, and access to, information on scheduled monuments for the owners of such sites, and it has asked for an example of the information that we propose to send to all owners, if the bill is enacted. I confirm that a draft

information pack will be with the committee in advance of its stage 2 consideration.

The bill will introduce a system of enforcement notices for scheduled monuments that will harmonise the arrangements for scheduled monuments with those for listed buildings. The bill also includes provisions that will provide for a system of stop notices and temporary stop notices for listed buildings and scheduled monuments that will strengthen protection for designated historic assets and bring it into line with the planning system. I am pleased to note the broad support for those provisions.

The bill will create a duty for the Scottish ministers to compile and maintain two new statutory inventories: an inventory of gardens and designed landscapes, and an inventory of battlefields. The inventories will enable nationally important sites to be identified and recorded on a statutory basis, and they will allow planning authorities to pick up on changes to the inventories immediately. It is important that those provisions will impose no new additional duties or burdens on owners.

The bill will extend the range of historic environment assets that can be scheduled under the Ancient Monuments and Archaeological Areas Act 1979. That provision will allow the Scottish ministers to designate and protect a small number of nationally important sites that are currently afforded no protection, such as, for example, scatters of flint tools that mark sites of early human occupation. Such sites are important but rare; the total number of sites that are likely to be scheduled is around 10.

The bill will introduce a new power that will enable the Scottish ministers to offer any person a certificate that will guarantee that a building will not be listed during the five years from the date of the certificate. The main policy aim of that is to provide certainty for owners and developers who are considering works. It will allow projects to be started with confidence, because crucial decisions about listing have been made at an early stage in the process. The policy is not, as a matter of principle, to exempt buildings from listing, because the listing of a building would be a perfectly proper outcome of the process of considering a building for a certificate of immunity. That should address some of the concerns that have been raised by the Law Society for Scotland. I am pleased to note that the committee supports that proposal.

I am also pleased to note that the committee recognises that our proposals to extend to successor owners the liability for any expenses for urgent works that are carried out by the regulatory authorities will address the situation in which an owner transfers ownership in order to avoid payment.

I want to address some of the points that were made in written evidence from the Built Environment Forum Scotland, which called for the bill to do two things. First, it wants the bill to give all public bodies a responsibility to protect, enhance and have special regard to Scotland's historic environment in exercising their duties. Secondly, it wants the bill to ensure that local authorities have access, and give special regard, to appropriate information and expert advice on the local historic environment.

The Scottish Government's view is that the bill, which is cost neutral, is not the vehicle for such provisions, because both proposals could have significant cost implications. The first duty that is sought by the BEFS would apply to all public bodies, no matter how remote their connection to the historic environment. It would impose a proactive duty to protect and enhance the historic environment, which goes much further than simply having to have regard to, or—to use BEFS's words—"to take cognisance of" it. Such a duty would require additional resources to ensure compliance. Indeed, the duty would be so open-ended that it is difficult to see a point at which a public body could safely stop spending money without fear of non-compliance.

The second proposal is simply not developed enough to be costed accurately. Any legislative duty would give local authorities no alternative but to spend the money that is necessary to bring the current information and expertise up to the standard that would be required by such a duty. However, I acknowledge that information and expertise are important and, to that end, a working group has been set up to examine the issues that are involved and to identify a range of options for improving on the current situation that will take realistic account of the current economic climate.

**Ken Macintosh (Eastwood) (Lab):** I am pleased that the minister has raised both those points, and I will talk about them later, if I can. On the first point, does she recognise that the Built Environment Forum Scotland is not asking for any new duties? It is simply asking for a restatement of existing duties and for greater emphasis to be put on them; that is, for the duties to be prioritised. It would not be a new burden on local authorities at all.

**Fiona Hyslop:** That is not how we interpret the proposal, and it is certainly not how local authorities and others have interpreted it. The proposal seems to be for a proactive duty that does not currently exist, although I look forward to hearing Ken Macintosh's contribution on that point.

Our view is that there should be no new statutory controls and duties when better and more proportionate means to bring about improvements to the heritage framework are

available. The Historic Environment (Amendment) (Scotland) Bill is a tightly focused technical amending bill that has been drafted with the intention of avoiding placing significant new burdens or duties on public bodies or individuals, and implementation costs are expected to be low. The bill addresses the specific gaps and weaknesses in the current heritage legislation framework that were identified during extensive discussions with stakeholders, and its provisions will make a good system better and improve the ability of the regulatory authorities to work with partners to manage Scotland's unique historic legacy.

I look forward to hearing members' contributions on this important issue. No doubt we will also get a sense of the importance of Scotland's historic environment from members' reflections from their constituencies of how such issues have had an effect and may have an effect in the future.

I move,

That the Parliament agrees to the general principles of the Historic Environment (Amendment) (Scotland) Bill.

**The Deputy Presiding Officer (Trish Godman):** I call Karen Whitefield to speak on behalf of the Education, Lifelong Learning and Culture Committee.

15:07

**Karen Whitefield (Airdrie and Shotts) (Lab):** I am pleased to have the opportunity to speak today on behalf of the Education, Lifelong Learning and Culture Committee in support of the general principles of the Historic Environment (Amendment) (Scotland) Bill.

Scotland has a long, proud and rich cultural history that plays a significant part in the story of the development of the modern world. The preservation of history, whether it is in the form of land, buildings or artefacts, is crucial to Scotland for many reasons. First, and most basic, is the intrinsic historical value of relics. Their existence allows us to enhance our understanding of history, who we are and where we came from. Secondly, many of the buildings and artefacts have great aesthetic value; they are beautiful and deserve to be protected. Thirdly, and not insignificantly, Scotland's cultural heritage plays a vital part in our tourism industry, so it makes perfect sense for us to protect and invest in that heritage. It is for those reasons that the Education, Lifelong Learning and Culture Committee agrees with the Scottish Government that the bill is necessary.

As members will be aware, the bill is an amending bill that addresses issues that have been highlighted by local and central Government, and follows extensive consultation of Historic Scotland. The key aim of the bill is to harmonise

the legislation that covers the environment, scheduled monuments, listed buildings and the marine environment. The bill will amend three existing acts: the Historic Buildings and Ancient Monuments Act 1953, to allow ministers to specify the amount of grant that can be recovered if conditions of grant are breached or a building is sold within 10 years; the Ancient Monuments and Archaeological Areas Act 1979, to amend certain provisions relating to scheduled monuments; and the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, to amend provisions on listed buildings.

In total, the committee received 21 submissions as well as two letters from the minister. As might have been expected, there was a clear split in the reaction to the bill between those who use the historic environment and those who primarily seek to conserve and protect it.

Those who use the historic environment were most concerned about amending provisions placing more restrictions and obligations on owners, while those who primarily seek to conserve and to protect were concerned that the bill had missed an opportunity to address broader matters. I will come to those details later. However, on the general point, it is fair to say that members of the committee recognised that, on occasion, there can be a conflict between the interests of those who own and run historic monuments and those who use them. It is also true to say that those interests are often in agreement rather than in conflict.

I come to the specific provisions of the bill. The bill seeks to revise the defence of ignorance for those who are found to have carried out unauthorised works on scheduled monuments. The clear view of the Scottish Government and Historic Scotland is that those who ought to know that a site is a scheduled monument should not be able to use ignorance as a defence. There was a feeling that that defence could be used as an excuse for unsuitable developments.

However, other organisations, such as the National Trust for Scotland and Heads of Planning Scotland, pointed out that there is often a real lack of up-to-date information about the location and status of scheduled monuments. The committee had some sympathy with that point and agreed that, if the provision is implemented, there is a need for improved information systems relating to scheduled monuments. That is why I welcome the minister's point about information packs being provided to the committee in draft form in advance of stage 2. In response to those concerns, Historic Scotland has confirmed that it intends to list the information and make it more accessible. The organisation has undertaken to write to all owners to outline their responsibilities.

The bill will extend the provision of notices that can enforce action where unauthorised works have been carried out. That will strengthen the options that are available to Historic Scotland in such instances. Those provisions were generally supported, although the Law Society of Scotland raised some concerns about appeals and about the scope of the definition of works executed in, on or under a scheduled monument.

The bill will place the existing inventory of gardens and designed landscapes in legislation and create an inventory of battlefields. Owners and occupiers of those sites expressed concern that inclusion in an inventory would place obligations on land and restrict use. They were also worried that that part of the bill could oblige owners to maintain a site in a particular state. The Historic Houses Association Scotland put that concern rather nicely when it stated:

"We do not want to get to the stage that we have to apply to change the azalea bulbs."—[*Official Report, Education, Lifelong Learning and Culture Committee*, 15 September 2010; c 3827.]

I am sure that we would all agree with that. Perhaps it is a matter for an azalea and related species bill that the Government might consider in the future. However, the bill probably gets the balance right. I am pleased that the minister has provided assurances that those concerns were unfounded and that inclusion on the inventories would be relevant only if any planning applications relating to the site were submitted.

Also included in the bill are provisions to extend the definition of monument to include

"any site ... comprising any thing, or group of things, that evidences previous human activity".

That would cover sites that do not include something that can be defined as a structure or work, such as artefact scatters or archaeological deposits. Some concerns were raised about the form of wording used and that the definition might include too many sites and infringe on existing land use. However, in a letter to the committee, the minister provided strong assurances that

"only sites which are of 'national importance' may be scheduled".

Most people would welcome that confirmation.

The bill proposes a system of certificates to guarantee that a building will not be listed within the next five years—certificates of immunity to list. Those are designed to encourage building development by removing the possibility that the relevant building will be listed during the development process. That proposal attracted the most comment in evidence, especially the provision that anyone can apply for a certificate. Concerns were raised that the process would be used to delay a building development without the

owner's knowledge. The committee noted that it is already open to anyone to suggest that a building can be listed, which can have the same effect as delaying a building development. We therefore concluded that there are no grounds for that concern. We also took the view that some developers might not want to buy a building without such a certificate, and that limiting applications to owners might have the effect of discouraging some building developments.

Although the provisions are not exhaustive, the bill also contains provisions to make it easier for local authorities to recover expenditure on urgent works to listed buildings that are in private hands. That is a technical provision, which basically registers the debt to the property rather than to the owner. There have been instances of owners passing ownership through a series of companies to avoid being liable for such debt. Serious concerns were expressed in relation to the provision. In particular, concerns were raised about the implications of someone buying a property on which such works had previously been carried out, and then inheriting that debt. The Scottish Government made it clear that any debt of that nature would become clear during the normal conveyancing process and would be dealt with in the same way as any other expenses for repairs. That clarification was welcomed by the committee.

Before concluding, I want to thank everyone who gave evidence during stage 1. Their evidence has helped to tighten and focus what was already a fairly well-received bill. I am sure that that was a relief to the minister, who has not always had that kind of experience at the Education, Lifelong Learning and Culture Committee. There was consensus on the matter in the committee.

I would also like to thank the committee clerks for the hard work they have put into preparing the stage 1 report and organising our evidence-taking sessions.

I believe that the bill will significantly improve the protection and development of our cultural and historic environment. I am sure that, as was the case in committee, we can all agree today to support the general principles of the bill.

I look forward to the minister responding to some of the relatively minor concerns that were raised during stage 1.

15:17

**Pauline McNeill (Glasgow Kelvin) (Lab):** This is a technical bill, but it is also an important and necessary one. The committee has prepared a thorough report, and I congratulate it on that. As Labour's spokesperson on culture, it falls to me to contribute to this stage 1 debate. However, I am

also the member for the Glasgow Kelvin constituency and, like many members, I have a strong interest in this debate.

No period of Scotland's past or part of its land is any more or less likely to produce a protected site than another. My constituency has its fair share of historic buildings, such as Garnethill synagogue. It was Scotland's first purpose-built synagogue and has high-quality stained glass. There are also the Glasgow film theatre, the Grand Central hotel and the King's theatre. I am sure that each of our constituencies contains similar examples of monuments and architecture that are of historical interest. I should say that I think that Glasgow Kelvin is a little short on battlefields, as far as I know; although there are probably a few battles to come there, their sites will probably not be of the sort that are eligible to be registered.

We can all cite examples of why a duty falls on the state to protect and preserve important historical sites and to ensure that the public have access to them. That is done across the country because we believe that future generations should be able to benefit from the sites. It is our duty to ensure that that happens. That is why I believe that it is important to modernise our legislation, as we are doing.

The bill's policy memorandum talks about our historic environment being "inspiring and irreplaceable". That latter word is important because it must be emphasised by legislators that, if we do not protect our historic buildings and sites, we will not be able to replace them.

I care a lot about the Egyptian halls in Union Street, which is a stunning piece of Victorian architecture. Although the work of Alexander "Greek" Thomson, the chief architect to the second city of the empire, is writ large in Glasgow, the attempt to save that great building is in its last throes. I have exchanged correspondence with the minister on the campaign, and we agree that the building must be saved because it is important to Glasgow's heritage. I pay tribute to Derek Souter and Historic Scotland, on behalf of the Government and Glasgow City Council, for the work that they are doing.

The bill will introduce new provisions, remove barriers to the use of existing powers and assist regulatory and planning authorities to manage the historic environment. As Karen Whitefield said, the bill will amend three existing pieces of legislation: the 1953 act, the 1979 act and the 1997 act. It is intended to harmonise historic environment legislation with environmental protection duties while—crucially—avoiding new financial and regulatory burdens.

I welcome that principle, although careful consideration will be needed as the bill passes

through its various stages to ensure that that remains the case. We all know that we face difficult times, and we must get the balance right to ensure that we protect our history in the financial period ahead, which will not necessarily be the best time to make such a case.

Ignorance will no longer be a defence in relation to the protection of a monument, so accurate and up-to-date information is critical. It is about time that that defence was brought into law and its use restricted.

Section 1 of the bill deals with the expansion of ministers' powers to be more specific on how a grant will be recovered in the event of the sale of the building that it has funded. That seems to be a sensible way to allow flexibility for ministers, which is critical. I have had some experience in my constituency in relation to Crown Terrace, on which the legislation was quite restrictive.

Section 3 deals with the modification of defences in relation to unauthorised work. It is important, as the Government has stated, that all owners of scheduled monuments be aware of their duties, and the Government has committed to bringing that about. Section 6 gives ministers new powers to serve enforcement notices, including stop and temporary stop notices, which are necessary to protect our historic environment.

With regard to section 14, the definition of a monument in the 1979 act has been criticised for the lack of provisions to protect archaeological sites. That was noted by key witnesses and by the Built Environment Forum Scotland, in particular. The new provisions do not mean that sites would be scheduled willy-nilly, but the bill places an emphasis on sites of national importance, and the key test is how the monument contributes to our understanding or appreciation of our past.

The key issue for debate is the application of section 18, which the committee spent quite a bit of time considering. The new provision will introduce a power to issue a certificate that would guarantee that a building would not be listed during the following five years. I agree with the committee that such a development makes sense, but I am pretty sure that more work must be done to ensure that the provision is clear in law and that it will be used. The Law Society of Scotland, in a helpful letter that it circulated to members in advance of today's debate, states that there seems to be some confusion around that. It seems obvious that the owner or the person with an interest should be able to apply, but we need a debate on what is meant by the wider interest of any person who is able to do that.

Clarity is needed on the existing provisions by which the public at large can apply for a building to be listed. Again, in my constituency, parents were

able to have a local school listed to restrict the nature of the development in a planning application, so that process is certainly being used.

**Fiona Hyslop:** There is nothing in the bill that would stop that happening in the future. The decision to list should be based on the merits of each case, not on the stage at which the application is made. The parents in the situation that Pauline McNeill describes would have been able to apply for a certificate of immunity, but they would have run the risk that the listing might not have been granted.

The Law Society has raised the concern that the new provision could somehow thwart development, but that may not be the case, as the decision to list would still be based on the merits and demerits of the case itself, and not necessarily on the certificate of immunity.

**Pauline McNeill:** I agree that the process should not be available to thwart a planning application, but I believe that some thought needs to go into what might be two similar processes. If I have read the bill correctly, consideration of an application for a certificate will also appraise whether the building should be listed, and ministers could conclude in that process that the building should be listed. If they decide that it is not to be listed, the developer gets immunity for five years. The provision is an important and welcome development. I just think that it is an aspect of the bill where the legal process needs to be scrutinised a bit more closely at stage 2.

With those comments, I express my full support for the committee's report and the bill.

15:25

**Ted Brocklebank (Mid Scotland and Fife) (Con):** I note that the policy memorandum that accompanies the Historic Environment (Amendment) (Scotland) Bill describes it as

"a tightly focused technical amending Bill".

I am tempted to rechristen it a much ado about nothing bill, but as I never enjoy upsetting the minister, I instead suggest that it is not the major piece of work to overhaul legislation on the historic environment that it could and perhaps should have been.

I agree with Fiona Hyslop that Scotland is hugely fortunate in its historic environment. From the nation's archaeological cradle, Orkney, to the iconic standing stones of Callanish; from our earliest living places, the earth houses and stone settlements such as Jarlshof and Skara Brae, to the brochs and keeps that are the earliest examples of our rich inheritance of castellated architecture; and including battlefields such as

Bannockburn, Flodden, Sheriffmuir, Killiecrankie, Culloden and the rest, we have a rich inheritance indeed. The great thing is that the story of our historic environment is still unfolding. Aerial photography and crop markings regularly reveal unknown Pictish and Roman forts, and ancient coins and remnants of standing stones still surface during ploughing.

When my local plumber was excavating his back garden for a new house extension a few years back, he unearthed a unique collection of axe heads, arrows, swords and jewellery that were in a remarkable state of preservation considering that they had not seen the light of day for 3,000 years. The so-called St Andrews hoard, which is one of Scotland's most important bronze age discoveries, can now be viewed in the national museum of Scotland.

It is absolutely right that an enlightened and caring society should wish to protect and conserve the best of its historical heritage. To know where we are going, it is important to know where we have come from. Of course, there is also the vital matter of tourism. However, in their enthusiasm to protect and conserve virtually everything, I believe that the bodies that are tasked with overseeing our historic environment have too often retreated to the ivory towers of academia, where common sense seems an alien quality and any who dare to question the edicts that are sent down from on high are caricatured as cultural vandals.

In previous speeches, I have highlighted the decisions that were made on several scheduled monuments and listed buildings as well as Historic Scotland's apparent inability to dovetail conservation with legitimate local development. From recent meetings that I have had with Historic Scotland, I believe that a welcome wind of change is blowing through the organisation. However, although I agree with George Reid that Historic Scotland and the National Trust for Scotland should both be retained as our lead conservation bodies, I also believe that considerable streamlining of their joint activities is required to make them fit for purpose.

**Fiona Hyslop:** Does the member acknowledge that George Reid made it clear in his report that he did not see an immediate need for comprehensive historic environment legislation but that, as part of its development, the National Trust for Scotland would need to look at its governance, and that might require legislation?

**Ted Brocklebank:** Of course, George Reid was tasked with looking only at the National Trust for Scotland. He did not look more widely at the overall situation, so I still maintain that I would have liked the bill to deal with the matters that I mentioned. Instead, we seem to be largely



tinkering at the edges of existing legislation, no matter how important that tinkering is.

I understand that the bill's provisions are to help the Government to meet its international commitments under the Valletta convention, most of which are uncontentious. However, I want to deal with a few that are likely to raise concerns. In fairness, I think that the Education, Lifelong Learning and Culture Committee also highlighted them in its useful report.

The first relates to changes to the Ancient Monuments and Archaeological Areas Act 1979, from which the defence of ignorance of what defines a monument on the part of an owner is largely removed. Not every farmer who, when ploughing, unearths a cluster of stones necessarily recognises them as the remains of a prehistoric burial cist. If no skeleton is apparent or if the cist has previously been broken up, there could be considerable ambiguity about its status as a monument. Indeed, for us, the bill's definition of an historic monument itself seems too broad.

Equally, concerns have been raised about the designation of gardens, designed landscapes and battlefields. As the Historic Houses Association Scotland has pointed out, putting together an inventory of battlefields is fraught with difficulties. Culloden, for example, is often described as the last battle fought on British soil but, more than a hundred years later, the so-called battle of the braes was fought between Skye crofters and Government militia. Was that a real battle? How does one define a battle? Is it defined by the number of people killed or its historical importance? Who decides what is important, especially when a designated battlefield might also be a crofter's vital grazing land? None of those big questions seems to have been answered in the bill.

New powers have also been proposed to allow entry to a monument without the need for consent from the owner where the monument is at risk. The proposed definition of "imminent damage or destruction" seems loose and could well be abused to give unfettered entry to excavate sites without the permission of owners.

Although we broadly agree with the proposal for a certificate of immunity guaranteeing that a building will not be listed for five years from the granting of the certificate, we also believe that there is merit in the Law Society's argument that the scope of those who may apply for such a certificate should be restricted to owners or occupiers. Extending the scope to "any person" will mean that not only those who are interested in property development in the positive sense but those who are hostile to property development will be able to apply. Restricting certificates to those who are directly involved would provide the

necessary degree of certainty in the preparation of development proposals to which the minister alluded.

We on this side of the chamber are less convinced by the provision that listed buildings should carry a notice of liability for urgent works expenses. Such a move seems particularly iniquitous in cases in which an owner of a ruin who has had no say in its listing and no access to public funds to help save it might be prevented from selling it or the land it sits on because of an attached liability notice.

However, as I have said, the bill concerns itself largely with technical changes that, apart from those that I have highlighted, are broadly welcome. Although the major thrust of legislation on our historic environment will clearly have to be left to a more ambitious future bill, we will support this bill's general principles.

15:32

**Margaret Smith (Edinburgh West) (LD):** I, too, thank all those who have helped the committee to reach this stage, particularly those who gave evidence. I also want to thank our clerks for their work in preparing the report and the minister and her civil servants. I welcome the minister's announcement on the information packs; it will certainly be useful to see them in due course.

As we have heard, this amendment bill has received broad support at committee stage and I am pleased to put on record the Liberal Democrats' support for it. The Historic Environment Advisory Council for Scotland's 2006 report indicated the need for a review of heritage legislation in Scotland. I am pleased that that has come to fruition and I welcome the bill's aim to address specific gaps and weaknesses in current legislative provision. As a result, we welcome the proposals on recovery of grants, on recovery of debt, on urgent repairs, on the modification of the defence of ignorance, on extension of notices and on the inventory of battlefields. I am not sure whether the chamber falls into the last category—we shall see.

We should applaud the work that has already been carried out across Scotland by local authorities, Historic Scotland, the NTS, owners and others to preserve our historic sites. I particularly applaud the thousands of volunteers who are involved in the preservation of our historic monuments and environment. As the member who represents Cramond, I pay tribute to the volunteers of the Cramond Heritage Trust who, over the years, have been involved in the discovery, excavation and preservation of the Roman baths and fort, the 18<sup>th</sup> century village, the iron mills and the marked nut fragments that show

evidence of life in the area thousands of years ago. That last element brings me back to a point made by Ted Brocklebank: after all, the average person, farmer or whoever might not know that certain marked nut fragments can say so much while looking like so little.

**Fiona Hyslop:** The member raises an important issue. The defence of ignorance relates to areas that are scheduled monuments. If someone discovers something in an area that is not a scheduled monument, they cannot be accused of detracting from a scheduled monument. Does the member recognise that I addressed some of the issues relating to ploughing, especially on land that has been used in relation to the class consent? I am pleased that the committee examined those important issues thoroughly.

**Margaret Smith:** The cabinet secretary will give me some leeway—I was simply making the point that it is not always easy to see important historic evidence of where people have been in Scotland's past. The work of the Cramond Heritage Trust and of thousands of volunteers across Scotland is to be valued and noted today.

The bill will harmonise the various strands of legislation that already cover Scotland's historic environment. For example, it seeks to ensure consistency between elements of that legislation and the planning regime, and to align aspects of the listing and scheduling systems. It is crucial that we make it as easy as possible for those who are working to protect our historic environment to do just that. The proposals in the bill constitute a sensible and welcome approach to updating and modernising the governing legislation.

All of us are rightly proud of Scotland's historic environment, which is fundamental to our understanding of Scotland's past. It influences, shapes and enhances our social and cultural understanding and helps us to create a sense of identity as individuals, as part of a community and as a nation. It is also crucial to our tourism industry.

The importance of the historic environment in Scotland is widely acknowledged, but the scale and nature of the economic benefits that it provides remain poorly understood. In 2009, ECOTEC published a report entitled "Economic Impact of the Historic Environment in Scotland", which found that the sector contributed in excess of £2.3 billion to Scotland, which represents £4.5 billion of output. The sector's contribution to the national economy is estimated to be equivalent to 2.6 per cent of Scottish gross value added. The report concluded that our historic environment directly supports around 41,000 full-time equivalent employees, and the benefits that it provides are widely appreciated across Scotland.

In the evidence that it took, the committee saw that the sector is diverse and involves public bodies, private bodies and voluntary organisations working together. Tourism is perhaps the best recognised and most vital source of income for the sector. It is worth noting that a visitor experience survey by VisitScotland showed that 90 per cent of our international visitors spent time at castles, historic houses, palaces and the like. It is undeniable that the sites that we traditionally regard as visitor attractions are a magnet for tourism.

Although there has been widespread support for the bill, there have been some issues of debate. I note the concerns that a number of organisations raised in relation to the extension of the definition of what is a monument. However, as the stage 1 report documents, the committee expects the Scottish Government to act rigorously, having regard to strict criteria, when considering possible sites for designation. We welcome the minister's reassurance that designation will be limited to areas of national importance.

As members know, the committee heard different views about the issue of statutory duties on councils and other public bodies. I have concerns about the financial implications for local authorities if further statutory duties are placed on them in respect of the historic environment. Many of the authorities that supplied written evidence to us expressed that view. The imposition of such duties would have a significant impact on all local authorities, especially in cities such as Edinburgh, which I represent. We will probably need to return to the issue. I welcome the minister's indication that a working group has been set up to consider it. The matter needs to be kept under review. However, given the budget constraints that our local authorities face, it is absolutely right at the moment to progress the bill on the basis that it will be cost neutral.

The committee heard different opinions on section 18, which introduces a power for ministers to issue—or not to issue, as the case may be—a certificate that guarantees that a building will not be listed for five years. I agree with the minister that there is a risk in seeking a certificate of immunity, in the same way as there is a risk to communities, owners and others in seeking a listing. It is a question of balance. Applications for listing can be made by anybody, and we agree that it makes sense to balance that power, so that anyone can express a desire to have immunity for five years. We agree that the provisions might give greater certainty to the construction industry, which is valuable. There is also value in ensuring that owners of properties are notified of such applications.

The bill will protect our uniquely Scottish heritage and help to sustain Scotland and its tourism industry. We are pleased to support it.

15:40

**Bill Wilson (West of Scotland) (SNP):** I have no doubt that one of the pleasures of today's debate will be members' recollections of the many and varied historic sites that they have visited in Scotland, coupled, no doubt, with the occasional reference to historic buildings in their constituencies.

We should be careful, however, while acknowledging that we are debating the built environment, not to think of the historic environment as solely the built environment. I say that because evidence of our ancestors' activities can be seen not just in our buildings, but in our landscape. The heather muir that we see today is not a natural but a semi-natural construct, and ditches, mounds, banks and hedgerows all say much about our past activities. Our forefathers speak to us not just through bricks and mortar, but through scenery.

We are fortunate. Perhaps we do not always appreciate how fortunate we are in having such a wealth of evidence of our ancestors' activities. My wife's country has few buildings pre-dating the 1800s, whereas we have thousands. That is an immense connection with the past, which shapes today's culture, as well as tomorrow's.

The link between the heritage of our built environment and our living culture is perfectly illustrated by Paisley's sma' shot cottages complex—although I do not have time now to explain the history of the weavers, their struggle for fair pay and their sma' shot thread. Not only does the beautifully restored site offer the people of Renfrewshire the opportunity to see how their ancestors lived, it adds a tangible element to sma' shot day, an annual event that is listed on the excellent intangible cultural heritage project's website—yes, I am aware of the apparent paradox here, with a tangible element to an event that is listed on the intangible cultural heritage website. Many of the living cultural events that are listed on the website—events that bind communities and give people a sense of identity—are linked to our built heritage. The Kirkintilloch canal festival is another obvious example. Even when there is no explicit connection between constructions and events, the backdrops against which parades, festivals and celebrations take place are crucial. Historic monuments and buildings often form the markers and boundaries around which such events are based.

The importance of such rooted culture cannot be overstated. It provides us with a firm base and

the sense of security that we all need. Scotland is profoundly rich in such rooted culture. That is not to say that our culture is better than any other culture—I do not believe that there are superior or inferior cultures. Were I Brazilian, my sense of belonging would no doubt come from Brazilian culture. There is no superior culture, but an appreciation of one's own culture helps to build an appreciation of others. How can one properly understand and love others if one does not first understand and love oneself?

It is vital that we act to ensure that the cultural wealth of today, which is a gift from our forefathers, is passed on to our children, and that the Scots of tomorrow can still speak the Scots and Gaelic languages, still hear traditional music, still visit the historical sites and walk in countryside that shows its connection with our past.

We are fortunate, but it is easy to be complacent. In the past few hundred years we have lost much. I will give a few examples. In 1100, Inchinnan church was built and gifted to the Knights Templar; in 1800 it was demolished. Hamilton palace was built in the 1600s; in 1929 it was demolished. Paisley town jail was built in the 1800s; in 1970 it was demolished. Those are just a few examples of the thousands of sites that we have lost. Where are all the city walls? Why is Glasgow's oldest building—in relative terms—so recent? It is vital that we avoid complacency and ensure that all Scotland understands its duty to protect our historic and cultural environment.

I had intended to ask the minister at this point what her views are on the suggestions on the built environment. Instead, I welcome her announcement of a working group.

Given the importance of our historic buildings, how can anybody do other than welcome the enhanced penalties for damaging or destroying them? There are some people in the chamber who have a less enlightened view of crime and punishment, and some might say that those who are accused of damaging an historic building should be tried and punished according to the norms of the era in which it was built. Thus, when someone is charged with damage to a 14<sup>th</sup> century church, guilt might be determined using ordeal by fire. If damage is done to a baronial hall, clearly trial by combat is the obvious solution. It would, of course, only be reasonable in the circumstances to allow the minister the right to appoint a champion, rather than participate herself—unless she preferred to participate herself, and I would not deny her the opportunity. As for punishment, we have the stock, the gallows and the iron maiden. Sadly, however, I fear that we must forgo such delights—and the fee-paying crowd that they would undoubtedly attract. Nonetheless, I cannot but welcome the increased penalties that are

proposed in the bill. Historic buildings are unique. Once gone, there is no return.

I have one question for the minister, and I would appreciate clarification. Under section 4, courts will be required to recognise any financial benefits to the offender and the maximum fine will be £50,000. What will happen if an individual should obtain financial benefit greater than £50,000 from destroying or damaging an historic site?

I am delighted that we will soon have a register of battlefields in Scotland. No reasonable person can regard our record on the preservation of battlefields as other than lamentable. Before any member of the Opposition seeks to debate the point, let me put one question to the chamber: is there another nation on this earth that would have allowed a battlefield site as significant and unique as Bannockburn to be built upon? When one considers the development of that site, one easily sees that, in the past, insufficient care was taken of Scotland's historic and cultural heritage.

The principle must surely be that historic buildings are not merely the property of an individual but the inheritance of a nation. We all have rights when it comes to our national heritage. The duty to pass that heritage to the next generation should be paramount and above the right of individuals to dispose of their property as they will.

15:46

**Claire Baker (Mid Scotland and Fife) (Lab):** I am pleased to speak in this debate on the Historic Environment (Amendment) (Scotland) Bill. As a member of the Education, Lifelong Learning and Culture Committee, I know that we have no shortage of legislation at the moment, as those of us who were in committee last night will confirm.

This afternoon, we are showing the full range of our committee's responsibilities, and I am pleased to contribute to the debate. Although the bill is largely technical—it amends three acts and introduces some new provisions—its aim is to improve the way in which the historic environment is managed by the regulatory and planning authorities in a way that is both sustainable and secures the historic environment for the enjoyment and benefit of future generations.

Much of the dry description of what the bill does makes it sound fairly uninspiring, but what does our historic environment offer us? For children, it provides a springboard for the imagination and an insight into a world that is dramatically different from the one that they live in. The increasing engagement work that agencies such as Historic Scotland undertake helps to bring that to life for a modern audience.

The historical environment provides us all with an understanding of how Scotland emerged and how Scottish society took shape and left its mark on our landscape. In my own region of Fife, 280 sites and monuments have been designated as being of national importance and are protected under the Ancient Monuments and Archaeological Areas Act 1979. The sites cover all aspects of human occupation of Fife over the past 10,000 years, ranging from Mesolithic hunter-gatherer camps, dated to 7,500 BC, to the Royal Observer Corps bunkers of the cold war.

Many of the remains are a fragile and non-renewable resource, and we must all work together to preserve and enhance them. Fife Council archaeological unit offers information and advice on Fife's sites and monuments to assist in achieving that goal. Fife also maintains a register—the Fife sites and monuments record—of all known archaeological and historical sites in the region, with the details of approximately 10,000 archaeological sites in the database.

The debate gives us a chance to acknowledge the work of those who provide the guardianship of historic buildings, sites and monuments, preserving them as records of Scotland's history. That historic environment, which is regionally and nationally significant, adds to our rich culture and tells the story of Scotland and its people to visitors and historians.

However, the bill also recognises and attempts to accommodate—and at times encourage—development and change where it is appropriate. Continuing development is essential, but the greatest care must be taken to ensure that our heritage is preserved and protected. The preservation and study of Scotland's historic environment is important to our understanding of our predecessors and will be our legacy to future generations.

The three existing pieces of legislation, aided by the addition of this bill, must create a framework whereby decisions are transparent, justified and fair, and achieve the right balance between development and conservation, though those two are not always incompatible.

I will highlight a couple of provisions in the bill. The bill introduces a new power to allow Scottish ministers to issue a certificate of immunity from listing, which will guarantee that a building will not be listed during the following five years. As others have observed, the proposal promoted an interesting discussion at committee and it is a good example of an attempt to try to get the balance right for all interested parties.

The driver for the introduction of certificates of immunity is the need to give certainty to developers or owners who are preparing

proposals for a building or group of buildings. Of course, the outcome of the application for a certificate might be a decision to list, which would also provide certainty for the developer, albeit that it would not be the outcome that they had hoped for.

Some witnesses argued for a restriction on who could apply for a certificate, suggesting that only owners or occupiers of land or buildings should be able to do so. Other people argued that the approach should be consistent with the approach to applications to list, and that anyone should be able to apply for a certificate of immunity. The committee thought that limiting who could apply could exclude potential buyers who were looking for certainty. We were persuaded by the parallel with people who can apply to list. However, as the minister knows, we received representations from the Law Society of Scotland and the Scottish Property Federation, who continued to question the need for such consistency of approach. They argued that applying to list and applying for a certificate of immunity were significantly different, so the right to apply for the latter should be restricted.

Those bodies also expressed concern that there is no time limit for ministerial issue of a certificate of immunity. I pursued the matter in the committee, and although there is no timescale, the minister gave a commitment to issue guidance on the application process, to try to address such concerns. We were told that it typically takes four to six months to list a building, and that there is no obligation on anyone to pursue a certificate of immunity. I welcome what the minister said about those issues during her opening speech. When she sums up, will she say whether further discussions are planned with the people who remain to be convinced?

As the minister said, the Built Environment Forum Scotland argued for a strengthened legislative context and expressed concern about the current and future capacity of local authorities, in particular, to deliver good outcomes for the historic environment. The forum's concerns are reflected in annex C of the committee's report, which includes letters that the Finance Committee received. When local authorities were asked to comment on the bill, they said that the discretionary nature of the responsibilities made it difficult to provide an accurate figure. One authority welcomed the flexibility that the additional powers in the bill will provide, but said that it would have to consider carefully on a case-by-case basis whether to use the powers. The minister might want to comment further on the challenge for local authorities of meeting their responsibilities to the historic environment in a tightening economic environment.

I encourage members to support the conclusions of the stage 1 report and I look forward to stage 2.

15:52

**Liam McArthur (Orkney) (LD):** For the avoidance of doubt, I declare an interest as a member of Historic Scotland. I congratulate Karen Whitefield and her colleagues on the Education, Lifelong Learning and Culture Committee on their work.

It is fair to say that, despite Karen Whitefield's legitimate comments about conflict between people who own or seek to protect listed buildings and people who seek access to them, there is a high degree of consensus on the bill. That is in no small part due to a rigorous approach to the consultation. As members know, the process that was initiated by the previous Scottish Executive culminated in the former Historic Environment Advisory Council for Scotland's 2006 report, the recommendations of which were taken forward pragmatically by the current Administration.

I commend that general approach. The experience of the Rural Affairs and Environment Committee, of which I am a member, on the bills that led to the Marine (Scotland) Act 2010 and the Flood Risk Management (Scotland) Act 2009 showed what can be derived from a consensual approach that is achieved through early engagement and rigorous consultation.

The bill's benefits are well recognised. It is a technical bill and people might want to do something far more wide reaching in future, but it will introduce improvements that will help in the sustainable management of our historic environment. I think that all members can support that. The policy memorandum says:

"Scotland's historic environment is intrinsic to our sense of place and our strong cultural identity and plays a large role in helping to attract visitors to Scotland. It makes a significant contribution to the economy, for example through tourism and the support of indigenous craft skills, and provides the people of Scotland with a rich environment in which to live and work."

That is all true. As Margaret Smith said, the Built Environment Forum Scotland suggested that the sector contributes in excess of £2.3 billion to Scotland's GVA, directly supports 41,000 full-time-equivalent employees and indirectly involves many more thousands of people.

Impressive though those figures are, testifying to the scale of the importance of the sector, they rather underplay the significance of its local impact. My constituency provides a perfect illustration of that. So as not to disappoint Bill Wilson, given what he had to say, I will focus much of the rest of my remarks on that impact,

which highlights the importance of ensuring that the legislative framework is modernised and remains fit for purpose.

The heart of Neolithic Orkney world heritage site is one of four such sites in Scotland, although other sites harbour aspirations and I wish them well. It acts as a magnet for the many thousands of tourists who come to Orkney each year. This week, there has been much talk, certainly among my northerly neighbours, including my party leader, about Shetland's inclusion in the Lonely Planet's top 10 destinations. I warmly congratulate Shetland on that but note that the Lonely Planet continues to highlight the richness of what Orkney has to offer, describing it as

"A glittering centrepiece in Scotland's treasure chest of attractions."

Historic Scotland's stewardship of Skara Brae, Maeshowe and other sites in Orkney is a critical factor in helping the islands to maintain and develop the essential quality of the tourism experience. I echo Ted Brocklebank's observations about the approach of Historic Scotland. The sites are also at the heart of Orkney's unrivalled archaeological heritage. They not only attract tourists to the islands, but provide archaeologists from the United Kingdom and across the world with invaluable hands-on experience and a unique opportunity to gain an insight into what life was like 4,000 to 5,000 years ago.

The discovery was made last year of a 5,000-year-old figurine—the only Neolithic carving of a human face to be found in Scotland so far. I am well aware of the impact of the tour of the Westray wife around Orkney in spurring interest in Orkney and what is happening there. Real interest has also been generated by the Ness of Brodgar dig, which took place earlier this year. I had the pleasure of visiting it over the summer. At one stage, it appeared that Neil Oliver and his colleagues from BBC Scotland had taken up permanent residence there. I recall one particularly uncomfortable moment when he asked what I thought had motivated Neolithic man to paint some of the stonework at the site, which was part of an exciting discovery back in July. It is never comfortable to have the limits of one's knowledge so cruelly and publicly exposed. Under pressure, I mumbled something about it acting as a warning to people not to bump their heads on the low ceilings. I am not sure that my less-than-insightful remarks will make it into the programme.

The abundant local resource has enabled Orkney College to develop an archaeological course framework, including PhDs, which has been recognised as truly world class and which will serve the university of the Highlands and Islands well in the future. I was interested in the

comments that Ted Brocklebank and Margaret Smith made about the abundance of that resource. It has often been said by farmers in my constituency, with a degree of frustration at times, that they can barely stick a spade in the ground without bumping up against some archaeological artefact or other. I have taken up the issue with Fiona Hyslop's colleague, Richard Lochhead, in the past, and I am somewhat reassured by the comments that she was able to make in her opening remarks.

I note the observations of the Built Environment Forum Scotland, which highlight the need for expert advice in helping communities to protect, manage and appreciate local heritage. It is certainly true that Orkney is well served in that regard, although I realise that that is not necessarily the case nationwide. It is not just advice for those who are involved in the planning process that we need. For our archaeological sites and our historic built environment to be accessible and enjoyed as widely as possible, good interpretation and services such as rangers can be necessary. They help to develop understanding and appreciation not just among tourists, but among locals, who are often guilty of taking for granted what is on their own doorstep.

As the bill makes clear, the key is to ensure the sustainable management of our historic environment. It is an enormously valuable resource, but one whose overexploitation can cause damage that may be long lasting and irretrievable, as Pauline McNeill observed. That can be physical damage or damage to the quality of the tourist experience. I know that that is a concern in Orkney, given the allure of Skara Brae and the other parts of the United Nations Educational, Scientific and Cultural Organization site. We need to take care, and I hope that the bill will help in that regard.

I hope that the bill will also play a part in helping to manage successfully the interrelationship between the particular needs of our historic environment and wider economic considerations and imperatives. It may be unavoidable, at times, that the planning process becomes confrontational. However, better communication, with proactive and pragmatic engagement by Historic Scotland, Scottish Natural Heritage and others with—in the case of Orkney—the renewable energy industry, would help to take some of the heat out of those issues. I accept the fact that this is a technical bill; nevertheless, it is an important one. I look forward to seeing it progress and improve over the months ahead.

16:00

**Aileen Campbell (South of Scotland) (SNP):** I congratulate my former colleagues on the

Education, Lifelong Learning and Culture Committee on the work that they have undertaken thus far on the bill. I apologise in advance for needing to nip out to a prior meeting after making my speech.

The Parliament referred the bill to the committee not long before I moved to the Rural Affairs and Environment Committee, which meant that, unfortunately, I was unable to take part in any of the deliberations on the bill as introduced. Certainly, taking best care of Scotland's diverse and hugely important historical environment was never far from the committee's cultural considerations. I welcome the opportunity the chamber has today to move the bill forward.

It is literally a year and a day since the Scottish Government hosted Scotland's first ever summit for the historic and built environment. I am sure that the summit helped to inform some of the process that has resulted in the bill that is before us today. We know that the roots of the bill can be found in the discussion paper that the Historic Environment Advisory Council for Scotland produced on the need for a review of existing legislation, which arose from wider discussion on the three main acts that the Government is seeking to build on with the bill. We might call that process the bill's legislative heritage.

By taking steps to harmonise some of the processes that are involved in protecting scheduled monuments and listed buildings, the bill will help to simplify the bureaucracy for developers, planning authorities and, perhaps most important, the voluntary preservation and historical societies that have an interest in protecting their local heritage. Many voluntary groups in the South of Scotland and, no doubt, across the whole of the country—we have heard about some of them today—want to take more action to preserve and protect much-loved local buildings. However, they often find that they lack the capacity or resources to do so, particularly when they are up against corporate developers or a determined local authority.

I have spoken in the chamber previously about the High mill in Clydesdale. It is a B-listed structure, which Historic Scotland defines as being

"of regional or more than local importance, or a major example of some particular period, style or building type which may have been altered."

In its listing of the building, Historic Scotland states that it was built in 1797 and remains the most complete surviving windmill in Scotland. Sadly, it also remains at risk of collapse, despite a concerted campaign by the Clydesdale mills society.

In recent months, South Lanarkshire Council has undertaken a desk exercise to review options

for the mill. The council continues to encounter difficulties in enforcing a compulsory works notice. I am sure that the Clydesdale mills society and others will be interested to learn more about the powers in the bill to allow the Scottish Government to offer further grants for work to be undertaken on an ancient monument even when the owner has not requested such action. The increased scope for awarding grants to a wider range of initiatives that promote understanding of our historic, cultural, architectural, artistic or archaeological heritage is very welcome.

The bill contains provisions to strengthen statutory protection and lower the bar for criminal responsibility in terms of the offence of disturbing a scheduled monument. Historic Scotland lists more than 8,000 scheduled monuments in its register, ranging from mottes and baileys, such as those found on Carnwath golf course and north of Abington, to industrial sites, such as New Lanark and the Wilsontown ironworks. Many of those locations are remote or isolated, and it is difficult to supervise them continually. It is therefore welcome that the bill will make it easier to prosecute anyone who mistreats such sites.

Historic Scotland also holds scheduled properties in care for the Scottish ministers—for example, the Whithorn priory and museum, St Ninian's chapel and St Ninian's cave, all of which are in the South of Scotland region. I am sure that interest in the two St Ninian sites will have increased following the recent visit to Scotland of Pope Benedict and the celebration of St Ninian's day on 16 September. Protecting our historic sites effectively means that, when new opportunities arise to appreciate them or to view their significance from a different perspective, we can do so with confidence. As other members have said, doing so also promotes tourism.

The bill will clarify and extend the grounds on which an area can be designated to include

"any site that comprises any thing, or group of things, that evidence previous human activity".

That means that areas where there may not have been any clearly defined structure can still be protected, such as a site where scattered flint tools have been found. Members may recall that one such site that may benefit from the provisions of the bill is outside of Elsrickle, near Biggar, where the Biggar archaeology group discovered the remains of the oldest human settlement ever discovered in Scotland, which the group excavated with the co-operation of the landowner. The discovery, which was made during the year of homecoming, was a tremendous achievement for the organisation, which is a voluntary group. Members may recall the recent display of the group's work that I sponsored in the Parliament.

I was interested to hear Karen Whitefield's comments about concerns that have been raised about that aspect of the bill. Although as a history graduate I am interested in finding out about our past and celebrating our history, I recognise that there are sometimes conflicts when we do so. For example, the archaeological and historical studies at the site of Crawfordjohn primary school have resulted in a delay in information getting to the parents about the future of the school, as the children have been decanted to another local school with no timescale given for the completion of the studies. That uncertainty is worrying for parents, and I hope that a decision on that can be sped up.

However, improving opportunities for designation may also help groups such as Lanark community council, which is currently urgently seeking protection for the old Lanark grammar school building on Albany Drive in the town. Many local residents would wish that historic building to be retained—perhaps adapted for modern use, such as flats, but keeping the building's façade, which many know and love. Sadly, it appears that South Lanarkshire Council is minded to allow the building to be demolished, and the community council is urgently seeking advice from Historic Scotland on what options for designation may exist. I have written to Historic Scotland to add my support to those efforts.

The bill will clarify and strengthen the protection of Scotland's historic environment. One of the successes of devolution in the past 11 years has been the opportunity to explore policy areas such as our heritage, refine them, allow far greater democratic scrutiny of them, put them at the forefront of our thoughts and rectify past decisions that relegated our history and culture to an afterthought.

I wish the committee all the best for the progression of the bill.

16:06

**Ken Macintosh (Eastwood) (Lab):** The bill is relatively uncontroversial. It has already received broad support among members of the committee and, as is clear from the debate, members of the Parliament more widely. As Ted Brocklebank pointed out in his speech, the Government's description of it as

"a tightly focused technical amending Bill"

did much to give the game away and lower our expectations. However, although it is not the most innovative piece of proposed legislation and despite the fact that we are not engaging in a party-political spat—something that we should probably celebrate with six months to go to an

election—none of that detracts from the importance of the subject.

From the remarks that members have made, I know that we are immensely proud of Scotland's historic environment—our castles, buildings and monuments. Some may be symbolic of less enlightened times but they are all part of our long and rich past and help us to understand our place in the world. We all have our favourites. There are the picturesque, such as Eilean Donan castle on the way up to Skye; the significant, such as the New Lanark mills of David Dale and Robert Owen; and the simply ancient, such as the standing stones at Callanish, which Ted Brocklebank mentioned.

We enjoy those structures for a host of reasons, but we are able to enjoy them at least in part because of the work of people who have gone before us, who did much to protect and preserve them. We are able to enjoy them also because of the legislation that has been put in place to protect those efforts. For the most part, the bill restates those laws and powers. There are notable steps forward. In particular, I highlight and congratulate the minister on the new measures to help in the identification of our battlegrounds and historic gardens.

However, discussion around the bill has illuminated at least a couple of areas of weakness. The Built Environment Forum Scotland, which brings together 21 non-governmental organisations with an interest in this policy area, highlighted two points in particular. The first is the need and opportunity that the bill presents to strengthen the legislative context for existing policy—not, I emphasise, to add any more duties, powers or burdens, but simply to give greater priority to existing duties. The second is the need and opportunity to ensure that planning authorities have access to, and give special regard to, appropriate information and expert advice on the historic environment.

On the latter point, I hope that we all agree that our local authorities and other public bodies should have sufficient access to historical and archaeological expertise and, in particular, local knowledge. At the moment, such expertise lies in the hands of, and is provided by, a very small number of people. In a city the size of Edinburgh, for example, there may be a handful of people who provide advice. In a smaller local authority area, there might be only one officer. The fear is that, with no statutory basis behind public policy in that area, we could easily lose the little resource that exists.

I hope that members recognise that anxiety at a time of seemingly ever greater economic determinism. At a time of falling budgets, when the only thing that matters is the bottom line, most



political energy will go into protecting front-line public services. Experience shows that areas such as culture, music, sport and the historic environment are the most likely to face the axe. If very few people are employed in the historic environment sector already, and if much local knowledge is in the guardianship of very few individuals, the loss of such jobs will leave us ignorant and unable to give sufficient attention and weight to our heritage in decision making. That will be to the detriment of not only future generations. Our environment is crucial to our quality of life. Our wellbeing and our cultural prosperity are even more important to our happiness at a time of cuts.

The Built Environment Forum Scotland highlighted the opportunity that the bill presents to provide for

“a responsibility on all public bodies to protect, enhance and have special regard to Scotland’s historic environment”.

Most Education, Lifelong Learning and Culture Committee members were struck by a point that was made by witnesses repeatedly and by the minister—that the vast majority of our historic environment will not be affected by the bill, because it is unlisted, unscheduled and unprotected. The Built Environment Forum Scotland does not want new duties to be introduced or new burdens or new costs to be imposed on our hard-pressed local authorities. It simply asks for a restatement of, and greater priority to be given to, existing duties.

In my opening remarks, I suggested that the bill is not controversial.

**Fiona Hyslop:** The point is crucial. I re-emphasise that what the BEFS proposes would be an additional duty. If Ken Macintosh says that it is not a duty and that it is covered elsewhere, will he explain where it is covered? He has referred to local authorities, but the duty proposed by the BEFS would apply to public bodies. There is a large number of public bodies, including the health service, the Ministry of Defence—you name it. The point is important. I have established a working group to ensure that the result of what we are trying to achieve can be promoted, but I have concerns about what is put in law.

**Ken Macintosh:** I appreciate that our local authorities are not looking for extra burdens at this time. Paragraph 1.40 of the Scottish Government’s historic environment policy says:

“It is long-established policy that all government departments should discharge properly their duty of care for heritage assets they own or lease. This means that, for example, the Ministry of Defence has robust policies and procedures in place”.

I will not go on, but a duty of care already exists, and local authorities have several other existing

powers and duties. The intention is to promote the attention that is given to the historic environment when decisions on planning and aspects of the built environment are taken.

**Fiona Hyslop:** Ken Macintosh is right about a duty of care for Government departments, but widening the scope to public bodies is an issue. The technical proposal is for a duty to enhance the historic environment, which is different.

**Ken Macintosh:** I am not sure whether the minister and I are miles apart on the matter. I am certainly encouraged that room for discussion exists about the wording and about giving greater priority to the issue, because the aim is not to place extra duties on local government.

Another worry, to which Karen Whitefield referred, is about tension between those who want to protect our past and those who want to modernise or develop the environment. I do not believe that everything should be preserved. In fact, the process of development often uncovers artefacts and allows them to be dug up, revealed and displayed.

I reassure members that people who work in the sector are at pains to move away from the language of preservation and from that approach. The idea of heritage as something that cannot be touched is old-fashioned. The Built Environment Forum Scotland talks about using knowledge and information as a way of managing our historic environment. It points out that the bill addresses the few loopholes that might exist in relation to flagship archaeological sites or buildings. The structures that need to be preserved will be preserved. However, the forum believes that a more informed approach would help the vast majority of unscheduled sites and unlisted buildings.

Old buildings that become redundant might become museum pieces, but they are more likely to be demolished, whereas a change of use or purpose might be desirable and possible. Only if we understand the importance and significance of what we look at can we manage that change sensitively. Both points that the BEFS raises—the need to have access to information and the need to behave responsibly with that information—are intertwined.

There are examples of the Scottish Parliament taking a similar approach in recent pieces of legislation. For example, the Nature Conservation (Scotland) Act 2004 introduced a broad duty to ensure biodiversity, and the Marine (Scotland) Act 2010 took a similar approach to the protection of the marine environment.

It is easy to dismiss those who wish to protect our historic environment as nostalgic or romantic. I do not think that that is fair, but even if it were true,

surely there should be room for romance in our lives. There is no doubt that many people share that enthusiasm. Just this week, there was a report about a man in Orkney finding a 5,000-year-old burial plot in his back garden and, last year, some 2,000-year-old gold jewellery was found in Stirlingshire. A large number of people go out every week or every month to look for treasure in fields with their metal detectors. Some, like those on the “Antiques Roadshow”, might be disappointed when they discover that their find is not worth hundreds of thousands of pounds, but I am sure that the treasure that they really seek is our past. The key motivation is to make a find and to experience the joy of discovering the hitherto undiscovered.

Let us give the historic environment its place. As the bill proceeds, let us think about whether we have got the balance right and whether we could and should do more to fulfil our responsibilities.

16:16

**Alasdair Allan (Western Isles) (SNP):** As a nation that is rightly proud of its heritage and history, Scotland possesses a robust system for the protection and preservation of historic structures and landmarks. Nevertheless, it sometimes needs to be explained to visitors and, indeed, to Scots themselves that Scotland does not have all those historic buildings by mere accident; they are there because, as a nation, we have actively chosen to maintain them.

Ted Brocklebank rightly mentioned the Callanish stones as an example of an outstanding historic structure. The story about the councillor in the 1960s who wanted to knock them down to make room for council houses may well be apocryphal, but it nonetheless eloquently conveys its own warning from our country's recent architectural and planning history.

Maintaining historic buildings is not a simple matter, and it is certainly not the same as merely preserving ruins. The historic environments in question have often moved beyond their original purposes and evolved into repositories of local and national identity but, in general, they cannot do that very effectively unless they are also given a continuing useful purpose in the community.

One of the most contentious issues is a philosophical one. Should a historic building be preserved in aspic and, if so, at what stage in its history should that happen? The example—which, this time, is not apocryphal—comes to mind of the proposal in regard to a historic building in my constituency that the temporary Perspex sheeting over a broken window should be preserved as

“part of the development of the building's recent history”.

Maintaining historic sites is anything but simple and it needs to be, at least in part, a pragmatic business.

Just as our historic environments have evolved to serve new purposes, the legislation that has been designed to protect and preserve them must evolve as well. We must remain flexible and willing to adapt our approach to suit new developments and realities.

The bill reflects such a practical approach. That much became clear during the evidence that the committee took, and it is reflected in the support for the bill that has been expressed across the political divide. Our consideration of the bill made for some of the more unusual evidence that the committee has heard, which covered subjects as varied as the disputed location of various battlefields, speculation on whether Prince William might get engaged in Fife and the need to preserve the cobblestones in Kelso square. Mercifully, the latter did not become the subject of a paving amendment.

The bill will amend current processes to provide greater protection for Scotland's historic environments. By targeting weak points and gaps in existing legislation, it will allow Scotland to better safeguard and preserve its heritage while utilising the strengths of existing frameworks and institutions.

One of the great strengths of such an adaptive approach is the minimisation of costs and burdens. The bill will considerably improve our historic environment protection strategy without encumbering public and private stakeholders in the historic environment sector with enormous new financial or logistical burdens. The utilisation of existing frameworks and institutions will mean that such an approach will have minimal financial cost.

The bill will explicitly enable Scottish ministers to recover grants in the event that the specific preconditions of those grants are violated. Such a measure, although not entirely new, will help to ensure that expenditure on historic sites can always be demonstrated to have a public benefit. In a time of cuts to the money that is available to Scotland, that is an important consideration, and the bill exemplifies the taking of a responsible stance towards such public expenditure.

Another important aspect that has been looked at is the need for the bill to be responsive to stakeholders and complementary to other ongoing efforts in the sector. Thanks to the invaluable contributions of interested parties, including the owners of historic homes and gardens and a variety of agencies such as the National Trust for Scotland and Historic Scotland, a bill now exists that is highly responsive to the

concerns and needs of those who seek to preserve Scotland's historic environments. The bill strengthens and standardises enforcement measures that are intended to protect historic environments, and implementation of the new measures will ensure that historic buildings receive more comprehensive protection.

Consultation also allowed the proposed legislation to be drafted in a way that complements existing non-legislative endeavours and brings Scottish policy into harmony with European initiatives on the protection of heritage sites. The bill is constructed in a manner that complements endeavours such as the welcome efforts to make Historic Scotland more accessible and adaptable as an institution. It also makes Scottish policy concordant with Council of Europe initiatives on the designation of archaeological heritage.

By ensuring that the proposed legislation remains complementary to existing work, we are able to ensure that it will form part of a cohesive approach to the preservation of historic environments that gives serious thought to the future. That will ensure the survival of our historic sites for future generations. In the years to come, the new practical considerations might force us to fine-tune our approach again. However, with the bill, we have taken an important practical step.

Our wealth of historic treasures is an irreplaceable asset, but it carries a burden of responsibility. As a country, we neither shirk nor resent that burden; indeed, we proudly accept it. The Historic Environment (Amendment) (Scotland) Bill is our instrument to act on that responsibility, and I commend it to the chamber.

16:22

**Ian McKee (Lothians) (SNP):** I declare an interest in that I am an occupier and joint owner of a property that is listed as being worthy of statutory protection under the provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Concern about the historic environment is one of the hallmarks of a civilised society. Indeed, it is appropriate that the debate should be held and the bill introduced in Edinburgh, as part expiation for the gross crimes against our historic environment that have been committed in our capital city during the past 50 years.

Let us consider the fate of George Square, which was one of the most perfect Georgian squares anywhere in the world until it was crudely smashed by the University of Edinburgh, which went against massive public opinion to construct a variety of modern buildings of variable architectural merit, including the ghastly Appleton tower. Let us consider the damage that the same

institution did to historic Potterrow, the street on which Nancy McLehose, or Clarinda, the inspiration for "Ae Fond Kiss", was lodged when she attracted the attention of Robert Burns. Its pleasing architecture and romantic spiral stairways were lost for ever to the demolition ball, to be replaced by cheap, factory-built units, which give the area all the ambience of a deserted factory site.

The University of Edinburgh was not the only vandal that was let loose in this historic city. Let us think of the perfectly serviceable and respectful buildings on the corner of Lawnmarket and George IV Bridge, which housed the Royal Medical Society, among other institutions. They were replaced by the asbestos-ridden, east European-type monstrosity that served as offices for the Parliament and which, in turn, has been demolished.

Let us look at two of Edinburgh's most public disgraces. In historic and highly visible Princes Street, almost every building that was worth preserving has either been totally swamped by its neighbours or got rid of altogether in exchange for third-rate commercial development. Of particular concern is the magnificent Victorian façade of the New Club, which was demolished to make way for a near-brutalist replacement that makes me shudder every time I pass it.

Then there is the St James centre. Edinburgh citizens of a certain age will remember the well-proportioned St James Square that preceded it, an 18<sup>th</sup> century delight which, to our eternal shame, was swept away in the name of progress. While I am talking about the city centre, members should not forget that it seemed to be only luck and a degree of planning constipation that prevented Edinburgh from having an inner-city bypass like the M8 through Glasgow—an elevated concrete roadway that was planned to extend around Edinburgh castle and across the Meadows. Edinburgh certainly cannot hold its head high in this respect.

Things have changed, have they not? Edinburgh's world heritage status under UNESCO means that our city planners have to contend with not only local pressure groups but professional heritage experts from all over the world. Developments such as those proposed for the old Haymarket goods yard and the Caltongate project come under the beady eyes of professional, external scrutineers. It is pleasing to note that UNESCO observers pronounce themselves satisfied that in Edinburgh we now have a planning, development and conservation environment that is world class.

The bill seeks to increase the protection that is given to listed buildings and scheduled monuments, so that—I hope—the rape of George

Square could not happen today. That is good. If I have a concern, it is that we might go too far the other way. Let us take for example the case of the Royal Commonwealth pool, just across the park from where I am speaking. In 1993, it was selected as one of 60 key Scottish monuments of the post-war period, and it was nominated in 2002 by the Architectural Heritage Society of Scotland as one of the most significant modern contributions to Scottish heritage. It is now grade A listed—untouchable, in fact.

However, the fact of the pool's listing has meant that refurbishment has taken longer and cost many millions more. Its closure for a full two years as a consequence has meant that the only international diving pool in Scotland has been denied to our Olympic hopes for that period of time, Sunderland being the nearest alternative. Even when it reopens, the pool will be unfit for international swimming competitions as it will still have too few lanes and the listing of the building means that it cannot be widened sufficiently to allow more. In the unlikely event that Edinburgh were ever asked again to host the Commonwealth games, the Commonwealth pool could not be used.

We need to ask whether it was more important to maintain a 40-year-old building that was no longer entirely fit for purpose than to spend the money on a new project that would have fulfilled the purpose of the original building at less cost and in less time. Is our built heritage more important than having a facility that is suited to the needs of today? Like Alasdair Allan, I ask that question. Are we sticking things in aspic, and should we move on? Should an international swimming pool be an international swimming pool or an historic monument?

Another example is the potential clash between climate change requirements and the desire to protect our heritage. We spend money exhorting people to double glaze their windows but have prevented the owners of listed buildings from following that course. I am pleased to see in Fiona Hyslop's response to a recent parliamentary question that some tentative progress has been made in dealing with that issue, but I note that windows can now be replaced by double glazing only if they are not the original ones. If we look around the windows in the new town of Edinburgh, we will see lots and lots of panes. There must be quite a bit of temptation for residents who feel the cold to have a few accidents with their window panes so that they can fulfil the requirements for getting double glazing. Far be it from me to suggest that; I am making a forecast rather than a suggestion.

Overall, I am pleased to welcome the bill, but I look forward to the day when protecting our

heritage goes hand in hand with attending to all the other needs of society.

**The Deputy Presiding Officer (Alasdair Morgan):** We move now to the wind-up speeches. I call Iain Smith.

16:29

**Iain Smith (North East Fife) (LD):** There are always two concerns to members when we wind up in a debate. One is that everything that we wanted to say has already been said and the other is that the Presiding Officer has not told us how long we have for our speech.

**The Deputy Presiding Officer:** Six and a half minutes, if it is any help.

**Iain Smith:** The third is that the time limit turns out to be more than we were expecting.

One of the benefits of having a Parliament in Scotland is that we are sometimes able to pass legislation that would never have reached the timetable for consideration at Westminster. Some of that legislation has been fairly major, such as land reform; some has been more minor, but important nonetheless. The bill is an example of legislation that there would probably never have been time for at Westminster. It is nonetheless an important and worthy piece of legislation. I welcome the opportunity to discuss it today.

I agree with Ted Brocklebank that this is not necessarily the bill that the historic environment needs in the long term. There will be a need for further legislation in future—perhaps in the next parliamentary session or even the one after that—to consider the wider issues of how we protect the historic environment. I will return to that later.

The importance of the historic environment to Scotland has been stated. It contributes more than £2.3 billion to the economy, mainly through tourism, the construction industry and transport. It directly supports more than 40,000 jobs, or 60,000 if we include the spin-off benefits in other sectors. It is estimated to contribute some £1.4 billion in employees' income. The sector's contribution to the national economy is estimated to be 2.6 per cent of the Scottish GVA, or gross value added, accounting for an estimated 2.5 per cent of Scotland's total employment.

Those figures come from the Historic Environment Advisory Council for Scotland's report on the economic impact of the historic environment of Scotland, which was mentioned earlier, and they are repeated in George Reid's excellent report on his review of the National Trust for Scotland, "Fit for Purpose". George Reid's report raised some important issues beyond those that are immediately necessary to get the National

Trust back on to the right footing—I welcome the progress that has been made there.

George Reid raised the issue of whether the appropriate bodies are managing the historic structures in Scotland. There is a need to seriously consider that issue. He highlighted various monuments and ruins, such as Balmerino abbey in my constituency, which is currently managed by the National Trust. He asks whether it would be better managed by Historic Scotland, which has the expertise and craftsmen to better maintain and look after such structures. Issues such as that need to be considered in the round. Perhaps we should be seriously considering having discussions with all the relevant bodies, including Historic Scotland, the National Trust and the national parks and local authorities, to ensure that the right body manages—though not necessarily owns—the properties and scheduled monuments of Scotland.

**Fiona Hyslop:** That is an important point. I reassure the member that Historic Scotland is in discussions with the National Trust, not least about an exchange of skills. The co-operation that he highlighted is already happening.

**Iain Smith:** I welcome that point from the minister.

**Ted Brocklebank:** Does Iain Smith accept that an even more anomalous example of where there should be streamlining between the work of the National Trust and Historic Scotland is at Hill of Tarvit? There are two sites there: Hill of Tarvit, which is managed by the National Trust; and, 100yd away, Scotstarvit tower, which is managed by Historic Scotland. Surely that kind of thing is a nonsense and should be looked at.

**Iain Smith:** There are opportunities throughout the country for Historic Scotland and the National Trust to consider how they manage properties. Again, it is not about the ownership of the properties but about how they are managed and who runs them on a day-to-day basis. There are other places in Fife where the same issue can be considered.

We need to consider other aspects of the wider historic environment legislation. I found Ian McKee's contribution extremely interesting because it raised a number of concerns that I share. He mentioned the St James centre. I recollect discussions that I had with a good friend of mine in the past, in which we decided that one of the tools that we may need to add to our historic environment portfolio is a compulsory demolition order to get rid of buildings that are inappropriate for their settings and do nothing to enhance Scotland. Oddly enough, the St James centre was high on the list for such an order.

Ian McKee also said that we need to be sensible about how we apply the rules in relation to those buildings that are scheduled and listed and ensure that we do not stick them in aspic in such a way that they cannot be sensitively and sensibly redeveloped. The buildings at risk register shows that there are many examples across Scotland of buildings that could be brought back into use were there an opportunity to make appropriate alterations to them that, although they might not be entirely to the satisfaction of Historic Scotland, would be in keeping with the way in which a building might normally develop in the course of its life. Buildings have never been built and then left alone. I have just completed a fairly major renovation of my home, so I am aware of the fact that one must continue to renew and refresh buildings. The idea that, once a building is listed, nothing should ever happen to it other than to let it fall down is not appropriate. We need to think carefully about that.

We need to think about the process of how we list buildings, as that process is questionable and not transparent. One has to ask why some buildings are listed. No one in my constituency can figure out why Madras college's Kilrymont Road buildings have been listed. They are not very attractive buildings. Apparently, they are examples of an architectural type, but that architectural type is one from the 1960s that we should be forgetting, not preserving. The sooner a bulldozer goes to that building and we get a nice, new Madras college, the better, as far as I am concerned.

This is an important piece of legislation, and not one of our more controversial ones. I am happy to support the committee's report and the bill.

16:36

**Elizabeth Smith (Mid Scotland and Fife) (Con):** I apologise for having had to leave the chamber for 10 minutes earlier, which caused me to miss a couple of members' speeches.

This has been an informed and useful debate, and I am pleased to have taken part of it. Earlier, Ted Brocklebank said that some people might be tempted to see the bill as merely a technical, amending instrument rather than as anything of any great import and substance, noting that some might call it a much-ado-about-nothing bill. I dare say that that view is true with regard to some of the aspects of detail, but we must certainly not allow that to be the general reaction. Indeed, it is incumbent on all of us to ensure that it is not.

As many speakers have said, Scotland's historic environment is a precious part of the fabric of this country. It is one of the most defining aspects of Scotland and can bring enormous social and economic benefit, especially in the form of visitor

income. The minister's comments about Linlithgow and Dr McKee's comments about George Square in Edinburgh, which I visited when I was at school, were appropriate. We do not understand how important our historic environment is until something happens to take it away from us.

The bill matters, even if it requires some important amendments and, if Mr Macintosh has anything to do with it, some semantic changes.

Also in the bill's favour is the minimal cost that is involved, which is a pleasant change from some recent bills and has, I am sure, brought some comfort to the Scottish Government in these difficult economic times. Perhaps that is one reason why there has been no serious opposition to the bill, although I would like to suggest that that is also due to the considerable passion and commitment of those who are involved at the front line, including the hundreds of volunteers to whom Margaret Smith referred who are protecting our historic environment. At stage 1, they made a powerful case for the principles of the bill and its prime objective, which is to preserve and enhance Scotland's historic environment for future generations. Their comments were extremely balanced and helpful to our deliberations. Perhaps they ensured that the atmosphere in the Education, Lifelong Learning and Culture Committee was less highly politically charged than usual, at least for a short while.

Ted Brocklebank made the point that the organisation of certain bodies that oversee the administration of our historic environment could be streamlined. That point was picked up by several speakers, and I think that there can be no opposition to the view that there is a need to simplify and clarify certain aspects of the management of the historic environment. Iain Smith referred to—

**Robin Harper (Lothians) (Green):** Will the member give way?

**Elizabeth Smith:** Of course.

**Robin Harper:** I thank Elizabeth Smith for giving way. [*Laughter.*] I had to be very careful to get the name right.

Ted Brocklebank tried to give the chamber the impression that, if George Reid had canvassed opinion on the possibility of a merger between the National Trust and Historic Scotland, he might have come out in favour of that. I declare an interest as a member of the National Trust's council, and I reassure members that, although the idea was widely discussed by the board, George Reid and the council categorically ruled it out as a way forward for the National Trust—and for Historic Scotland, for that matter.

**The Deputy Presiding Officer:** Your intervention is approaching a speech, Mr Harper.

**Robin Harper:** I am sorry. I am asking whether the member is aware of that, and if—

**The Deputy Presiding Officer:** I call Elizabeth Smith.

**Elizabeth Smith:** I am glad that you said that, Presiding Officer. I have been called many things today, but I am glad that you got my name right.

I point out to Robin Harper that I do not think that that is what Ted Brocklebank said. Mr Brocklebank and Iain Smith both pointed out the need for some streamlining and clarification of the bodies' respective roles. I entirely agree with that, and I know that the minister does too.

As members are aware, there has been much debate about the provision on the defence of ignorance in section 3, in particular the possibility that it all but removes that defence. It was good to hear what the minister said in her opening remarks, which gives us some comfort in that regard. There are situations in which genuine human error occurs, and we must be conscious that the problem could be compounded if there continued to be a lack of clarity on what does or does not constitute an historic monument.

We must not get into a situation in which there is a conflict between legislation and common sense, as Alasdair Allan noted when he provided the example of the proposal to preserve the plastic sheeting over a pane of glass. There is an issue with regard to the production of certain inventories; like any taxonomy, they are open to all kinds of interpretation. That point has been illustrated many times this afternoon, so I will not go back over it.

A related point, which arises in section 11, is the attempt to deal with the responsibility, obligations and costs that fall at the doors of the owners. I urge the Scottish Government to provide assurances that there will be no obfuscation or scope for loopholes in that regard.

The power of entry without owners' consent when a monument is thought to be at risk raises some issues with regard to the definition of what constitutes imminent damage and destruction. Again, the minister's comments were helpful in that regard. It is important for that to be crystal clear so that we can allay any fears of unrestricted entry to sites without the permission of owners.

There are some concerns but, as the convener of the Education, Lifelong Learning and Culture Committee said, they can, with careful handling, be addressed without hindering the better management of our historic sites. Apart from some wrangles over definitions, liability for care and the structure of appropriate inventories, there is

widespread consensus on the merits of the bill. On that basis, I repeat that the Scottish Conservatives are happy to support its main principles.

16:43

**Pauline McNeill:** It is clear from this debate that we need a legal framework and extended powers and duties for those who are responsible for protecting our historic environment. That combination will allow our country to preserve and protect historic sites, buildings and monuments.

Ted Brocklebank called for stronger action. I am glad that Elizabeth Smith clarified what he meant when he talked about streamlining. I got the impression that it was akin to a merger. I do not have any difficulty with what he actually said, and I support Robin Harper's view of George Reid's report.

I am in favour of having more than one body to undertake responsibility for all these matters; it would be bad for us to consider a merger.

**Ted Brocklebank:** For absolute clarification, the record will show that I said I agree with George Reid that the two bodies should continue, but that their functions should perhaps be streamlined in some areas.

**Pauline McNeill:** That is clearer now and I am grateful to Ted Brocklebank for making that point.

Margaret Smith made an excellent point about the number of volunteers, without whom we would have no chance of doing the work that we do in this area. She talked about ancient civilisations that we know about only because of the evidence we uncover. She also made the point that just because a building or monument is not listed or scheduled, that does not mean that it is not important.

Bill Wilson reminded us not to forget the breadth of the subject. Interestingly, he suggested that ancient penalties might go along with ancient monuments. Who says that the SNP is soft on crime? Well, it is not today.

Claire Baker made an excellent point about our children's imagination, arguing that preserving the past for their future is an important part of our work. Liam McArthur trailed his possible pending appearance on television, depending on the edit, and highlighted the Lonely Planet guide and the amazing attractions on Orkney, which I am sure will do wonders for tourism there. Aileen Campbell talked about the practical issues for those who use buildings that are listed or in conservation areas.

Ken Macintosh, who is a member of the Education, Lifelong Learning and Culture Committee, talked about the weaknesses in the bill. There has to be a continuing debate on the

points that were raised in his exchange with the minister about whether the duty on Government departments is a wider duty on public bodies and what it consists of. That is clearly an issue for stage 2.

Alasdair Allan said that it perhaps needs to be explained that Scotland's collection did not come about by accident and that it exists because of policies and legislation. Most developing countries have similar policies for the same reasons. Having travelled a bit, my view is that the United States is probably the best that I have seen; it turns just about everything into a national park and something of a tourist attraction. Perhaps we can learn lessons from that.

The prize for the person who did not mince his words goes to Dr Ian McKee for an interesting critique of Edinburgh's built environment. He talked about crimes against the historic environment and about parts of the city that offend him. The Park Circus area of my constituency is of outstanding conservation interest, and everyone is mystified about how the building that was formerly occupied by the Bank of Scotland got there. We clearly did not do everything right in the past.

Conservation has not been addressed very much this afternoon. Will the minister say some more about why there is not much about conservation in the bill? Perhaps it is not something that fits, but I want to talk about it for a few moments because it is also an important part of our heritage. If planning authorities, which have an interest in development, had unfettered powers and we did not have a strong Historic Scotland or a set of environmental bodies with powers in the area, we would see many more disastrous planning decisions. Perhaps the minister will elaborate on that.

As for enforcement in relation to listed buildings, I support the range of penalties in the bill, including fixed penalty notices, but I want to mention an issue that I have raised with Historic Scotland. In the west of Glasgow, where there are listed buildings and areas of conservation, we have people who have lived in buildings all their lives who cannot afford to replace their windows. There are already strong enforcement powers that local authorities use to get people to reverse any modernisation of windows. The answer lies in a bit more public information—some exists—about how people can affordably upgrade their buildings and preserve heritage at the same time.

I said in my opening speech that section 18 is the area in which the most work needs to be done. The power it provides needs to be clarified. The existing procedure seems to be informal, but the new procedure seems to be a more formal one under which any person can apply. Having listened to the debate, I think that ministers have

got it right in making it possible for a wider group of people to apply. It is clear that any local community could have an interest and I would not want that to be excluded by any restriction in section 18.

I also wonder whether the two processes—one formal, the other informal—will be conflated in time, as they are essentially looking at the same thing. I seek some clarification in that respect. Finally, is there any timescale for considering certificates of immunity? What criteria will ministers use? I presume that, during this particular time period, Historic Scotland will assess whether a building should be listed.

We have had a good and interesting debate. As we will not revisit the subject in a hurry, we had better get it right while we have the chance and I look forward to stages 2 and 3.

**The Deputy Presiding Officer:** I call Fiona Hyslop to wind up the debate. If the minister could sit down just before 5 o'clock to allow a business motion to be moved, I would be grateful.

16:50

**Fiona Hyslop:** I am pleased that we have had the opportunity to debate the Historic Environment (Amendment) (Scotland) Bill today and thank the members who have spoken in a thoughtful and constructive debate. There have been some very good, informed and knowledgeable speeches. I highlight Ian McKee's thoughtful speech and reassure him that under the Scottish heritage environment policy the default position for listing is that the building remains in active use. I think that that is an important element in setting out some of the wider context to this issue.

Members have shown a lot of passion about the contribution that heritage can make to Scotland and its value as a key driver of tourism. The perspectives that we have heard from Renfrewshire, Orkney, Cramond and the Glasgow west end are important in putting in context our reasons for introducing a bill that will help to shore up and support the existing legislation.

A number of interesting issues have been raised in today's debate, not least of which is Bill Wilson's inventive suggestion that those who damage buildings should be punished according to the century in which the building on which the offence is perpetrated was built. Indeed, Historic Scotland might be able raise some revenue by charging people to see those punishments being exacted. *[Laughter.]* I am not quite sure who my champion would be, but Ted Brocklebank might well step forward if required. I will continue to listen to any constructive arguments on this matter, but I stress again that two of the bill's underlying aims are to avoid placing any new burdens or duties on the

public sector, private sector or individuals and to ensure that, in the current economic climate, implementation costs are kept low.

On our proposal to extend the range of historic environment assets that can be scheduled, the committee expressed an expectation that the Scottish Government will act rigorously and have regard to strict criteria in considering possible sites for designation. I can confirm in response that existing legislation sets out that ministers may schedule only sites of "national importance" and the criteria used to determine that are set out in the Scottish historic environment policy.

During its consideration of the bill, the Education Lifelong Learning and Culture Committee received representations against the proposal that any person should be able to apply for a certificate of immunity from listing and I acknowledged those concerns at my appearance before it on 29 September. I thank the committee for considering the arguments for and against limiting the scope of those who may apply for a certificate and note that it is not persuaded that the proposal for applications for a certificate against listing should be restricted to owners and occupiers. Margaret Smith and Claire Baker explained the issues very clearly indeed. The committee recommended that the Scottish Government provide further information on the certificate of immunity application process to give greater assurance to stakeholders. Pauline McNeill also made a specific request in that respect, and I can confirm that I am committed to issuing further information to the committee on the point that she has raised.

I will write to the committee about its recommendation that the Scottish Government give further consideration to the availability of expertise to interpret information on the historic environment. I think that that should address the first of the two issues that Ken Macintosh raised. Finally, I confirm that the Scottish ministers agree with the committee that issues related to the inclusion of ecclesiastical buildings in the listed building consent process should not be covered in this bill.

Bill Wilson asked about the £50,000 limit for fines. The current limit is £10,000; the £50,000 limit is in line with current environmental fines and is the maximum amount for a summary conviction. Fines for convictions on indictment are unlimited, and the gravity of the offence will be a factor in deciding the procedure.

Ted Brocklebank made a number of points about battlefields. He said that the bill offers no test to determine whether a battlefield should be included in the statutory inventory. The test will be whether a site is of national importance, as defined by the criteria that I have outlined. He also raised concerns about agricultural works. I will



explain to him in writing why a class order and exemption will be allowed for lawful disturbance of agricultural land by ploughing for six or 10 years.

Ken Macintosh was right to explore the issues that the BEFS raised. I appreciate the advice that the BEFS has given us. The policy aim of what it proposes is important; at issue is how we get that effect. The member referred to the duty of care that Government departments already have, but that relates only to estates, buildings and assets. The general duty to protect the historic environment that the BEFS proposes relates to all public bodies when they are carrying out their functions. Regardless of whether the distinction is semantic, as has been suggested, or legal, the issue is worth exploring, so that we can address some of the concerns that have been raised.

Ken Macintosh suggested that the duty might be similar to the duty that the Marine (Scotland) Act 2010 imposes. It is not, as that duty is narrowly focused on clearly defined issues relating to the Scottish marine area and, unlike the duty proposed by the BEFS, is limited to the functions for which the act provides. The duty that the BEFS proposes is also not similar to the duty to ensure biodiversity under the Nature Conservation (Scotland) Act 2004. However, it is important that the member has drawn out those issues, which I am happy to explore.

I cannot cover all the points that members have made. Iain Smith referred to the listing of the school buildings on Kilrymont Road. Ted Brocklebank has raised that point with officials. I reassure them both that Historic Scotland has no recent case history on the issue, but it will contact the site owners and the local authority to explore whether some of the issues of concern can be resolved.

Pauline McNeill expressed concern about why conservation is not part of the debate. Conservation is controlled by planning and development law, but the member is right to say that we must be consistent in how we address both issues. In the bill, we are bringing some symmetry to the application of historical environment legislation and planning legislation. The member makes an important point.

I hope that I have addressed some of the key issues that members have raised. As many members have said, it is important that we recognise that the Government—Historic Scotland is a Government agency—is not the only body that is responsible for and has interests in the historic environment—[*Interruption.*]

**The Deputy Presiding Officer:** Order. The level of noise is getting too high. Please keep it down.

**Fiona Hyslop:** Margaret Smith and others referred to the number of volunteers who look after and support local scheduled monuments and other properties. The private owners who are responsible for many of our buildings must be commended for the work that they do.

I thank all of those who have contributed to this thoughtful and thorough debate on the general principles of the bill. People may not have thought that the bill would generate one of the most interesting debates in the Parliament, but the contributions of Alasdair Allan, Ian McKee and others have shown otherwise. Liam McArthur referred to the Westray wife and the tourism boom that is taking place in Orkney. It is important to recognise that the historic environment is not dry or dull—it evokes a great deal of passion from members, contributes to the economy and provides skills. Ian McKee referred to the provision of double glazing in Edinburgh and the new skills that are needed to ensure that existing buildings can tackle climate change issues.

We should celebrate our rich historic environment. The bill will support many of our other objectives, especially in relation to climate change, and provide regulatory authorities with a much-improved toolkit to help them manage and protect Scotland's historic environment, for the enjoyment and benefit of current and future generations. I ask members to support the motion and to approve the general principles of the Historic Environment (Amendment) (Scotland) Bill.

## Parliamentary Bureau Motion

16:59

**The Presiding Officer (Alex Fergusson):** The next item is consideration of Parliamentary Bureau motion S3M-7335, on committee membership.

*Motion moved,*

That the Parliament agrees that—

Bill Kidd be appointed to replace Jamie Hepburn as a member of the European and External Relations Committee;

Jamie Hepburn be appointed to replace Bill Kidd as a member of the Equal Opportunities Committee;

Jamie Hepburn be appointed to replace Bill Kidd as a member of the Public Audit Committee.—[*Bruce Crawford.*]

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

## Decision Time

17:00

**The Presiding Officer (Alex Fergusson):** There are six questions to be put as a result of today's business. In relation to the debate on managing Scotland's finances, if the amendment in the name of John Swinney is agreed to, the amendment in the name of Derek Brownlee falls.

The first question is, that amendment S3M-7330.3, in the name of John Swinney, which seeks to amend motion S3M-7330, in the name of Andy Kerr, on managing Scotland's finances, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**For**

Adam, Brian (Aberdeen North) (SNP)  
 Allan, Alasdair (Western Isles) (SNP)  
 Brown, Keith (Ochil) (SNP)  
 Campbell, Aileen (South of Scotland) (SNP)  
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)  
 Constance, Angela (Livingston) (SNP)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Don, Nigel (North East Scotland) (SNP)  
 Doris, Bob (Glasgow) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 FitzPatrick, Joe (Dundee West) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Grahame, Christine (South of Scotland) (SNP)  
 Harvie, Christopher (Mid Scotland and Fife) (SNP)  
 Hepburn, Jamie (Central Scotland) (SNP)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Adam (South of Scotland) (SNP)  
 Kidd, Bill (Glasgow) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)  
 Marwick, Tricia (Central Fife) (SNP)  
 Mather, Jim (Argyll and Bute) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 Maxwell, Stewart (West of Scotland) (SNP)  
 McKee, Ian (Lothians) (SNP)  
 McKelvie, Christina (Central Scotland) (SNP)  
 McLaughlin, Anne (Glasgow) (SNP)  
 McMillan, Stuart (West of Scotland) (SNP)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Gil (West of Scotland) (SNP)  
 Robison, Shona (Dundee East) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Somerville, Shirley-Anne (Lothians) (SNP)  
 Sturgeon, Nicola (Glasgow Govan) (SNP)  
 Swinney, John (North Tayside) (SNP)  
 Thompson, Dave (Highlands and Islands) (SNP)  
 Watt, Maureen (North East Scotland) (SNP)  
 Welsh, Andrew (Angus) (SNP)  
 White, Sandra (Glasgow) (SNP)  
 Wilson, Bill (West of Scotland) (SNP)  
 Wilson, John (Central Scotland) (SNP)

**Against**

Aitken, Bill (Glasgow) (Con)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 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, Robert (Glasgow) (LD)  
 Brownlee, Derek (South of Scotland) (Con)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Carlaw, Jackson (West of Scotland) (Con)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Foulkes, George (Lothians) (Lab)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Annabel (West of Scotland) (Con)  
 Gordon, Charlie (Glasgow Cathcart) (Lab)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Hume, Jim (South of Scotland) (LD)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kelly, James (Glasgow Rutherglen) (Lab)  
 Kerr, Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Lamont, John (Roxburgh and Berwickshire) (Con)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Macintosh, Ken (Eastwood) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 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)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 McMahon, Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Milne, Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Mulligan, Mary (Linlithgow) (Lab)  
 Murray, Elaine (Dumfries) (Lab)  
 O'Donnell, Hugh (Central Scotland) (LD)  
 Oldfather, Irene (Cunningham South) (Lab)  
 Park, John (Mid Scotland and Fife) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Scott, Tavish (Shetland) (LD)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Elizabeth (Mid Scotland and Fife) (Con)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stewart, David (Highlands and Islands) (Lab)  
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Tolson, Jim (Dunfermline West) (LD)

Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Whitton, David (Strathkelvin and Bearsden) (Lab)

**The Presiding Officer:** The result of the division is: For 45, Against 72, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The second question is, that amendment S3M-7330.1, in the name of Derek Brownlee, which also seeks to amend motion S3M-7330, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

#### For

Aitken, Bill (Glasgow) (Con)  
 Brocklebank, Ted (Mid Scotland and Fife) (Con)  
 Brown, Robert (Glasgow) (LD)  
 Brownlee, Derek (South of Scotland) (Con)  
 Carlaw, Jackson (West of Scotland) (Con)  
 Finnie, Ross (West of Scotland) (LD)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Goldie, Annabel (West of Scotland) (Con)  
 Hume, Jim (South of Scotland) (LD)  
 Johnstone, Alex (North East Scotland) (Con)  
 Lamont, John (Roxburgh and Berwickshire) (Con)  
 McArthur, Liam (Orkney) (LD)  
 McGrigor, Jamie (Highlands and Islands) (Con)  
 McInnes, Alison (North East Scotland) (LD)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 Milne, Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 O'Donnell, Hugh (Central Scotland) (LD)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Scott, Tavish (Shetland) (LD)  
 Smith, Elizabeth (Mid Scotland and Fife) (Con)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Tolson, Jim (Dunfermline West) (LD)

#### Against

Adam, Brian (Aberdeen North) (SNP)  
 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)  
 Brown, Keith (Ochil) (SNP)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Campbell, Aileen (South of Scotland) (SNP)  
 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)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)

FitzPatrick, Joe (Dundee West) (SNP)  
 Foulkes, George (Lothians) (Lab)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Glen, Marilyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gordon, Charlie (Glasgow Cathcart) (Lab)  
 Grahame, Christine (South of Scotland) (SNP)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Christopher (Mid Scotland and Fife) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Hepburn, Jamie (Central Scotland) (SNP)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Adam (South of Scotland) (SNP)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Kelly, James (Glasgow Rutherglen) (Lab)  
 Kerr, Andy (East Kilbride) (Lab)  
 Kidd, Bill (Glasgow) (SNP)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lochhead, Richard (Moray) (SNP)  
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)  
 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)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Tom (Hamilton South) (Lab)  
 McKee, Ian (Lothians) (SNP)  
 McKelvie, Christina (Central Scotland) (SNP)  
 McLaughlin, Anne (Glasgow) (SNP)  
 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)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Mulligan, Mary (Linlithgow) (Lab)  
 Murray, Elaine (Dumfries) (Lab)  
 Neil, Alex (Central Scotland) (SNP)  
 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)  
 Robison, Shona (Dundee East) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Somerville, Shirley-Anne (Lothians) (SNP)  
 Stewart, David (Highlands and Islands) (Lab)  
 Sturgeon, Nicola (Glasgow Govan) (SNP)  
 Swinney, John (North Tayside) (SNP)  
 Thompson, Dave (Highlands and Islands) (SNP)  
 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)

**The Presiding Officer:** The result of the division is: For 30, Against 87, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The next question is, that amendment S3M-7330.2, in the name of Jeremy Purvis, which also seeks to amend motion S3M-7330, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division. Vote now, please. *[Interruption.]* I am sorry, we seem to have a technical hitch and I will have to ask for the vote to be run again. There will be a brief suspension while we sort it out.

17:03

*Meeting suspended.*

17:03

*On resuming—*

**The Presiding Officer:** Amendment S3M-7330.2, in the name of Jeremy Purvis, was not agreed to, so there will be a division. Please vote now—quickly!

**For**

Aitken, Bill (Glasgow) (Con)  
 Brocklebank, Ted (Mid Scotland and Fife) (Con)  
 Brown, Robert (Glasgow) (LD)  
 Brownlee, Derek (South of Scotland) (Con)  
 Carlaw, Jackson (West of Scotland) (Con)  
 Finnie, Ross (West of Scotland) (LD)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Goldie, Annabel (West of Scotland) (Con)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Hume, Jim (South of Scotland) (LD)  
 Johnstone, Alex (North East Scotland) (Con)  
 Lamont, John (Roxburgh and Berwickshire) (Con)  
 McArthur, Liam (Orkney) (LD)  
 McGrigor, Jamie (Highlands and Islands) (Con)  
 McInnes, Alison (North East Scotland) (LD)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 Milne, Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 O'Donnell, Hugh (Central Scotland) (LD)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Scott, Tavish (Shetland) (LD)  
 Smith, Elizabeth (Mid Scotland and Fife) (Con)  
 Smith, Iain (North East Fife) (LD)  
 Smith, Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Tolson, Jim (Dunfermline West) (LD)

**Against**

Adam, Brian (Aberdeen North) (SNP)  
 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)

Brown, Keith (Ochil) (SNP)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Campbell, Aileen (South of Scotland) (SNP)  
 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)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 FitzPatrick, Joe (Dundee West) (SNP)  
 Foulkes, George (Lothians) (Lab)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gordon, Charlie (Glasgow Cathcart) (Lab)  
 Grahame, Christine (South of Scotland) (SNP)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Harvie, Christopher (Mid Scotland and Fife) (SNP)  
 Henry, Hugh (Paisley South) (Lab)  
 Hepburn, Jamie (Central Scotland) (SNP)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Adam (South of Scotland) (SNP)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Kelly, James (Glasgow Rutherglen) (Lab)  
 Kerr, Andy (East Kilbride) (Lab)  
 Kidd, Bill (Glasgow) (SNP)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lochhead, Richard (Moray) (SNP)  
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)  
 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)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Tom (Hamilton South) (Lab)  
 McKee, Ian (Lothians) (SNP)  
 McKelvie, Christina (Central Scotland) (SNP)  
 McLaughlin, Anne (Glasgow) (SNP)  
 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)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Mulligan, Mary (Linlithgow) (Lab)  
 Murray, Elaine (Dumfries) (Lab)  
 Neil, Alex (Central Scotland) (SNP)  
 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)  
 Robison, Shona (Dundee East) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Somerville, Shirley-Anne (Lothians) (SNP)  
 Stewart, David (Highlands and Islands) (Lab)  
 Sturgeon, Nicola (Glasgow Govan) (SNP)  
 Swinney, John (North Tayside) (SNP)  
 Thompson, Dave (Highlands and Islands) (SNP)  
 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)

**The Presiding Officer:** The result of the division is: For 32, Against 85, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The fourth question is, that motion S3M-7330, in the name of Andy Kerr, on managing Scotland's finances, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**For**

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)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Foulkes, George (Lothians) (Lab)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gordon, Charlie (Glasgow Cathcart) (Lab)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Henry, Hugh (Paisley South) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Kelly, James (Glasgow Rutherglen) (Lab)  
 Kerr, Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Macintosh, Ken (Eastwood) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Tom (Hamilton South) (Lab)  
 McMahon, Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Mulligan, Mary (Linlithgow) (Lab)  
 Murray, Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Stewart, David (Highlands and Islands) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Whitton, David (Strathkelvin and Bearsden) (Lab)

**Against**

Adam, Brian (Aberdeen North) (SNP)  
 Aitken, Bill (Glasgow) (Con)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Allan, Alasdair (Western Isles) (SNP)  
 Brocklebank, Ted (Mid Scotland and Fife) (Con)  
 Brown, Keith (Ochil) (SNP)  
 Brown, Robert (Glasgow) (LD)  
 Brownlee, Derek (South of Scotland) (Con)  
 Campbell, Aileen (South of Scotland) (SNP)  
 Carlaw, Jackson (West of Scotland) (Con)

Coffey, Willie (Kilmarnock and Loudoun) (SNP)  
 Constance, Angela (Livingston) (SNP)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Don, Nigel (North East Scotland) (SNP)  
 Doris, Bob (Glasgow) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Finnie, Ross (West of Scotland) (LD)  
 FitzPatrick, Joe (Dundee West) (SNP)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Goldie, Annabel (West of Scotland) (Con)  
 Grahame, Christine (South of Scotland) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Christopher (Mid Scotland and Fife) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 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)  
 Kidd, Bill (Glasgow) (SNP)  
 Lamont, John (Roxburgh and Berwickshire) (Con)  
 Lochhead, Richard (Moray) (SNP)  
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)  
 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)  
 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)  
 McMillan, Stuart (West of Scotland) (SNP)  
 Milne, Nanette (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 O'Donnell, Hugh (Central Scotland) (LD)  
 Park, John (Mid Scotland and Fife) (Lab)  
 Paterson, Gil (West of Scotland) (SNP)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Robison, Shona (Dundee East) (SNP)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Russell, Michael (South of Scotland) (SNP)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Scott, Tavish (Shetland) (LD)  
 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)  
 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)  
 Wilson, Bill (West of Scotland) (SNP)  
 Wilson, John (Central Scotland) (SNP)

**The Presiding Officer:** The result of the division is: For 38, Against 79, Abstentions 0.

*Motion disagreed to.*

**The Presiding Officer:** The fifth question is, that motion S3M-7295, in the name of Fiona Hyslop, on the Historic Environment (Amendment) (Scotland) Bill, be agreed to.

*Motion agreed to,*

That the Parliament agrees to the general principles of the Historic Environment (Amendment) (Scotland) Bill.

**The Presiding Officer:** The final question is, that motion S3M-7335, in the name of Bruce Crawford, on committee membership, be agreed to.

*Motion agreed to,*

That the Parliament agrees that—

Bill Kidd be appointed to replace Jamie Hepburn as a member of the European and External Relations Committee;

Jamie Hepburn be appointed to replace Bill Kidd as a member of the Equal Opportunities Committee;

Jamie Hepburn be appointed to replace Bill Kidd as a member of the Public Audit Committee.

## Peatlands

**The Deputy Presiding Officer (Trish Godman):** The final item of business is a members' business debate on motion S3M-6931, in the name of Rob Gibson, on investing in the future of Scotland's peatlands. The debate will be concluded without any question being put.

### *Motion debated,*

That the Parliament welcomes the launch of the International Union for the Conservation of Nature (IUCN) UK Peatland Programme and Commission of Inquiry on Peatlands with funding from the Peter De Haan Charitable Trust and believes that IUCN UK's decision to base this prestigious programme in Scotland is recognition of the global significance of Scotland's peatlands and underlines that Scotland leads the world in peatland restoration expertise; considers that, while scientific understanding of peatlands is developing rapidly, the knowledge base is strong enough to recognise that peatlands deliver multiple benefits for biodiversity, water and climate and that the example of the Flow Country of Caithness and Sutherland shows how peatlands can deliver significant economic benefits to local communities through encouraging visitors to these beautiful and fragile landscapes; believes that the land use strategy required by the Climate Change (Scotland) Act 2009 provides an opportunity for peatland restoration to be championed at the heart of government, and further believes that action taken now could prevent massive future costs arising from the breakdown of peatland ecosystems and that target-based peatland restoration offers an important opportunity to help meet Scotland's climate change targets.

17:07

**Rob Gibson (Highlands and Islands) (SNP):** I have a soft spot for climate change intervention: it is a huge blanket bog of 400,000 hectares in Sutherland and Caithness, called the flows.

The importance of peatlands as a valuable ecosystem has received international recognition. Under the Kyoto protocol being discussed at Cancún in December, there are proposals for peatland restoration to be included in national climate change accounting. The United Nations biodiversity convention summit in Japan is currently negotiating conservation targets for ecosystems.

At these major events, Scotland's peatlands are being promoted by the United Kingdom committee of the International Union for Conservation of Nature under its peatland programme. Some of the IUCN UK peatland programme members are in the public gallery. As our equivalent to rainforests, peatlands provide valuable services such as storing carbon, maintaining water quality and supporting wildlife, as well as a rich historical archive.

Of the world's 175 peatland nations, the United Kingdom is among the top 20 for carbon emissions from damaged peatlands. Scotland

supports over 80 per cent of the UK's deepest blanket bog peatlands. Rewetting damaged peatlands reduces the loss of climate change relevant emissions from the peat store and provides a long-term carbon sink.

Scotland is the world's stronghold for Atlantic blanket bogs and our lowland raised bogs are a European priority. From the flows of Caithness and Sutherland, right down to Galloway and the central belt, we have a wealth of peatland habitats. Scotland has several showcase peatland restoration projects, such as those at Forsinard, with conservation management involving wildlife charities such as RSPB Scotland and Scottish Natural Heritage, as well as the Forestry Commission Scotland and the wind farm industry.

Peat soils cover just over a fifth of Scotland's land area and Scotland has more than two thirds of the UK's blanket and raised bog habitat, which is the deepest and most widespread of the peatland types. National assessments of the condition of the peatlands show that the resource is declining and that more than 20 per cent is so badly degraded that it is eroding. Damaged peatland affects the whole of society and should be recognised as an urgent issue that needs to be tackled.

Scotland's deepest peats store around 6,500 megatonnes of carbon, which is 10 times the amount of carbon stored in the whole of the UK's forest biomass. A loss of only 1 per cent of Scotland's peat would equal the annual greenhouse gas emissions of around 57 megatonnes of CO<sub>2</sub> equivalent. Conversely, restoring damaged peatland has great potential to help to reduce emissions and contribute to Scotland's climate change targets.

Peatlands also have a vital part to play in the delivery of clean water. Damaged peatlands cause sediments and so on, which cost a considerable amount to clean up when the water is used.

Scotland should be proud of its peatland heritage. We should ensure that land managers who help to maintain that vital part of our natural environment are supported in their efforts to secure a wide range of valuable environmental services.

The IUCN UK peatland programme, which was launched in Edinburgh in March, has begun an inquiry to examine the evidence for the benefits that peatlands have and to foster action for our peatlands. Its open inquiry event to facilitate public engagement was held yesterday at the University of Edinburgh. Evidence will be taken from expert witnesses, including peatland academics, the water industry and sporting and conservation organisations that have experience in peatland restoration.

There are things that the Parliament and the Government can do. There are key steps that the Scottish Government could consider. For example, a ministerial statement that recognised peatlands as an important ecosystem that delivers considerable benefits, and acknowledged that urgent action is required, would enhance the words of the draft land use strategy for Scotland. Such a statement would be a help, for a start.

The Minister for Transport, Infrastructure and Climate Change, Stewart Stevenson, has announced the Scottish Government's intention to include peatland restoration in its delivery of climate change targets. We are awaiting a decision from the next round of climate change talks, which will take place in Mexico in December, on whether new peatland rewetting rules will be adopted. A firm message of support for peatlands from the Scottish Government would provide a welcome stimulus to the discussion.

In view of the international Convention on Biological Diversity discussions, a renewed focus on delivering peatland restoration as part of a Scottish biodiversity strategy and a commitment to delivering all peatland-designated sites into favourable status is essential. The forthcoming report on policies and programmes should include a clear policy commitment to invest in restoring and conserving Scotland's peatlands.

The Scottish ministers have provided a ministerial direction for certain aspects to be considered in the context of climate change legislation, but they must direct the Scottish Environment Protection Agency, SNH and Forestry Commission Scotland to work co-operatively to deliver. The Scottish Government has a variety of peatland restoration policies and funding measures, such as the Scotland rural development programme, but access to funding must be made much easier, especially in these straitened times.

There is potential for Scottish Water to use its priority catchment fund to target the restoration of peatlands. It can learn from Yorkshire Water, which has had to deal with much more degraded bogs down south.

The Forestry Commission should be asked to review deep peat in state-owned forests and to identify areas for restoration. It must not be permitted to require replanting elsewhere, to compensate for the removal of trees and peatlands, because such an approach inhibits progress.

Planning authorities should be directed to enforce peatland restoration conditions that are associated with past peat extraction permissions, and to avoid giving further consents or extending existing consents for commercial peat extraction.

That would be asking quite a lot, but we should ask it.

Key to the issue is education. Work towards establishing a number of core, landscape-scale demonstration sites for peatland restoration throughout Scotland would offer the best means of enabling the academic community to back up the Government's actions. The Natural Environment Research Council and the Scottish Further and Higher Education Funding Council should consider a hub approach that is based on the environmental research institute in Thurso, which is part of the North Highland College. Work could augment the already excellent work of the University of Edinburgh and others on measuring methane losses in the Forsinard peat bogs.

The focus of the debate is to secure the kind of action that I have talked about. We are discussing a complex subject that deserves much more public understanding. People need to understand the importance of peat in Scotland for our future. The benefits of safely developing and rewetting peat bogs represent a fantastic and historic opportunity that we should not miss.

17:15

**Elaine Murray (Dumfries) (Lab):** I very much welcome both this debate and the IUCN's United Kingdom programme and commission of inquiry on peatlands. I am sorry that I was unable to accept an invitation to yesterday's event, but the members of the Rural Affairs and Environment Committee were quite busy in the morning and in Parliament in the afternoon. I congratulate Rob Gibson on securing the debate. We do not always agree, but I found it difficult not to agree with anything that he said tonight. He is right to highlight the importance of peatlands in delivering benefits in respect of biodiversity, water purity and our carbon emissions targets.

For many years, we have been aware of the importance of forestry in combating climate change. However, perhaps because peat is underground, it has taken us longer to appreciate the value of peatlands. Sadly, during that period of non-recognition, many important peatlands have been damaged and are now in urgent need of restoration.

As Rob Gibson said, a 2007 study estimated that Scotland's deepest peat stores about 10 times as much carbon as the whole of the UK's forestry biomass. I find that to be a spectacular statistic and cite it not in any way to detract from the importance of increasing woodland cover, but to emphasise the importance of our peat resource. Unfortunately, the UK is among the top 20 countries for carbon emissions from damaged peatlands. For example, in the 1980s,



inappropriate forest planting for profit, rather than for environmental benefit, caused serious damage to some of our most important peatlands, and around 50 per cent of Scotland's 2 million hectares of peatland has been damaged by past activity.

As we have heard, that damage can be reversed: indeed, almost 10,000 hectares in the flow country have already been restored. Actions such as blocking ditches and raising the water table allow sphagnum mosses to regrow, so peatland will eventually recover. That will not happen without action being taken and without money being spent, but the sums of money that we are talking about are not enormous. A sum of between £60 million and £120 million over six years—just £10 million to £20 million a year—would deliver an annual carbon emissions saving of around 2.7 megatonnes and would restore some 600,000 hectares of peatlands. So, for a relatively small amount of expenditure, we could deliver major environmental benefits.

The Government's draft land use strategy states that the protection and management of carbon stores

"includes exploring the potential for re-wetting formerly drained peatlands (particularly where this will re-create valuable peatland habitats) and adopting lower-impact agricultural and forestry practices on carbon-rich soils."

That is fine, but I would like the final version of the land use strategy to go a lot further than that and to provide some elucidation of how that will be achieved. The consultation on the land use strategy will possibly clarify some of that. I would also like the strategy to reflect current knowledge of peatland restoration and its costs.

RSPB Scotland's briefing for the debate states that positive actions need to be taken. Rob Gibson went through a number of the actions that are mentioned in that briefing, including the direction of Government agencies. *[Interruption.]* It may even be possible to give Government agencies a duty to deliver peatland restoration and to direct Scottish Water to facilitate restoration using its priority catchment management fund.

The importance of the peatland carbon store needs to be fully recognised in the land use strategy. *[Interruption.]* I would like to know whether the SRDP's funding streams could be reformed to make it simpler and easier for land managers to apply for multiple land uses. I also believe that the Government should take full advantage of European Union funding streams to lever in additional funding for restoration projects.

As Rob Gibson said, peatlands can deliver a huge amount in terms of carbon emissions reductions, improved water quality and improved biodiversity. For relatively modest expenditure, we could realise a huge environmental benefit. I hope

that that idea will be incorporated in the land use strategy.

**The Deputy Presiding Officer:** Before I call Jamie McGrigor, I remind members that they should not have their BlackBerry's switched on.

17:19

**Jamie McGrigor (Highlands and Islands) (Con):** I congratulate Rob Gibson on securing tonight's important debate. As Rob Gibson and others have done, I welcome the fact that the IUCN will study our peatland resources.

I am very clear that Scotland's peatlands are a resource that is of genuine world importance both in terms of the ecosystem that they provide and in terms of their impact on climate change through locking up carbon. Peatlands are a resource that we all must work to preserve as much as we can. Peatlands are the most extensive semi-natural habitat in Scotland. They cover some 1.8 million hectares—which is 23 per cent of our land area—and are much prized by sportsmen and hill walkers for their openness, accessibility and beauty. Sensible grazing of peatlands—I refer to grazing by sheep and deer—should be the accepted norm and the desired target. Peatlands produce an environment for our wild herds of red deer and our red grouse, black grouse, ptarmigan, mountain hare and a range of other animals and birds. They also contain rare moths and butterflies and a myriad of rare alpine plants.

I thank the representatives of Scotland's moorland forum for the helpful information that it gave me for today's debate and for all the excellent work that it does. It is a fact that peat soils in Scotland contain almost 25 times as much carbon as all other plant life in the UK. Scotland's peat soils hold almost a third of the carbon that is held by all Europe's forests—3 billion tonnes out of 9.5 billion tonnes. Undisturbed peatlands store about a quarter of a tonne per hectare each year, while each household in Scotland releases about half a tonne of carbon into the atmosphere through its electricity usage each year. The good that peatlands does can be seen.

Many of my constituents wish to see more priority being given to restoration of damaged peatlands. The one-off cost of restoring bogs by drain blocking varies a lot: the price can be several hundred pounds a hectare or as low as £8 or £10 a hectare in the flow country of Caithness and Sutherland. Restoration work that is done now will prevent more costly work from being necessary in the future. Constituents also want to see further improvements to management practices, and for the public and private sectors to do more to encourage and support peatland management. I will be interested to hear the minister's comments

on the matter. That said, I want, of course, to highlight the successful management of Scotland's peat resource up to this point. We have a very good base on which to build.

Have ministers considered any proposal to make peatlands the subject of the tradable green certificates that have the potential to bring about management revenue for constituents and communities in the Highlands and Islands? Furthermore, if peatlands were to produce public good in terms of carbon storage, surely that should be reflected in the hectare valuation of peatlands under single farm payments. That would be helpful to many farmers and crofters in the remote and rural areas of Scotland and it would encourage the sensible grazing levels and peat restoration measures that I have mentioned. By raising the profile of Scotland's peatlands and by encouraging proper management and restoration of these sensitive areas, the IUCN peatland programme is doing valuable work for Scotland.

17:23

**Bill Wilson (West of Scotland) (SNP):** Peatlands are generally a good thing. I say "generally", Presiding Officer, because at times one can have too much of a good thing. When walking in a deep mist, point-to-point on the compass, on a cold and dreich day, and one suddenly finds oneself up to one's knees in a mixture of peat bog, water and sphagnum, one can question the value of peat bogs. One can even doubt the beauty of such bogs, a doubt which grows with each step, with the cold, wet water slurping about the toes. However, in spite of the misery that a bog can inflict upon an innocent walker, I must congratulate Rob Gibson on his motion. If I overlook the occasional mishap, I find that I can whole-heartedly support it.

A few decades ago, I was studying in Aberdeen for my masters degree in ecology, at the very time when Margaret Thatcher's Government was encouraging afforestation of the flow country. It did so by providing tax breaks to ensure planting of trees; not their growth to maturity, or harvesting—just the planting. How different is the situation today? We have woken up to the value of peatland.

As Elaine Murray and other members have said, in its briefing for the debate, RSPB Scotland states that damage to peatlands is responsible for around 10 per cent of all global carbon dioxide emissions. Of the world's nations, the UK is among the top 20 for carbon emissions from damaged peatlands. Scotland has the lion's share of UK blanket bog. We can reverse the damage that has been caused and significantly reduce UK greenhouse gas emissions.

However, the value of bogs goes beyond tackling climate change—or serving as a man-trap for unwary walkers. They are repositories of the most wonderful flora and fauna, which have seemingly miraculous physical properties, fascinating lifestyles and great aesthetic appeal. With regard to physical properties, SNH says that

"Walking on a bog involves walking on a soft living carpet"—

which seems a little heartless—

"which floats on a material which is nearly all water."

A raised bog, in fact, contains less solid material than milk. Blanket bogs—the solid version—are, by comparison, a mere 85 per cent water. That great volume of water is held within dead sphagnum moss, the water-retaining properties of which explain its horticultural popularity.

With regard to fascinating lifestyles—I will not refer to any member here—the wonders of bogs include jewel beetles, which are tiny, brilliantly coloured creatures that live within the air-filled cells of bog cotton plants. They also include carnivorous plants such as sundews, which can trap insects as large as hand-sized darter dragonflies.

I also mentioned the aesthetic appeal of bogs. Here is a short extract from the SNH "Boglands" publication:

"a close examination reveals a wealth of colour and mixture of distinctive scents. The Sphagnum bog mosses themselves each have a vivid colour, some are deep wine red, others are brilliant orange or gingery brown, while yet others have brilliant greens mixed with delicate salmon pinks. They combine to form a scene as intricate and colourful as a Persian rug"—

if slightly wetter.

Talking of beauty, I should also mention the large heath butterfly—a priority species for conservation—and the bog bush-cricket, which is described on one website as follows:

"This stunning creature is always a pleasure to find".

I am sure that that is exactly what goes through the minds of constituents on meeting their MSPs.

What I have said so far is enough to give members an idea of the wonderful biodiversity of the insects and plants of peatlands, but what of birds and mammals? Waders such as dunlin, greenshank and golden plover breed in our peatlands. Raptors such as the golden eagle, merlin, hen harrier and short-eared owl can be seen cruising on high for prey, while their elusive fellow predator, the Scottish wildcat, does the same on the ground. Otters cavort in peatland pools and, at other times, behave sedately—life cannot always be a cavort.

I have spoken of physical properties, but peatlands also have a magical property, one that is shared by Doctor Who's TARDIS: they allow us to travel in time and, consequently, offer answers to climate change in more ways than one. Not only may their restoration play a role in preventing future climate change, but they also shed light on climate change in the past. By looking at a core that has been cut down through the peat, it is possible to determine what species were growing in a bog's vicinity throughout its history. Changes in the vegetation can then be related to shifts in the climate. Indeed, bogs are extremely sensitive indicators of historical climatic change.

Our peatlands are magic indeed, and we must invest in them. I commend the motion.

17:27

**Jim Hume (South of Scotland) (LD):** I am glad to have the opportunity to contribute to the debate. I must, of course, congratulate Rob Gibson on securing it.

I must also declare a hill farming interest, which includes a hill called the peat moss—a site where turf was cut to warm houses in the past. The subject is not only one for the north of Scotland, as the motion may hint, but for my region—in fact, the whole of Scotland. In the south, the Galloway hills, the Lammermuirs and the southern uplands all have more than their fair share of peat.

I note that, in a press release, Dr Billett of the centre for ecology and hydrology cited Auchencorth Moss, a peat bog in my region. He stated that it removes

“significant amounts of carbon from the atmosphere.”

I am sure that the IUCN will recognise all of Scotland in its deliberations.

Rob Gibson is right to welcome the launch of the UK peatland programme and the commission of inquiry on peatlands. He is also right to suggest that the IUCN's decision to base the programme in Scotland is recognition of how significant peatlands are to our landscape and environment, as eloquently described by Bill Wilson. They are also important for our annual carbon emissions, and the restoration of our peatlands should be considered a key means of helping to achieve our climate change targets.

I note that the commission of inquiry took evidence yesterday from members of the public and expert witnesses to investigate the steps that are necessary to tackle the damaged peatlands that are dotted around Scotland. The IUCN should certainly be congratulated on managing to bring together land managers, scientists and industry officials to discuss, and inform it on, peatland restoration. I would be interested to hear from the

minister whether the Scottish Government has any plans to contribute to that process, or at least to meet the IUCN afterwards to discuss the commission's findings in detail after it has reported.

Only in August, a *Guardian* journalist described peat's impact on the climate as “the global environment's Cinderella”. I do not usually bog down members with statistics, but they are useful to highlight the scale of peat's contribution to global carbon emissions. Only relatively recently has science caught up, to the point that we can reveal the problem's extent. The fact that Scotland possesses 80 per cent of the UK's blanket bog peat, which holds 3 billion tonnes of carbon, shows how important peat conservation is. The amount of carbon that lies underneath our soil represents approximately 190 years' worth of Scotland's total emissions. It is believed that 10 million tonnes of carbon dioxide are being released from peatland each year—the equivalent of the emissions from 1 million households.

It is only right to acknowledge that measures are in place for peatland restoration under the Scotland rural development programme, but more could be done. The longer we delay restoration work to some peatlands, the more costly that work will be and the more damage will be caused. A range of environmental organisations advocate more ministerial direction to SEPA, SNH and the Forestry Commission Scotland to work together to deliver peatland restoration, with the help of other land users. I am interested to hear the minister's views on such proposals.

A Scottish Wildlife Trust press release from earlier this year quoted the cabinet secretary as saying:

“I hope to see further opportunities being pursued in future to bring Scottish peatlands back to peak condition, bringing with them a multitude of benefits for our natural environment.”

I, too, would like opportunities to be developed. It is worth reminding the cabinet secretary in his absence and the minister that they have the power to introduce opportunities and not just to hope for them.

17:32

**Peter Peacock (Highlands and Islands) (Lab):** I will make a brief speech. I am pleased to support the motion that Rob Gibson has lodged and the strong case that he has made. I apologise, Presiding Officer, for having to leave probably before the minister completes her summing up.

I first became aware of peat bogs when, as a school pupil, I took core samples, which Bill Wilson described, from peat bogs in the lake district in the late 1960s. That was partly for early

work on climate change and partly to understand more the extent of the peat bogs, how they were functioning—or not functioning, even at that time—and what the vegetation had been in that area for many generations past.

As Rob Gibson properly said, Scotland's peat bogs are a remarkable resource. They are significant at not just the UK level but the global level. They provide a remarkable and rich habitat for many plants, invertebrates and bird species. Rob Gibson talked about the flow country, which is alive with the activity and sound of birds in the spring and the summer. Hen harriers fly overhead and we can see snipe, golden plover, the species that Jamie McGrigor talked about and red-throated and black-throated divers on the lochans. The environment is rich.

In the past few decades, that habitat has been significantly damaged in a variety of ways by the hand of the state, which has diminished the resource considerably. As other members have said, tax breaks were given—notably to snooker stars and radio personalities—for planting forestry. Down the years, farmers and crofters have been given grants to drain peat bogs. We are now spending public cash to reverse the damage that we spent public cash on causing a few years ago, by rewetting the peat bogs and extracting the poor trees that were planted.

As other members have said, we have come to recognise that growing peatlands and keeping them healthy have a vital part to play in biodiversity—by keeping the habitat that I described—and in providing a vital carbon store that will help to combat climate change. Peatlands can also store and clean water, for which they are a vital and increasingly important and precious resource. By contrast, allowing the continuing degradation of peatlands—many are degrading naturally, but that is furthered by the measures that I have described—releases stored carbon, which adds to, rather than diminishes, our climate change problems.

It is vital that the work to restore peatlands continues. Much valuable study of and work on peatland restoration is going on. The IUCN project to which other members have referred is an important part of that work. It is significant that that project is based in Scotland, and I am pleased about that. I wish the project every success, in the spirit in which Rob Gibson brought forward the motion.

17:35

**Linda Fabiani (Central Scotland) (SNP):** It is only in the past few years that I have started to become aware of the

“multiple benefits for biodiversity, water and climate”

that the motion notes are inherent in Scotland's peatlands. This evening, I have learned a lot more in addition to what I found out from the excellent IUCN and RSPB briefings.

As a bit of an urbanite and someone who was raised in the city, I always thought of peatlands as being in the Highlands, the north or on the islands. I learned otherwise and my awareness rose. My interest was stimulated when I first visited Langlands moss, courtesy of the friends of Langlands moss voluntary group, which was formally constituted in 2006. Under the convenership of Richard Naismith, the group has worked extremely hard, along with South Lanarkshire Council and others, to improve and conserve Langlands moss local nature reserve for the benefit of all.

Langlands moss is a lowland raised peat bog that is situated on the southern fringe of the new town of East Kilbride. In 1994, the importance of Langlands moss was recognised and it was decided to restore the bog. The aim was to improve public access and to safeguard the site's long-term future. As part of the restoration, dams were installed to block drains and raise the water level. I think that it was Elaine Murray who spoke about the problem of conifer plantations being located on peat bogs. That was the case with Langlands moss, but the conifer plantation was felled and a boardwalk was built across the bog to allow public access. I suggest to my colleague Bill Wilson that if he comes to Langlands moss near East Kilbride, he will not be knee-deep in water and sphagnum moss.

Langlands moss was designated as a nature reserve and formally established in 1996, but much has gone on since then. To date, the friends of Langlands moss have been successful in raising a substantial sum of grant aid through the Big Lottery Fund, which has been match funded by a generous contribution from SNH. Other partnerships have been formed with the South Lanarkshire Rural Communities Trust, which financed the provision of materials for path improvements, and the South Lanarkshire criminal justice scheme, which supplied the labour for those path improvements. Kenny MacAskill visited Langlands moss fairly recently to see the work that had been carried out and the work that remains to be done.

What has happened at Langlands moss is an example of a community coming together, recognising that it has an extremely precious asset and using a variety of methods to restore that asset for the benefit of the community. There is still a way to go. In the few years since I first visited the reserve, I have already seen a difference in the plant life and the insect life. I say to Bill Wilson that I have not seen otters cavorting

yet, but perhaps that will come. I would love to sit at Langlands moss, with the wind farm in the distance, the high rises down the road and the otters cavorting. That is a lovely picture.

On a more serious note, I have recently learned just how urgent it is that Scotland's peatlands are dealt with appropriately. I know that the Government has already done work on that—a variety of peatland restoration policies and funding measures are in place, which the minister will no doubt tell us more about.

Aside from all the technicalities and the science of what we must do for future generations, we should recognise the potential value of our peatlands for the current generation. I have seen parties of schoolchildren at Langlands moss learning about nature and the wonderful resource that they have in their midst, which will open their imaginations and their minds to the bigger issues around our peatlands and the central part that Scotland has to play in the world and the way that it wants to be. The process of restoring and looking after our peatlands is of benefit to society now and will be of benefit in the future. Our peatlands are precious and we should hold them very dear.

17:39

**The Minister for Environment (Roseanna Cunningham):** Presiding Officer, I welcome today's debate and thank Rob Gibson for securing it. I shall treasure for ever the image of Bill Wilson sinking slowly into a bog.

The debate gives us the opportunity to reflect on the importance of Scotland's soils. Often unrecognised by the public, they support outcomes that affect our daily life, economically, socially and environmentally. The debate is also useful because it allows me to make clear the Government's position and activity in respect of soils in general and peatlands in particular.

The Scottish soils framework, which was published in 2009, recognised the benefits of our soils for agriculture and forestry, biodiversity and minimising greenhouse gas emissions. It set out a broad range of actions and we are progressing that work with stakeholders.

We are preparing a position paper on peatlands and other carbon-rich soils. I hope that Rob Gibson and those others who have mentioned it will welcome that. The paper will include the actions that we have in hand for conservation and restoration, and the next steps. I plan to release that paper next month.

I refer to carbon-rich soils, because maximising the benefits means we need to look widely and consider all opportunities. The position paper will

recognise the protection for peatlands that is provided by regulations such as the planning regime and environmental legislation. Funding is currently available for restoration, and the paper will set out the support that can be provided through the Scotland rural development programme. A number of members have raised the issue, and I will say something about it later.

The paper will also outline our current knowledge, and its limits. Scotland is home to a sizeable proportion of Europe's peatlands, as members have said, and it is also the home for excellent scientific expertise.

I will say a word about research, because we still have gaps in our knowledge. Many members will be aware that we are finalising the next rural and environment research programme. Peatlands will feature as a significant component of that. That is essential, as decisions must be informed by the best science. In that context, I welcome the IUCN's initiative. I reassure members that the Government, our agencies, and main research providers are active partners in the IUCN's deliberations. Officials are on the IUCN advisory group. The Government was also represented at yesterday's event, and SEPA gave evidence on other actions that support peatland conservation. Officials have regularly met Clifton Bain to discuss the IUCN's report since the inquiry started in March and, through SEPA and SNH, we have given financial support to the inquiry's events, including the September conference in Durham. I hope that members will feel that the Government has been engaged in the IUCN's work.

I trust that the statement that will come out next month will be seen as a useful contribution. Equally, I look forward to the commission's outcomes and hope that they will contribute to developing a consensus.

There are gaps in our understanding of the greenhouse gas effects of different land management practices, and our research programme will help to address those gaps. Of course, work is already being done. A considerable programme has been carried out over a number of years using the estimating carbon in organic soils sequestration and emissions model—ECOSSE—in 2007 and ECOSSE 2 in 2009, and the peatlands expert workshop. We have already funded quite a significant amount of research, and the new five-year programme of research funding will have, as a part of it, a high priority of improving our understanding of the extent, condition and role of peatlands.

During the summer, Stewart Stevenson chaired the short-life group to review our emissions targets. It concluded that there are likely to be benefits from healthy peatlands for carbon

sequestration. However, we must recognise that there is still work to be done to assess the long-term benefits of carbon sequestration more precisely, particularly those that might be possible from restorative management.

There will soon be an opportunity to improve the carbon accounting methodology. I assure Jamie McGrigor that we have an eye to that. We hope that the United Nations conference in Cancún next month will agree a method for wetland management. We will review the scope to develop our greenhouse gas inventory when that deal has been reached.

Such discussions on the facts are essential. Budgets are tight, so we need to be clear that we are getting value for money and addressing the right priorities.

**Jamie McGrigor:** Does the minister agree that it is perhaps time to look again at the land valuations that the Macaulay institute made in, I think, the 1960s, and, this time, to consider the element of public good as well as the element of food production?

**Roseanna Cunningham:** I am grateful for the intervention, and I am always reassured when I hear Conservative members, in any chamber, wanting to talk about the public good in that constructive way. I promise Jamie McGrigor that we will have a look at that if it is not already being done—I would be very surprised if it is not already in people's minds.

I recognise that we need to engage widely with land managers, public bodies and non-governmental organisations. I know that organisations such as the Scottish Rural Property and Business Association and NFU Scotland recognise the importance of public benefits, but we must remember that such benefits can come at a cost to individuals—and that is one issue that we have to address.

I will come back to the funding issue. Yesterday, the Government received Brian Pack's report on the future of farm support. It makes some helpful and valuable recommendations on how public benefits might be better achieved in future farm support structures. A number of the recommendations will, of course, need to be considered at the EU level.

Members have mentioned the land use strategy, but I am afraid that I will run out of time if I deal with it directly. However, I can reassure members that management of our peatlands will be part of the objective of sustainable land use in the Government's land use strategy. It will be addressed overtly, and I hope that members will take that reassurance in the spirit in which it is given.

To conclude, we recognise the potential contribution of carbon-rich soils. We will continue to play our part through all the mechanisms that are available, such as regulation, research, and informed actions, and we remain committed to working with everybody. We welcome the IUCN's initiative and look forward to its conclusions, and I hope that we will be able to agree a strategy for peatlands that will be of benefit in Scotland and beyond.

*Meeting closed at 17:46.*

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