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Official Report

MEETING OF THE PARLIAMENT

Tuesday 15 January 2013

Session 4

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Scottish Parliament

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[The Deputy Presiding Officer *opened the meeting at 14:00*]

Time for Reflection

The Deputy Presiding Officer (Elaine Smith):

Good afternoon. The first item of business this afternoon is time for reflection. Our time for reflection leader today is Father Tom Welsh, Xaverian missionary and director of the Conforti Institute, Interfaith and Intercultural Dialogue Centre, Coatbridge, which is in my constituency.

Father Tom Welsh (Xaverian Missionary and Director, Conforti Institute, Interfaith and Intercultural Dialogue Centre, Coatbridge): A teacher notices a little girl scribbling frantically. The teacher asks the girl, "What are you doing?" The girl replies, "I'm drawing a picture of God." The teacher retorts, "Don't be daft. Nobody knows what God looks like." The girl responds, "Well, they will do when I'm finished."

We often need or meet people who show us the face of God, who let us know what God is like. One such figure is Martin Luther King, who was born on this day in 1929. Through his short life, which tragically ended on 4 April 1968, he has become celebrated as an icon of black emancipation and universal solidarity and justice.

King's greatness was rooted in his faith. Overcoming years of "unrelenting doubts", he concluded that the Bible has

"many profound truths which one cannot escape."

At 20 years of age, he entered seminary and was ordained a Baptist minister.

The impetus for King's struggle for black emancipation and his hunger for universal justice and equality were rooted in the epic biblical narrative of the exodus. In the exodus event, Almighty God stands beside the poor and the homeless, the marginalised and the vulnerable, in all places and in all times. God is saving his people in this world, in human history.

The struggle continues. As King reminds us,

"Injustice anywhere is a threat to justice everywhere."

The banking crisis and the recession alert us to the limits of the market and the state to bring about the Christian vision of God's reign of justice, peace and integrity of creation that is universal and inclusive.

King was an inveterate coalition builder. For him, science and religion were complementary:

"Science investigates; religion interprets. Science gives knowledge; religion gives wisdom. Science deals with facts; religion deals with values. The two are not rivals."

Benedict XVI, during his United Kingdom visit in 2010, asserted that faith and reason need each other to avoid the dangers of ideology on the one hand and fundamentalism on the other.

King was convinced that

"We must ... live together as brothers or perish together as fools."

King dedicated his life to mobilise all people of good will to work together for fundamental changes to the political and economic inequalities and injustices that abound. On this day, he enjoins all people of good will to live his dream:

"Free at last, free at last. Thank God Almighty we are free at last."

Topical Question Time

14:05

Orphan and Ultra-orphan Medicines (Value-based Pricing)

1. Aileen McLeod (South Scotland) (SNP): To ask the Scottish Government how value-based pricing will impact on the availability of orphan and ultra-orphan medicines such as Kalydeco. (S4T-00197)

The Cabinet Secretary for Health and Wellbeing (Alex Neil): Pricing of medicines is currently a reserved matter, and negotiations on the value-based pricing scheme are on-going. The proposals are being taken forward by the Department of Health in England and the Association of the British Pharmaceutical Industry throughout the United Kingdom.

We hope that agreement can be achieved on a pricing system that reflects the value of medicines in terms of clinical effectiveness. That should make a wider contribution to benefit society and help meet unmet needs.

In the meantime, work is under way in Scotland to develop a fund to cover the costs of successful individual patient treatment requests for high-cost, low-volume orphan medicines that have not been recommended for routine use by the Scottish Medicines Consortium, such as Kalydeco. That approach is a response to interim advice from the independent expert, Professor Charles Swainson, who is leading the strand of work within the new medicines review to examine the current IPTR arrangements.

The fund will cover the cost of orphan medicines for individual patients in relation to whom there are clear clinical grounds for their prescription through the IPTR arrangements. The fund of £21 million will be available from 1 March 2013 for a period of 13 months until the UK system of value-based pricing is established. The fund is in addition to the existing national health service board funding allocations and will not be applied retrospectively. Detailed operational arrangements will be developed and announced in due course.

Aileen McLeod: I thank the cabinet secretary for that comprehensive response. In light of what he has just said, does he share my concerns that Kalydeco was offered at a higher cost in Scotland than it was in England? Can he give any insight into the impact of the higher cost on the decisions made by the Scottish Medicines Consortium?

Alex Neil: I am concerned that any pharmaceutical company would offer its drugs at a more expensive rate here than it does south of the

border. The SMC is independent and it published the detail of its decision on its website, which also includes reference to costs.

Kalydeco's manufacturer, Vertex Pharmaceuticals, has indicated that it will resubmit the drug to the SMC with a patient access scheme, as was the case in England. Clearly, it is for the SMC to carry out the reassessment of the drug once it has been submitted.

I observe that specialised commission groups, who carried out the drug's first assessment, were clear that without the patient access scheme discount the quality-adjusted life year ratio would be more than the range that the National Institute for Health and Clinical Excellence has set out for ultra-orphan drugs.

Aileen McLeod: Given that the cabinet secretary said that medicines pricing is currently reserved, can he explain the Scottish Government's role in the development of a value-based pricing model for new medicines?

Alex Neil: Scottish Government officials are in regular contact with the Department of Health, and I have written to Jeremy Hunt to seek a meeting to discuss value-based pricing and its impact on access to new medicines in Scotland. We support the principle of value-based pricing, but like many patient groups we are still seeking greater clarity and detail.

Jackie Baillie (Dumbarton) (Lab): I welcome the cabinet secretary's announcement about the new fund. Can he advise when the fund will be established and open to applications?

Does the cabinet secretary agree with me that the fund's effectiveness will be curtailed if the IPTR system is not currently working for the benefit of patients? Is the current system sufficient to guarantee access to Kalydeco for patients who need it?

Alex Neil: The fund will start from 1 March 2013. Yesterday, I wrote to all 14 territorial health boards to remind them of a similar circular that they received last year from the then health secretary, Nicola Sturgeon, asking them to process and turn around individual patient treatment requests speedily and expeditiously. Clearly, time is of the essence, particularly for patients with conditions such as cystic fibrosis or cancer. Boards should take that into consideration to ensure that they deal with the applications timeously.

James Kelly (Rutherglen) (Lab): The cabinet secretary will be aware of the case of Maisie Black, a constituent of mine who is a cystic fibrosis sufferer and much in need of Kalydeco. Yesterday's decision by the SMC and the cabinet

secretary's welcome announcement of the drugs fund brings the issue into focus.

Can the cabinet secretary give some clarification of how the application process will work? Specifically, can he guarantee that anyone making an application who has a proven clinical need for Kalydeco will be granted access to the necessary funding to get provision of the drug?

Alex Neil: I spoke to Maisie's mother, Tilda Black, yesterday afternoon to make her aware of the announcement that we had made. Maisie is obviously one of the people who could potentially benefit from the new fund. There are many others who could do so, not just those with cystic fibrosis but those with other conditions. Obviously, the fund relates to any rare drug and not just to the particular drug about which the SMC announced its decision yesterday.

I stress that there is no change to the IPTR process itself—it must be a clinical decision as to whether an individual would benefit from a particular drug—but I want to ensure that money is not a constraint. In other words, if the clinicians agree that an individual should get a particular drug that is not generally available because of an SMC decision, the money should not be a constraint on ensuring that the patient gets access to the drug.

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): I welcome yesterday's announcement, but is it not the case that the IPTR referral criteria have proved extremely difficult to satisfy for orphan medicines? Can the cabinet secretary confirm that the independent appraisal will continue? Further, can he assure us that some changes will be made before 1 March in order that the fund's money can be accessed?

Alex Neil: As the member will know, there is an on-going thorough review of the entire process, including the SMC process and the IPTR process. I hope to have the report with recommendations from Professor Routledge—along with recommendations from Professor Swainson, who is specifically looking at the IPTR process—by the end of February. If quick changes are required, I will be more than happy to make them once I see the recommendations.

Montgomery Litho Ltd (Liquidation)

2. Iain Gray (East Lothian) (Lab): To ask the Scottish Government what steps it is taking to support the workforce of Montgomery Litho Ltd following its liquidation. (S4T-00198)

The Minister for Energy, Enterprise and Tourism (Fergus Ewing): This will be an anxious time for the employees of Montgomery Litho Ltd and their families, and the Scottish Government will offer them every support possible.

I can confirm that the Scottish Government will do everything that it can through its partnership action for continuing employment—PACE—initiative to help those employees of Montgomery Litho who are affected by redundancy. Montgomery Litho is a well-respected company that had earned its place on the Scottish Government collaborative framework for design, print, publishing and associated services.

I have just been advised that the purchase of Montgomery Litho Glasgow has been announced in the press.

Iain Gray: The management buyout to protect some of the jobs in the company is of course welcome, but it will not help in any way the 79 staff members of Montgomery Litho in my constituency in Haddington whose jobs have gone. I welcome the implementation of PACE to provide support to that workforce. However, 35 staff in the company were paid off immediately prior to Christmas, so the job loss is actually around 114. Can the minister, through his good offices, ensure that those 35 staff who were so recently made redundant can be included in the PACE approach for the 79 more recent redundancies?

Fergus Ewing: I am happy to provide that undertaking to Iain Gray. He is perfectly correct in what he says about those who have been made redundant in his constituency: it will be a bitter experience for them and their families at this time.

PACE has been working at the Haddington site since October 2012 following receipt of media reports that jobs could be lost. Services were provided by PACE partners in November last year, including benefits advice, job search support, CV preparation advice, money advice and business gateway support.

That intervention was possible because of engagement with the company late last year. It is always beneficial that a company's invitation to PACE—and the PACE intervention—is made at the earliest opportunity to provide employees with as much time as possible to receive advice about alternative options for them, whether that involves training, education opportunities or, indeed, seeking other employment.

I stated—this was an adjustment to my written notes—that I have just been advised that a buyer has been secured for the part of the Montgomery Litho business in Glasgow. The joint provisional liquidator, Blair Nimmo from KPMG, is quoted on the BBC website as saying:

"The sale of the business represents the best possible outcome for the Glasgow operation which will now continue to trade."

The article states that 76 jobs in the Glasgow arm of the company may be saved as a result of the management buyout. I sought to speak to Mr

Nimmo earlier, but we were unable to make contact with each other. I hope to speak to him at 4 o'clock to get a further report.

I will feed any further information to Iain Gray, who is quite rightly raising the matter on behalf of his constituents. I will personally oversee that PACE's efforts are as good as they always have been—his constituents deserve nothing less—to ensure that his constituents get every possible support at this most difficult time.

Iain Gray: I thank the minister for a constructive answer. I appreciate that the PACE process is being applied more widely than those who have lost their jobs in the past couple of days.

The loss of more than 100 jobs in a small town such as Haddington is significant, but those are not the only job losses that we have seen recently in East Lothian. Lothian Fabrics and Fords Bakery have closed, there are job losses at First Bus at Musselburgh, Cockenzie power station will close within the next few weeks, and jobs are under threat at Bankton Building Services. My constituents need PACE's help, which I appreciate, but they need jobs to apply for, too. I know of a recent case when someone applied for a job for which there were 300 applicants.

What help will the Scottish Government offer to East Lothian—the council or otherwise—to see what new jobs can be created locally to provide opportunities for my constituents?

Fergus Ewing: Iain Gray is quite right to point out the difficulties facing East Lothian. I am more than happy to meet East Lothian Council—indeed, I have written to it in connection with other matters, and I hope to meet it to discuss more positive aspects in relation to tourism. With its agreement, I will certainly take the opportunity to discuss what more can be done.

PACE's record is formidably good. I chair the meetings in which PACE brings together its partners to ensure that we do everything that we can as team Scotland to help those who are being made redundant. The PACE client experience survey, which brings together the total results of its input throughout Scotland, reported in October 2010 that almost two thirds of PACE service users who had left their redundant job role had either found new employment or undertaken training or development. I understand that the more recent survey will show an improvement on that figure.

That is a pretty good record, but it can be improved and we are taking steps to do that. There is a message of hope for those who face redundancy during this difficult economic time: jobs are available in parts of Scotland. However, as Iain Gray rightly pointed out, in some parts of Scotland there are particular difficulties for people who are seeking re-employment. Therefore, we

will continue to do everything, working with Scottish Enterprise and others, to help people to find jobs to replace those that they have lost.

Planning Reform

The Deputy Presiding Officer (Elaine Smith):

The next item of business is a debate on motion S4M-05358, in the name of Derek Mackay, on planning reform, next steps.

14:20

The Minister for Local Government and Planning (Derek Mackay): I have had the privilege of being Minister for Local Government and Planning for just over a year. During that time I have spoken to a wide variety of stakeholders from across the public and private sectors, visited planning authorities throughout the country and participated in extensive discussions with stakeholders about the contribution that planning makes and how we can ensure that it delivers its potential in supporting sustainable economic growth and creating more high-quality places for people to live in, work in and enjoy.

Key points have emerged from that first year. Our planning system has a crucial role to play in supporting economic recovery and sustainable economic growth, but barriers still exist in the system that hinder economic growth and recovery. That does not mean that we should support any development in any location. However, we must ensure that the system operates efficiently and effectively.

Leadership and culture change are more key to making improvements and progress than is further legislation. There is broad stakeholder support for the direction of travel and the collaborative approach that I have suggested. Progress in planning can be made only with the co-operation of practitioners.

It is about having the right developments in the right places. Planning is sometimes about balancing our priorities for economic growth and environmental concerns.

Sandra White (Glasgow Kelvin) (SNP): The minister's comments are welcome, but the situation that he describes is far from being the case in Glasgow, given the George Square debacle and the situation in relation to Otago Lane and the Kelvin meadows. The proposed developments all require more consultation and in some cases infringe local plans. What advice can the minister give my constituents and perhaps other people on those issues?

The Deputy Presiding Officer: Minister, I can give you back the time that you take for interventions.

Derek Mackay: Thank you, Presiding Officer.

In a debate on planning there is always a risk that individual applications or imminent applications will be mentioned. I cannot speak about the specifics of live applications. In general, I expect all local authorities that are pursuing projects to abide by the letter of the law and to adopt best practice in consulting on proposals. I expect the George Square proposals, in particular, which are potentially part of a tax increment financing project, to be able to demonstrate public support. Proper engagement with local communities is certainly part of the planning system. I offer that advice to the member.

As I said, planning sometimes involves a balancing act between economic growth and environmental concerns. Both issues need to be fully considered. I appreciate that a range of factors influence investment, but I do not want the planning system to hold back good development or to delay growth.

I had the pleasure of presenting the Scottish awards for quality in planning. That was planning at its best. I was delighted that last year the number of good-quality applications was high, which is testament to the continued hard work of the profession and the enthusiasm to deliver change of all involved. The awards demonstrate that improvements to the quality of the planning service and the outcomes that it delivers are achievable.

I will talk about planning's continuing contribution to the Government's priority of sustainable economic growth, and provide the Parliament with the Government's response to the consultations that we published last March. Before I talk about the way forward for planning reform, I will reflect on what has been accomplished over the past year.

In March I announced a comprehensive package of measures, which produced a clear route map for planning reform and focused on four priorities: promoting the plan-led system; delivering and driving improved performance; simplifying and streamlining processes; and delivering development.

I proposed a way forward that would ensure that planning procedures add value, are proportionate and better inform decisions. I set out that the delivery of my vision would be centred on collaborative working and culture change rather than endless legislative change. Regulations would be considered only if they brought about simplification and clarity.

To support my priorities, I sought views through stakeholder events and consultation papers on options, including the revision of the development plan examination process, new planning fees and some specific legislative changes to simplify and

streamline the planning process. Views on development charges to support investment in infrastructure were also sought.

Since then, I have maintained momentum to support an approach to planning that is based on pace and pragmatism to support this Government's economic strategy and its priority to deliver sustainable economic growth. I have committed to carry out a series of pilot projects to better understand processing delays and to identify practical solutions.

In September, I provided an update on progress since March. I also launched the participation statement for the third national planning framework—NPF 3—as well as announcing a review of Scottish planning policy. I said that the key themes of NPF 3 are to support economic recovery and the transition to a low-carbon economy. I also highlighted other key objectives for NPF 3: facilitating the expansion of renewable energy generating capacity; adapting to climate change; adopting zero waste; having better connectivity; and strengthening green infrastructure.

NPF 3 sets out where we want to see development of strategic importance to Scotland. We have concluded our initial engagement and over the coming weeks we will reflect on the views that we have received. Engagement has been extensive and has involved stakeholders across the country helpfully contributing their views.

The NPF 3 main issues report will be published for public consultation in March 2013. It will set out the Scottish Government's preferred option for NPF 3 along with alternatives. We intend to submit the proposed NPF 3 for consideration by Parliament before the end of this year and to publish the final document in summer 2014.

We are currently reviewing Scottish planning policy alongside the revision of NPF 3 so that the connections between the two documents and the direction of national planning policy can be clearly identified.

The Government's economic strategy highlights the important role of our planning system in contributing to the Scottish Government's purpose of increasing sustainable economic growth. In the current economic climate, it is vital that the planning system plays a central role in supporting growth. Today, I want to discuss two important areas of work that will strengthen the contribution of planning to the promotion of sustainable economic growth. The areas on which I want to focus are performance and resourcing of the planning system, and the way forward in the light of the consultation response.

We all share great ambition for the Scottish planning system. It is vital that we work together to

help to deliver our shared vision of growth in a confident, modern Scotland with a vibrant low-carbon economy. Our planning system needs to be focused on that more than ever before.

To get young people more involved in the planning system, I am providing an additional £36,000 to Planning Aid for Scotland. That money is to be used to get young people involved, in particular in the development of onshore opportunities that arise from offshore renewables. That funding comprises contributions from across the Scottish Government and reflects the contribution of the renewables sector to delivering a low-carbon economy, which is a key priority of the Government economic strategy and a Government-wide priority. I am also providing funding of £20,000 to Heads of Planning Scotland for training support.

I am delighted with the work that was done to establish the new planning performance framework last year. That joint project between HOPS and the Scottish Government is supported across public and private sector stakeholders, including the Royal Town Planning Institute. The first round of performance reports includes a range of commitments to deliver high-quality customer service. I look forward to seeing rapid progress in service improvements, with the support of the industry, which will ensure that planning does all that it can to deliver sustainable economic growth for Scotland.

Performance is improving but it remains far too gradual and variable. We need to increase our efforts and to tackle the specific causes of delay to planning decisions. Cross-sector commitment will be needed to ensure that everyone involved carries out their business reasonably and effectively.

We have worked with Aberdeen City Council and the City of Edinburgh Council to better understand the practicalities of using processing agreements, which are a useful mechanism for setting out the expectations of those involved in managing major planning proposals. I have published a template for other planning authorities and developers to adapt to their needs. We will continue to work to promote processing agreements as a vital project management tool that allows developers to bring forward their plans with greater confidence.

I recognise that planning authorities can find it challenging to deal with the increased volume of applications for wind farms. Accordingly, I announced £673,000 of funding to be distributed to the authorities that requested additional support to deal with applications for wind farms.

The responses to the consultation on fees for planning applications and meetings that have

been held with individual companies revealed that developers consider the proposed fee levels to be disproportionate. Many developers indicated that the new fee structure would act as a strong disincentive to development. I am committed to maintaining a business environment that supports sustainable economic growth and, therefore, I do not propose to implement the planning application fees that are proposed in the consultation paper. However, I accept the case to increase fees to finance much-needed improvements to the planning service. Subject to parliamentary approval, I propose to increase planning fees and the fee maximum by 20 per cent in April 2013. That will see Scottish planning fees remaining lower than those in England and Wales for most categories of development while generating between £4 million and £5 million to support the planning system.

I remain firmly resolved that any increases must be inextricably linked to sustained improvements in performance. I will work with the Convention of Scottish Local Authorities to set up a high-level group to review planning performance. That group will also look at proposals to link performance with wider reform of planning fees.

I will continue to progress legislative powers, through the better regulation bill, to enable ministers to reduce a planning authority's fees should the authority consistently perform poorly.

I will now explain the way forward in light of responses to the other consultations.

I remain committed to a plan-led system that promotes confidence and brings certainty for investors and communities.

Claudia Beamish (South Scotland) (Lab): On communities, I want to raise a specific case—it has already been decided, and I raise it in order to discuss the broader issue.

Last week, the Scottish Government reporter dismissed an appeal in relation to a sand and gravel quarry at Overburns farm in the Clyde valley in my region. That was the second application for that development. For the benefit of communities, can the minister shed any light on the issue of serial applications being made for the same site and say whether there are any plans to protect communities from what they have described to me as something that feels like a war of attrition?

Derek Mackay: There are safeguards in the system to prevent the resubmission of applications that are almost identical in nature to previous applications. I am more than happy to consider any specific case, especially if it has already been determined and dispensed with, to see whether a pattern is emerging and what further work can be done on the specific area.

I want to continue the engagement of local communities in the planning process. I want charrettes to be adopted as part of normal planning practice across Scotland, engaging local people to influence the choices around how their areas will develop for the better. Encouraging people to engage in the planning system at that level seems eminently sensible. I am providing an additional £20,000 to Planning Aid for Scotland to deliver pilot projects that will investigate various ways of delivering charrettes to ensure that the approach is affordable and effective. In addition, I will work with Highland Council and Loch Lomond and the Trossachs National Park Authority to pilot the use of the charrette approach to help prepare the main issues reports of their local development plans. I hope that involving local people in that process will create a joined-up approach to planning and delivering development and regeneration, attract new investment and jobs and bring benefits to local areas.

There has been little support for removing independent reporters from the process of development plan examinations, with most respondents favouring the retention of the current system, with some minor improvements. I am therefore proposing some refinements to the examination process. Where reporters identify a serious deficiency in the plan that cannot easily be rectified through the examination process, they will draw attention to that in a separate report. Such changes will allow the examination process to be completed and will prevent needless delays in the adoption of new development plans, but local authorities will still be held to account when emerging plans fall short of expected standards.

After the conclusion of the current examination of the strategic development plan for south-east Scotland—SESplan—I will launch a review of strategic development planning. That review, which will take place in the summer, will take stock of the processes associated with the preparation of SDPs, based on stakeholders' experiences of the first round of plans.

There was significant consensus on our proposed legislative changes to some of the specific development management processes that were detailed in the consultation that was published last March. I have therefore laid legislation regarding amendments that are designed to streamline planning procedures and which will, in particular, remove pre-application consultation requirements from applications to change conditions on existing planning permissions. That change and a number of technical amendments to do with cases that are subject to local review will—subject to approval by Parliament—come into force on 2 February.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I note what the minister says, but does he not think that some community groups will feel disenfranchised by the removal of the requirement to consult them again on a proposal that they may have objected to in the first place? That will mean that when an application is amended, they will not have a chance to come into the game, as it were.

By the way, I am glad that I came, as I now know what a charrette is.

Derek Mackay: Yes, “charrette” is not a French band, but a planning approach that I want to encourage across Scotland.

On the member’s specific point about engagement in the process, members of the public and communities will still have the opportunity to object and make known their views when a planning application is reconsidered. However, we felt that pre-consultation engagement was no longer required—for example, with complex major applications—because that will have been carried out the first time round.

As I said, that change and a number of other technical amendments will be considered by Parliament in due course.

I will also implement the improvements to permitted development rights that we proposed last year, with the exception of measures relating to agricultural and forestry tracks. In the light of the consultation responses, I feel that the most proportionate approach will be to promote best practice in the reasonable development of such tracks, but I will reconsider that position in the future in the light of experience.

In addition, we have reviewed the guidance on planning obligations to support economic recovery and development, and I have asked for greater emphasis to be placed on a range of factors.

My “Planning Reform—Next Steps” package focuses on leadership and culture change to ensure a higher-standard and more streamlined planning service. I believe that we have strengthened planning’s contribution to increasing sustainable economic growth, and I will continue to make progress to drive improvements and efficiencies in our planning system. I remain committed to delivering improvements to the planning system, in partnership with practitioners and partners. I am proposing not centralisation or a fundamental overhaul, but a methodical, actions-based approach that will help with the recovery of Scotland’s economy and will help us to build the kind of country that we all wish to live, work and invest in.

I move,

That the Parliament recognises the vital role that the land

use planning system must play in supporting sustainable economic growth; recognises the importance of cross-sector collaborative working to enhance the operation of an efficient and effective planning system; supports progress on the next steps of planning reform including the launch of National Planning Framework 3, the review of Scottish Planning Policy, the introduction of the Planning Performance Framework and the agreement between the Scottish Government and COSLA on a way forward in managing planning fees and resources linked to performance improvements, and welcomes the provision of additional funding by the Scottish Government to local authorities to help them deal with applications for wind turbines, to Planning Aid Scotland to increase young people’s involvement in planning and deliver pilot projects supporting engagement, and to Heads of Planning Scotland for training support.

The Deputy Presiding Officer: I call Sarah Boyack to speak to and move amendment S4M-05358.2. You have around 10 minutes, but there is some time for interventions.

14:38

Sarah Boyack (Lothian) (Lab): I welcome the opportunity to focus on the fact that the planning system is a vital process that enables development to be shaped by democratically elected representatives, with most day-to-day decisions being taken by our local authorities. That is a great responsibility for the elected representatives who speak up for and facilitate the involvement of local communities and individuals, and for the developers who are keen to make the best use of our land and buildings.

The process needs to be transparent and efficient; it also needs to be shaped by the priorities of the day. Local authorities’ own development plans are vital in providing opportunities for communities and developers to say how they think that areas might be developed or improved, or protected from inappropriate change.

Given that the debate is taking place in the context of the raft of changes that the minister is proposing, the Scottish Government’s policy direction is important. It needs to be clear and properly justified, and the Government needs to be accountable to Parliament on it. We particularly need to test the reality of what sustainable economic development means in the context of the planning system. That system shapes our communities. Unlike many other local authority services, it is not seen as a front-line service, but it is fundamental to our communities’ health and success.

The Scottish National Party Government’s report card on the issue would read, “Could do better.” We are still waiting for the marine plan. By the time that it appears, most of the important decisions, which it was envisaged that the Marine (Scotland) Act 2010 would shape, will have been

made, although addressing that was the whole point of designating the marine plan's purpose in the act. Local authorities are under huge pressure generally as a result of the SNP's budget allocations last year, under which local authorities took 83 per cent of the cuts. The approvals regime for fracking proposals also lacks clarity.

One challenge across the chamber today is for members to ask the minister the right questions to find out the rationale behind his proposals. The proposals are technical, but they will have important ramifications for our communities and the processes by which they are shaped. One of the most important findings in a report on consultation responses was that

"There is a general view that the ability of stakeholders to participate"

fully

"in the process is being"

limited, so

"confidence in the system is being lost."

That conclusion has not been addressed head-on and has been left hanging, and the minister did not mention it. I hope that, in closing the debate, he will reflect on how members of the community view how the planning system works.

The financial pressure under which local authorities are operating needs to be acknowledged, as that sets the context for the allocation of resources. Planning needs to be properly resourced. It does not—understandably—have the emotional pull of other services, but it is fundamental.

The proposed 20 per cent increase in planning fees will not fix the long-term challenge. The Royal Town Planning Institute supports that rise as a pragmatic move, but it is right to ask for a more sensible approach in the long term that looks at performance and funding.

The RTPI criticises the idea that struggling or underperforming local authorities should be punished rather than incentivised to improve performance. I have to be convinced that a statutory mechanism will deliver the culture change that the minister was right to say is needed.

Analysis needs to be looked at before the high-level political group gets going. What analysis has been commissioned of the impact of local authorities shedding experienced staff from their planning departments? How will comparisons be made between authorities? At the end of the day, who will tick the box that says pass or fail? Will that be done by the minister or his officials? What will planning authorities' role be? There are

challenges that could make a difficult situation worse, which none of us wants.

On an issue on which I would like more detail, the minister implied that authorities that said that they were struggling to deal with wind farm developments would be allocated resources. It would be useful to have more clarity on how that funding will be allocated. What difference will funding for simply one year make? I do not see this year as the top year for the number of applications, so I am interested in the minister's comments on that. I am also interested in whether all the £673,000 will be used for that purpose and in the other projects that will be supported.

It is important to support the development of new skills and knowledge in relation to other energy-related proposals, such as the requirements on energy efficiency and on-site renewables that were part of the Climate Change (Scotland) Act 2009. Three years on, how are local authorities dealing with that issue? How are those skills being spread to the private sector? How will the planning officers who enforce the planning process develop such skills and knowledge? There is concern about the detail of the application of such issues.

A particular issue is the training and policy support for local authorities that are dealing with fracking proposals. It is tough enough to deal with renewables developments—that relates not just to onshore wind technology but to the scale and number of applications—but there is a raft of new technologies and challenges. A range of environmental impacts and procedures needs to be tackled. The procedures in relation to fracking are opaque. Clarity is required to ensure proper and effective scrutiny of such proposals at every stage of the process.

When we raised such concerns in the chamber with the Minister for Energy, Enterprise and Tourism, Fergus Ewing, he merely gave a robust defence of the industry's potential. He did not engage with concerns that have been expressed to many members about the lack of due process or the potential long-term impact of those proposals on our local environments and communities. Crucially, he also did not engage with concerns about the robust measurement of how such proposals might impact on our climate change targets. Those concerns should be addressed within the new SPP that the minister is developing. It is a gap that needs to be filled.

When I read the document that was published yesterday, I am concerned that it is difficult to see the explanation and justification of the minister's new proposals and how they will be implemented. The document that we have all had since yesterday gives us the headlines but not the understanding and the arguments. That is

particularly true of the section on simplifying and streamlining processes.

It is vital that we are able to scrutinise what the Scottish Government is doing. Christine Grahame was right to raise what looks like a relatively minor change that could have major ramifications for our communities. Sometimes conditions turn an unacceptable or damaging development into one that local communities can accept and live with. However, mitigating requirements could be quietly dropped without alerting communities that might have been through several complex consultation exercises. Even if there is another consultation at the end of the process, people will have been through the up-front consultation and the formal consultation. In my region, I can think of applications that have been through five or six processes. When that happens, people can miss the bit at the end, which can be when the real decision that makes the difference is slid through.

The minister commented on forestry and private tracks, which have been raised several times in the chamber. They often scar our landscapes and there are no controls over them. I am really disappointed by the lack of action from the minister. I cannot see how his approach can be justified when other types of development that are vital to our rural economy, in areas such as renewables, tourism, recreation, sporting estates and nature conservation programmes, do not benefit from those rights. The minister did not give us the detail in his comments, and we have been given no justification in writing. The only paperwork that I have seen says that private land and farming management interests were against the proposals, but others were in favour. How is Scottish Natural Heritage meant to monitor the issue? The issue is not new. There is already a lot of evidence out there and, as I said, the matter has been raised in the chamber before. This feels like a cop-out. I hope that the minister will come back to the issue with more intent.

The section on next steps in planning reform is particularly lacking in detail. We need to see the Scottish Government's intentions. Why have environmental requirements been picked on and watered down? What is meant by "more proportionality"? That is an easy thing to say, but what are the likely implications for planning proposals and the mitigation of their impact?

No one could disagree that shorter and more focused documents would be good. We have all seen lengthy documentation that goes around the houses and covers a large number of issues while missing out the key environmental issues. We need to see the detail. Let us have a proper look at what causes the delay. Let us look at the management of the system. Let us look at how much delay is caused by the lack of resources

available to local authorities, and how much is to do with the slow response times of stakeholders affecting the process. That issue is mentioned in several of the submissions to the Scottish Government. Which organisations hold up the process? How well do the Scottish Government's departments and organisations perform? Again, we have little information in that area, but I cannot see why local authorities should be penalised when part of the problem might be caused by the minister's department or other Scottish Government organisations.

We need to see a bit more about the priorities for strategic development plans. Is the problem with their content to do with implementation? What will the priorities be in the review of the SPP? What is meant by the need to review the SPP in light of the economic downturn? What changes will come in and what issues will be given less of a priority? We need more clarity.

Missing out on the justification of certain proposals is not good government. That might mean avoiding falling out with interest groups in the short term, but it does not give us clarity and it does not enable the whole raft of stakeholders to really understand what is at the heart of what the Scottish Government is doing.

Our amendment is focused on the two issues that we feel the Scottish Government needs to address: the resources that are available to tackle the change that is needed in local authorities; and the lack of clarity around fracking. I look forward to hearing the Conservatives' proposals on enforcement. Enforcement is absolutely key to many of the issues that I have been talking about. I hope that the minister will listen to the arguments and that he will act.

I move amendment S4M-05358.2, to insert after "wind turbines":

"but notes the significant financial pressures that local authorities are facing and the lack of clarity on hydraulic fracturing proposals".

The Deputy Presiding Officer: I call Margaret Mitchell to speak to and move amendment S4M-05358.1. Ms Mitchell, you have around seven minutes, with time for interventions.

14:50

Margaret Mitchell (Central Scotland) (Con): I welcome this planning reform debate and the motion, which stresses

"the vital role that the land use planning system"

plays—and must be recognised as playing—

"in supporting sustainable economic growth",

and acknowledges the necessity for

"cross-sector collaborative working"

to ensure that the planning system works effectively and efficiently. The motion also acknowledges

“progress on the next steps of planning reform including the launch of National Planning Framework 3, the review of Scottish Planning Policy ... and the agreement between the Scottish Government and COSLA”

on the future management of “planning fees and resources”, which, of course, is welcome.

The NPF designates national developments. At the moment, there are 14 such developments; a call for new, deliverable and nationally important projects to add to those candidates closed on 14 December last year and the NPF 3 main issues report will be issued for consultation in March.

The Scottish planning policy review was announced last September to ensure that planning policy remains fit for purpose and meets the challenges to be faced in the present economic circumstances. In the autumn and winter of 2012, the Government called for stakeholders’ views on whether the current SPP works and in November 2012 stakeholder and public consultation events as well as informal participative seminars were held for both NPF 3 and SPP in Aberdeen, Dumfries, Dundee, Edinburgh, Glasgow and Inverness but—alas and alack—not Lanarkshire or Falkirk. Nevertheless, we very much welcome the Government’s willingness to proactively seek views. After all, if the planning system is to be fit for purpose, it must be transparent and inspire confidence in all those who engage with the system. If all the participants understand the system and are fully informed of the details of applications, the process will be much more effective and efficient, which will aid economic growth.

Full consultation is therefore essential at the earliest possible point for all applications, especially contentious ones such as those for unconventional gas extraction. I rather share Sarah Boyack’s views on how dismissive Fergus Ewing was when the issue was raised in the chamber and I hope that the minister will review how such applications are treated in future. It is absolutely crucial that local communities understand the potential positive and negative impacts of a development or application.

Chic Brodie (South Scotland) (SNP): With regard to the member’s comments about planning applications for fracking, does she accept that the licensing of such activities lies with Westminster, not with Scotland?

Margaret Mitchell: I do indeed and had the member been listening he would have heard that I referred to “unconventional gas extraction”, which is slightly different from fracking.

Too often, local people feel aggrieved that although the letter of the law might be followed, its spirit is not. Every MSP will have attended public meetings at which people complain about the issuing of neighbourhood notifications at peak holiday times and fact-finding, question-and-answer planning application exhibits held at times that those affected find inconvenient. In such circumstances, it is not surprising that local people feel aggrieved and suspicious and set themselves against the application. That, in turn, causes delays that impact negatively on economic growth projects; however, such delays could well have been avoided had the spirit of front-end consultation, which current Scottish planning policy seeks to promote, been followed.

Another major reason for the growing lack of confidence in the planning system is the absence of enforcement of the regulations and conditions that are required to be adhered to for planning permission to be granted. When local communities see planning laws and regulations being flouted, they become disillusioned with the entire process. Furthermore, statistics from the second quarter of 2012-13 show that, of 1,457 cases taken up, a paltry 171 notices were served and only one case was reported to the procurator fiscal.

Mike MacKenzie (Highlands and Islands) (SNP): Does the member agree that enlightened planning practice suggests that, in enforcement cases, the enforcement officers should do their best to resolve the issues in an amicable and constructive fashion rather than take formal action? Therefore, the statistics that she has quoted are actually the hallmark of a practice that is to be welcomed.

Margaret Mitchell: I agree with the member that if all the cases have been resolved amicably, that should indeed be welcomed. However, we know anecdotally that that is far from being the case.

Given that enforcement is central to the credibility of the planning system, I call on the minister to ensure that detailed meaningful data on enforcement are available. For example, since the end of 2011-12, notices served are no longer broken down by type, which makes it impossible properly to monitor the extent to which enforcement is working. More fundamentally, even then the available data are not sufficient to assess enforcement in our planning system.

The remainder of the motion lists the extra funding that has been awarded to local authorities, Planning Aid and Heads of Planning Scotland for training purposes, which is eminently sensible. However, although the funding for local authorities will help them to cope with the burden of being inundated with wind farm applications, it must be said that the Scottish Government’s obsession

with wind farms is to a large extent responsible for the proliferation of wind turbine applications. Meanwhile, local authorities are struggling with the costs of other types of application—

Chic Brodie: Will the member take an intervention?

Mike MacKenzie: Will the member give way?

Margaret Mitchell: Presiding Officer, I think that I must make some progress, as I have only seven minutes.

The Deputy Presiding Officer: You can allow a brief intervention.

Mike MacKenzie: How does the member feel about the proposal for a wind farm on her colleague Jamie McGrigor's estate? I know that I certainly welcome some of the community benefits that may flow from that.

Margaret Mitchell: Of course there is a place in Scotland for wind farms as part of a basket of resources, but wind remains a regressive form of energy that taxes the poor more. Wind farms are a blight on our scenery throughout Scotland and, as such, I cannot understand why the Government is so obsessed with them.

It is inevitable that there will be competing interests in planning, but local priorities are increasingly at odds with the Government's policy, with decisions made by locally elected members being overturned by reporters. For example, Falkirk Council rejected a bid to build 13 turbines at Stoneridge, but the Scottish Government planning reporter overruled the council's decision, despite conceding that the wind farm would be

"a noticeable feature in a mainly pleasant varied and generally tranquil landscape"

and that noise levels would at times breach the recommended limits.

In conclusion, if local people's confidence in the planning system is to be restored, more effort must be put into effective front-end consultation, robust enforcement and reconciling local and national priorities.

I move amendment S4M-05358.1, to leave out "and welcomes" and insert:

"; considers that a robust enforcement mechanism is a crucially important part of an efficient and effective planning system, and notes".

The Deputy Presiding Officer: We now come to the open debate, where speeches should be of six minutes. At this stage, there is a little bit of time in hand for interventions.

14:59

Joan McAlpine (South Scotland) (SNP): As the minister, Derek Mackay, stated, our planning system has a key role to play in supporting economic growth and in contributing to a low-carbon economy. However, it has become clear through the consultation process that barriers still exist within the planning system that hinder, rather than support, those two aims. The plans announced by the Scottish Government through the "Planning Reform—Next Steps" package are to be welcomed.

I would like to focus on planning reform from the perspective of renewables, which I am sure most members will have some experience of.

Scotland is the windiest country in Europe and has massive green energy potential. The industry is already delivering jobs and securing billions of pounds of investment in our economy and in communities across Scotland. However, when the Economy, Energy and Tourism Committee report on the achievability of the Scottish Government's renewable energy targets was published last November, it became apparent that there are issues arising from the planning system that should be addressed.

One of the most pressing concerns is that increasingly high numbers of renewable energy applications are contributing to the pressure on the planning system, particularly in some local authority areas. With that in mind, I welcome the Scottish Government's announcement that it will provide additional one-off funding of £673,000 to help planning authorities to deal with applications for wind turbines. Those resources have been applauded by many organisations, including the Royal Town Planning Institute Scotland.

I reiterate Derek Mackay's point that the main objectives for the new national planning framework include facilitating the expansion of renewable energy generating capacity, adapting to climate change, facilitating the zero waste agenda, better connectivity and strengthening green infrastructure. The move to a system that promotes confidence and that brings certainty for investors and communities is, alongside the extra money for local authorities, an important step in achieving that. It is probably necessary to add that the objectives do not mean that developers should simply be able to build wind turbines wherever they choose. As part of the move towards a planned system, local authorities were required to produce local development plans, including spatial frameworks, to guide developers to the most appropriate locations.

Some renewables developers do a good job of meaningfully engaging the community in a cost-effective manner. For example, when I visited the

consultation on the Sandy Knowe wind farm near Sanquhar, which is proposed by Burcote Wind, it was clear that the developer has a range of measures in place to ensure meaningful community engagement, such as the creation of a community liaison forum made up of community councillors, local residents and civic organisations. However, such a considered approach is clearly not followed across the board. I hope that the new approach will help to combat that and will give seldom-heard voices a chance to contribute to the planning system.

It is important to note the difference between the approach to the planning system in Scotland and the approach south of the border. In England, the approach is top down, but in Scotland we are committed to working collaboratively with stakeholders and to working in partnership with interested parties and communities to achieve an efficient and effective planning system.

That is most aptly demonstrated through the planning minister's announcement in December of £55,000 of funding for two pilot projects to be delivered by Planning Aid for Scotland in the coming months. I welcome the project to investigate a more cost-effective and inclusive approach to delivering the charrette model of community and stakeholder engagement, which involves extending the scope of charrettes by linking land-use planning with community planning and regeneration.

The second project aims to improve young people's involvement in planning. The importance of involving young people in such decisions cannot be overstated. As Planning Aid for Scotland outlined in its briefing for the debate, young people will have to live with the consequences of decisions that are made today, and so they must be brought into the decision-making process. PAS highlighted that one of the most important features for a modernised planning system is better engagement and inclusiveness, and I believe that the new measures will be pivotal in achieving that aim.

15:03

John Pentland (Motherwell and Wishaw) (Lab): The debate is an extremely broad discussion of planning that extends from how we deal with alterations to individual properties to our nation's overarching economic development plan for the next decade or more. However, there are some principles that link how we approach the fine-brush points at local level with the extended national canvas, not least of which is the pitfall of allowing the process to become an obstacle, rather than a means of facilitating and fulfilling planning objectives. We need to retain flexibility to meet changing needs. Plans are important, but

they should not be set in stone, impervious to new situations and incapable of adapting to evolving opportunities.

The planning fee increase goes some way towards addressing the problem that local authorities face, but does not address it fully.

Local authorities should be able to recoup the full cost of planning—no more and no less. We are told that the 20 per cent increase will raise £4 million to £5 million, but I understand that the deficit from planning in North Lanarkshire alone is £2 million and cost recovery through fees dropped from 81 per cent in 2004-05 to 56 per cent in 2010-11.

Derek Mackay: Does John Pentland acknowledge that, in the difficult economic circumstances that we face, such a substantial rise in planning fees without improved performance would be an unwelcome step and would not support the economic recovery? Is the view that he is giving the Labour Party's position?

John Pentland: Although we all fully acknowledge that we are in difficult economic times, those hard economic times should not be a burden for North Lanarkshire Council. We should ensure that no planning application costs any more or less because of the way that it is processed.

The money in the planning deficit could have been spent on other hard-pressed council services. The caps on charges mean that the council often subsidises bigger developments, even though the developers could probably manage to pay more.

Why is it so important to keep reminding us that fees are lower than they are in England? Is it some sort of competition? If so, where are the other countries in the league table? Should we not just ensure that we have the right level of fees for Scotland—full stop? Planning should be neither an income-generation scheme nor a drain on resources.

Sandra White: Does John Pentland not think that a great drain on resources for local councils, particularly in his area and Glasgow, is the fact that big companies are allowed to buy up land and have land banks? If my memory serves me right, that came from a Labour Government in Westminster. It has caused great problems on a site in Glasgow, which a huge company has had for 15 years without building on the land. Is that not a drain on resources?

John Pentland: No. The drain on resources, I am advised, is from the many applications that come in that cost the council and other services money to process. That is not fair. Not only does it take money away from badly needed services, but

it is causing failure in planning departments and other services.

Planning should be neither an income-generation scheme nor a drain on resources. The former may be a tempting prospect for some, but the latter is more likely in practice and puts an additional burden on already severely cash-strapped councils.

There should be a duty on planning authorities to keep their costs as low as possible. Indeed, it would be in the interests of economic development for them to do so. If there is also a justification for subsidising planning costs, that should be transparent, accountable and up for discussion.

Some members will point to community gain as an offset for planning and other costs that fall on local authorities. It is, of course, an important element in seeking to ensure that the wider community benefits from development, but we should not think of it as an unqualified gain.

There is a need to ensure that planning gain is appropriate to, and commensurate with, the scale of the development. We should also remember that it tends to be a one-off gain and that the local authority is left with continuing commitments to infrastructure and maintenance.

One idea that has been discussed in considering how to streamline the system is to allow greater powers to grant permission based on precedent. One side of that coin is a reduction in inconsistent decisions, but we must be careful not to generalise too much and to take full account of differing circumstances.

I note that planning performance is to be reviewed and that consideration will be given to linking it with the reform of fees. I hope that that will avoid a simplistic view of performance.

As an example, take the requirement to deal with a planning application within a specified time. In order to achieve that, the easiest course might be simply to refuse any application that does not meet the requirements. An alternative approach, which has been employed in North Lanarkshire, is to take time to discuss ways in which the application could be amended to help it to meet the necessary criteria. That avoids adding unduly to the applicant's costs, but the application takes longer to deal with. The planning authority should not be in any way marked down or penalised for taking that accommodating approach.

Clearly, speeding up the processing of local development plans is to be welcomed, but we must be careful that it is not done at the cost of comprehensive consultation and participation. We need a more joined-up policy with regard to conflicting objectives. On areas such as town centres, competition policy is important, but so too

are consumer choice, employment and the overall health of the local economy.

We also need to forge stronger links between major local developments and national developments.

The Deputy Presiding Officer: You should be drawing to a close soon, please.

John Pentland: In my constituency, we have the example of Ravenscraig. Its ambitious redevelopment has been a long time coming, but it continues to be pushed forward despite the adverse economic conditions. As it is Europe's largest brownfield site redevelopment, I believe that it is a matter of national importance, so I hope to see it reflected in the third national planning framework.

15:11

Chic Brodie (South Scotland) (SNP): Before I get to the meat of my speech I note that, although I thought that the pantomime season was over, we still have the Tory energy policy pantomime, probably with Struan Stevenson and Murdo Fraser as the ugly sisters. At least they have an audience of one in Margaret Mitchell. She must know that two thirds of applications to the reporters on wind turbines are overturned in favour of the local authority, so I hope that next time she comes to the chamber to debate energy policy, she will have the facts right.

In October, an article stated that Scotland's Minister for Local Government and Planning is not messing about and, in his quiet way, is driving a wholesale reform of Scotland's planning system, collaborating and working in partnership with stakeholders and communities to achieve an effective planning system for Scotland. I want to compare that with an even more recent press release from south of the border, where Messrs Pickles and Boles threaten to strip councils of planning powers and centralise them in a planning inspectorate, and where words such as "civil war", "alarm", "bombshell" and "override" abound. Those words have no place in the lexicon of a revised planning network. The Scottish minister's much more collaborative and democratic approach is to be welcomed. Scotland, again, is different.

Although I welcome the proposed planning policy and the establishment of a revised national planning framework, we must ensure that all parts of the process not only contribute to the nation's economic growth but fit in with our vision of a physical Scotland and the strategic role of not just our cities and large towns but our smaller communities and the role that they will play in that vision.

In setting out the spatial dimensions of our major strategic priorities, communities and community empowerment must play a complementary part. The report on renewables that the Economy, Energy and Tourism Committee published in December indicated and crystallised that demand. Community involvement must be part of the jigsaw, and any plan-led system must ensure that development plans, be they strategic or local economic plans, have a consistent approach to national policy and guidelines across rural and urban developments.

Two examples compound this. First, in Ayrshire we have a joint Ayrshire planning group, which is the interface between the Scottish Government and councils, but each of the three councils has its own economic development plan, and they do not necessarily hang together. It may well be that a vision of a future local authority infrastructure and organisation is key to the success of our future planning network. The question must be asked: for a small nation, do we have too many local authorities to ensure the efficiency of the planning network?

Secondly, when the Economy, Energy and Tourism Committee discussed and promoted its report on renewables, a key element of success was seen as being the timely delivery of local authority spatial development plans and the SNH planning guidelines to complement our national targets.

John Pentland: Does the member believe that there are too many local authorities in Scotland?

Chic Brodie: The fact is that these things would affect the efficiency of planning in an independent Scotland.

I am talking about the EET committee and the spatial development plans. There was clearly a lack of consistency, openness, transparency and full community and developer participation, which has inevitably led to costly and inefficient disputes in certain areas. Why ask a national organisation such as SNH to produce guidelines that have not been followed in some areas? That, combined with the mechanism that was introduced for feed-in tariffs and renewables obligations certificates, led to a proliferation of applications for single turbines, which placed an uneven burden on some planning departments. From the beginning, it would have made more sense to have defined community equity participation in wind farm developments of an appropriate size so that the defined community would be a beneficiary of direct involvement in the planning and production process and, ultimately, of the financial benefits that would flow therefrom, rather than be seduced by embellishments and inducements pre-planning.

The uneven burden on planners is not just caused by single wind turbine applications; it will be increased by, for example, town regeneration projects. It needs a strong performance measurement mechanism and revenue-generating function and one has to ask whether a ring-fenced revenue-generating—indeed, profit-generating—planning function within councils should be created and developed.

Whether or not we have reduced councils, securing major projects in line with local economic development plans, which are then a significant part of a national planning framework, is absolutely critical. Fees could then be appropriately determined in relation to outcomes and performance.

The national vision, the strategic plans, the local development plans, the strengthened guidelines and the comparative measurement of performance across councils should be quite clear and should affect the remuneration of major council officers. All those things are, I am sure, part of the minister's quiet determination to fundamentally change our current planning system into a dynamic clear and fast one, and so help to create a dynamic, efficient and light-footed Scotland.

15:18

Mike MacKenzie (Highlands and Islands) (SNP): I am pleased to have the opportunity to speak in the debate, not just because I have been wrestling with, reading about and thinking about our planning system since I lodged my first application, nearly 35 years ago, but because few subjects merit more attention. The planning system is immensely important to delivering sustainable growth and safeguarding our built and natural environments. In short, the planning system delivers our future.

Incidentally, my first application was for the renovation of a cottage and it was refused consent. The cottage is still a ruin and, for me, that points the way to how we must judge our planning system: on the outcomes that it produces. That the cottage I referred to is still a ruin is not, I suggest, anybody's idea of a good outcome.

I suggest, too, that there has not been much construction since the inception of the modern planning system in the Town and Country Planning (Scotland) Act 1947 that we can be all that proud about. When I look back at the past 65 years or so of building, I do not see all that much that would win design awards. I ask myself: where are the listed buildings of tomorrow? Where are the conservation areas in the making? I therefore have some sympathy with those who feel that our planning system fails to deliver quality of

development, which is perhaps why so many people are against any and all development.

That is why I am glad that the minister recognises the need for improvements in place making and design quality. Our planning system has often shrunk from the subjective nature of determining design quality, but in reality there is a much wider recognition of good and bad design quality than we sometimes acknowledge. When a planning system fails to address that, it fails entirely.

My focus as a Highlands and Islands member is inevitably on rural planning issues. Although those are similar to many of the issues that are found across the country, there are of course particular rural concerns. Perhaps the most important of those concerns is the rural housing problem. I note that the then Rural Affairs and the Environment Committee's 2009 housing report included recommendations on improving the planning system. It is therefore a disappointment to me that at a recent meeting of the cross-party group in the Scottish Parliament on rural policy, on the theme of housing, the discussion again focused on planning as a significant problem in delivering rural housing.

When it is considered that Scotland's population density is among the lowest in Europe—the Office for National Statistics quotes it currently at 67 people per square kilometre—and with only 3 per cent of the population living in 50 per cent of our most rural land area, the constraint on housing land that is imposed by our planning systems in many rural areas is unfortunate to say the least. However, the flipside of the statistics is that 81 per cent of our population lives in open areas covering less than 6 per cent of the land area. That puts many of our planning issues into perspective. Even before the credit crunch, Scotland was not a country groaning under development pressure.

I welcome the current planning reforms, as the need is for continuous and incremental improvement. I also welcome the minister's recognition that our planning system must become more efficient and simpler. Even after 35 years, I often struggle to understand the complexity of local planning policies and of letters that I receive from heads of planning. More worrying is the fact that when I talk to council members who are taking planning decisions, they seem to understand them much less than I do. I have some sympathy for planning departments that struggle with a lack of resources, but I have to temper that sympathy with the observation that my mailbox is stuffed with complaints from constituents about overzealous efforts being applied to often petty and trivial enforcement issues.

I am therefore glad that the minister has struck a careful balance between increasing planning fees,

which will add a further burden to development costs in difficult times, and increasing resources to planning departments, and that he sees the clear need to link increased resources to improving efficiency. I welcome, too, the focus on plan-led planning practice and efforts to engage more people at that earlier stage rather than have engagement that is merely reactive to applications. Most of all, I welcome the minister's focus on improving the culture in which we deal with planning, because improving the culture and paving the way towards a more enlightened planning system trumps all other possible improvements.

15:24

Mark Griffin (Central Scotland) (Lab): Despite public opinion that is often to the contrary, I think that we all started out in politics because of commitment to our community and the people who live there. The planning system and planning reform are unlikely to be subjects of debate that will tend to excite us as politicians, but planning is a policy area in which the decisions that we take can have a massive impact on the lives of the people whom we represent.

Similarly, a debate about planning reform will not generate massive interest from the general public, but an individual application will always create interest, whether it is for a development that is out of place in a community and which generates a high number of objections, a much-needed community facility that a whole town or village can get behind, or an unusual development—during my time as vice-convenor of a local authority planning committee, I saw them all.

The power of an individual application to motivate a community to act—to lobby for or against a proposal—is massive. I regularly met people who had had no interest in planning who were quoting the Town and Country Planning (Scotland) Act 1997 as though they were experts in planning law.

The issue with people engaging with the planning system at the submission stage of an application, or sometimes at the pre-application stage, was that as soon as they started researching or asking questions about the process, they realised that the single biggest factor in decisions on an application was the development plan. People would often be critical as soon as they realised that. I would hear them say, "Why did nobody tell me that the local development plan was so important?" It may seem strange for a member of the public to say that, but in my role as vice-convenor of a planning committee, I heard it over and over again.

When people were being critical they would be critical of the council or councillors for not highlighting the importance of the plan, or critical of themselves for not thinking that something such as that would ever affect them. However, people generally lead busy lives and it is understandable that, just as not many people will pay much attention to this debate, not many people will pay much attention to a consultation about an abstract document called the local development plan.

In any reform of the planning system, we should talk about the importance of the local plan in terms of the individual applications that generate so much public interest. We should ask people questions: "Does your community need more homes built for families and to support the local economy? Let your council know through the local plan. Is there an area of historic significance or important community leisure use that should be protected? Speak to your councillor about the local plan. Are you happy that a company is promoting a large-scale industrial site in your community? Would you welcome the jobs, or would you worry about the potential environmental impact? Find out what the site can be used for through the local plan."

That is the language that we need to use to engage members of our communities with the planning process but, at the end of the day, it costs money for local authorities to do that. A properly funded planning system is one in which the local authority has the resources that it needs to provide a good level of service to developers and members of the public, and in which both are treated in the same way. Often the developer is seen as a customer who pays a fee, while the general public are seen as an inconvenience. However, we must remember that, although only the developer pays a fee, often that fee is not enough to cover the cost of the application, which is subsidised by the taxpayer. That means that the ordinary person should be given at least the same level of service as the fee-paying developer; they should probably be given more attention, since they cannot afford to employ the services of planning professionals to develop their case for or against an application.

That is why I welcome the Government's decision to increase planning fees by 20 per cent. Councils are struggling through a harsh budget process, and making cuts to the planning service rather than in social work or education might be an easy decision for councillors to make. In the short term, that decision might not be unpopular but when areas miss out on vital developments that could stimulate the local economy because developers cannot get a decision on time, or when inappropriate applications are approved because planning officers have so many cases to deal with, the community will feel the effect of those budget

cuts and people will start to question their elected members.

Has the minister had any discussions with COSLA about the fee increase? Does he believe that the increased income will cross-subsidise other departments, or is he confident that a properly funded service will continue? I think that all members would like to see a well-run, efficient planning service, which engages with and takes account of the views of our communities in delivering places in which we would like to live and work. Such a service is possible only if it is properly funded. I welcome the debate and look forward to hearing from the minister about how he hopes to direct the 20 per cent increase that he mentioned into the planning service.

15:30

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): I welcome the debate. Some people might think that a debate on the planning system would be dry and unimportant, but we know that that could not be further from the truth. The planning framework sets out how new developments will be taken forward, to contribute to the regeneration of communities, provide new infrastructure from which society can benefit and—crucial, and a Government priority—stimulate economic recovery.

I am sure that members of all parties support those core objectives, which underline the importance of the debate, as does the fact that, as the previous speaker said, planning applications are a major generator of constituency casework. That is certainly the case for me and I am sure that it is the case for other members. Community interest is another reason why I welcome the debate.

I welcome the minister's approach. He has spent a considerable amount of time thinking about how to ensure that we have the best possible planning system and he has engaged with a wide range of stakeholders.

The role of the community is important. I often get the sense that people feel somewhat removed from the planning process. In that regard I welcome the briefing from Planning Aid for Scotland, which, under the heading, "Better Engagement for a Modernised Planning System", referred to

"the importance of early and inclusive engagement in planning—both in the preparation of development plans and in development applications."

PAS went on to highlight the need for

"Greater involvement of children and young people in planning",

making the important point that it is young people who will have to live with the consequences of decisions. PAS also called for

“Greater inclusiveness in engaging communities”,

and

“Greater provision of training and support for both communities and built environment professionals”.

The Scottish Government has provided additional funding to Planning Aid for Scotland to help to develop those areas, which has been welcomed by the RTPI. A member seemed to suggest that it is all doom and gloom from the RTPI's perspective, but I would not want the *Official Report* to give the impression that the RTPI is uniformly critical of what the Scottish Government is doing.

Sarah Boyack: I mentioned the Royal Town Planning Institute in the context of the whole issue of performance. It is appropriate to flag up areas with which people are happy and areas with which people are unhappy. At no point did I suggest that the Royal Town Planning Institute is against absolutely everything that the Scottish Government is proposing, and I do not think that the member could or should have inferred that from my speech.

Jamie Hepburn: Let us just say that Ms Boyack highlighted areas with which the RTPI is unhappy and I am highlighting areas with which it is happy. We will leave it at that.

Design charrettes are useful—the term is interesting, as Ms Grahame said. The approach is useful because there is an attempt to involve everyone who has a stake in the planning system, including the community, in developing a detailed master plan for an area. I see that there has been a series of charrettes across the country, but I think that no charrette has taken place in the North Lanarkshire Council area, which is my area. I look forward to the council engaging with the process. Mr Pentland talked about the council's accommodating approach. It might have such an approach in some cases, but it does not have the best record on listening to communities.

I know what the minister said about raising specific applications, but North Lanarkshire Council has ignored what a community wants with regard to a specific application. Indeed, in Mr Pentland's constituency, where there is overwhelming support for an application by a major retailer for a new store, the application has been rejected by the planning authority. That rejection jeopardises that organisation's further investment in the local area. I do not want to say too much because I know that the minister cannot speak about specific live applications, but it underlines the fact that perhaps North Lanarkshire Council does not have the best record of listening

to communities in the planning system. Of course, the voice of the community should be the pre-eminent voice in the planning system.

There are two issues that I want to pick up on with regard to the Labour amendment. It says that councils face “significant financial pressures”. We all know the difficulties that have been caused by the cuts that have been handed down from Westminster—a process, I remind members on the Labour benches, that was begun by their party in government under Alistair Darling as chancellor. It is important to remind the chamber that for the 2012 to 2015 period, local government revenue funding is maintained and its share of the Scottish departmental expenditure limit will still be higher in 2014-15 than it was in 2007-08.

On the part of the Labour amendment that says that there is a

“lack of clarity on hydraulic fracturing proposals”,

we need to pay cognisance to the fact that fracking licensing is not the preserve of this Parliament; it is the preserve of the Westminster Government. Indeed, if Labour is concerned about a “lack of clarity”, it should welcome the fact that only last month the Scottish Environment Protection Agency provided updated regulatory guidance to deal with shale gas and coal-bed methane, thus providing the greater clarity that Labour is looking for.

Do I have much more time, Presiding Officer?

The Deputy Presiding Officer (John Scott): You have half a minute.

Jamie Hepburn: Let me see what I can do with half a minute.

I want to talk about the issue of fees because members will be aware that Audit Scotland, in a review of prices, found that the gap between income from fees and expenditure increases was “unsustainable”. In that regard, I welcome the approach that is being taken by the Scottish Government. We know that the Scottish Government has worked with COSLA to come to an arrangement that has been welcomed by the sector. That underlines the minister's co-operative and inclusive approach and I look forward to further details about his work on the reform of the planning system emerging as he takes that work forward.

15:37

Anne McTaggart (Glasgow) (Lab): I welcome the opportunity to discuss the Scottish Government's proposals on planning reform and I am keen to contribute to the debate on ensuring an efficient, fair and transparent planning system

for local authorities, developers and the communities that they serve.

As the planning minister Derek Mackay has recognised, the Planning etc (Scotland) Act 2006 was a significant improvement in the planning process, which has proven to work well for local government and developers alike. I agree that we should continue to review the planning process in order to create the best system possible for all key parties. However, I remind Mr Mackay that it is important to recognise the successes of the current legislation alongside the ambition to ensure that the guidance and process is as effective as possible for future planning applications.

It is fair to assert that planning fees are an important part of the way in which local government funds its planning processes, and that any reform of that aspect of the system must be conducted with particularly careful consideration, given the extremely challenging economic circumstances of local government in Scotland. As a former member of Glasgow City Council, I understand the importance of the planning fees in delivering a timely and efficient applications process for builders and communities. Any threat of back-door cuts to those fees would seriously damage the ability of local government to achieve those aims.

The planning minister has expressed the view that he will be

“streamlining the planning system, removing the need for planning applications for ... smaller developments”.

Although I agree that it is important that we encourage economic growth and development by cutting unnecessary red tape in the planning process, I do not believe that that should be at the expense of communities having a say in the development of their local areas. I hope that the minister will be mindful, in making his proposals, of the unintended consequences that that could bring and that he will ensure that there are clear and strict limits on what buildings and structures can be erected without the need for a planning application.

Local government has a high burden of responsibility in ensuring that applications are dealt with swiftly and appropriately, with key stakeholders being consulted at every stage of the planning process. That is why the Scottish Government must ensure that a high level of support and information is provided to accompany any change in the planning process, so that there is clarity and consistency in dealing with applications across all of Scotland's 32 local authorities. That support will have to be accompanied by the appropriate financial assistance to implement the changes and train

staff in the new procedures and requirements of the process.

The impact of the cuts on local government should not be underestimated. As departments in councils across Scotland struggle to maintain their current commitments and responsibilities, any reform to current procedures must be accompanied by strong support and assistance from the Scottish Government.

Derek Mackay: Does the member recognise that, in addition to the funding announcements that I have made, many of the proposed changes will save local authorities and applicants money, rather than adding any financial burdens? I hope that that reassures her. It is with exactly that sort of cost efficiency in mind that I have deployed the approach that we are taking.

Anne McTaggart: We always welcome extra additions to our local authorities. Any reform to current procedures must be accompanied by additional support, which the minister has talked about. However, as John Pentland mentioned earlier, we must ensure that that is cost effective if we are to ensure that there is a win-win situation and that local government is not affected to its detriment.

It is right that we continue to consider ways of evolving the planning process, but the values of fairness, transparency and community accountability must always be at the forefront of the proposals.

The Deputy Presiding Officer: I call Stewart Stevenson. You have a generous six minutes, Mr Stevenson.

15:42

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I will see what I can do with your generosity, Presiding Officer.

I welcome the addition to the funding that is available to increase young people's involvement in the planning system, to which Jamie Hepburn made some substantial reference. I have seen youngsters from the age of eight take part in planning for real exercises in my constituency. Such exercises are a limited way in which a much wider range of people than is normally the case can participate meaningfully in strategic planning.

I also welcome the planned work on charrettes. As a minister, I participated in a charrette in Aberdeen a few years ago. Charrettes are an example of an excellent approach, which I understand that Willie Coffey will speak about later. They open the door to the involvement of a wider range of people in local development. Whatever we are doing in relation to the continual evolution of the planning system at a strategic and

a specific level, if we can find new ways of getting people meaningfully involved at the right time, that will be good.

That draws the contrast between the difficulty of engaging the general public in strategic planning and the energy that is brought to decisions that are local in their scope. Mark Griffin raised that issue and illustrated the difficulty. He perhaps failed to take on board the role that we elected members can play in examining strategic plans of whatever nature and identifying and taking forward issues that are of relevance to the people whom we represent.

To rely on advertisements in papers or elsewhere will not be sufficient. When there is local discontent that is focused on a local proposal, the essence of that discontent often hangs on the strategic framework within which the proposal has been brought forward, which is often little consulted on and little understood. A key part of what we should do is deconstruct the barriers to engagement and strategic planning, because that will lead to improved local decision making.

The minister referred to the planning professionals who are at the heart of the system; the enthusiasm of young planners, in particular, is to be commended. Many of the planning proposals that cause greatest difficulty do so because of the approach of the applicant rather than because of the response of the planners. In an intervention, Sarah Boyack indicated that she seemed to think that all the delays are down to the planning system and Government departments, but the reality—developers acknowledge this—is that inadequate applications are often the source of what is seen to be an inadequate planning response. Therefore, I hope that the planning system will continue to engage with developers to assist them to make their contribution to the planning system substantially better—in other words, to help them to raise their game.

I look forward greatly to NPF 3. I am much encouraged by the substantial environmental focus, especially the linkage with addressing climate change, which is a critical subject. As a minister, I brought forward NPF 2, which prioritised the central Scotland green network. Yesterday, I was delighted to hear reference to that network during a visit to Cumbernauld on a regeneration exercise as part of the Local Government and Regeneration Committee's work.

In talking about fracking, the Labour amendment focuses on an issue that many local communities will get involved in, but it merely illustrates perfectly—I welcome its doing so—the limitations of this Parliament's powers and the difficulties that that creates. I am always willing to hear of a recruit to the argument for greater powers for this place in relation to fracking.

I welcome the concerns that have been expressed about enforcement mechanisms. Few of us will not have been approached by constituents about perceived imperfections in the enforcement process. I welcome the idea that we can do more on that.

The publication of numbers on the performance of different local authorities can be particularly interesting. The Government publishes such figures. Looking at the performance of the local authority that forms the majority of my constituency, I see that on local developments—the number is big enough for the percentage to be meaningful—the average time that is taken for a decision is 50 per cent higher than the Scottish average. In Aberdeenshire and Aberdeen City, the level of planning applications has continued at the level that existed before the economic crunch. Given that there has been a reduction in the number of planning applications across Scotland, it is disappointing that there has not been an improvement in the performance of the planning system, which is what we would expect when the resource is there but the number of applications reduces. I hope that councils are not taking the opportunity to deprioritise planning, because it remains a vital spring for sustainable economic growth. It matters—often in a very small degree—to householders who want to make changes that do not fall within permitted development rights, as well as to big local and international developers.

I was delighted to hear from the minister about the substantial progress that is being made, and I am delighted that the challenge that remains is being engaged with.

I have a family connection to planning. My great-uncle, Alexander Stevenson, chaired the first Scottish meeting of the Royal Town Planning Institute in the late 1920s, and I am delighted to continue to have some involvement in the issue.

The Deputy Presiding Officer: I draw you gently to a close.

Stewart Stevenson: The minister referred to pace and pragmatism, which should be the watchwords for the issue. I look forward to supporting the Government's motion at decision time.

15:50

Siobhan McMahon (Central Scotland) (Lab): I welcome the Scottish Government's decision to revise and update the Scottish planning policy. I hope that doing so in line with development of the national planning framework will guarantee some cohesion between Scotland's planning objectives and the manner in which they are delivered.

The provision of a transparent and effective national planning policy is essential if Scotland is to make the most of its economic potential. However, we must ensure that any such policy also safeguards the rights of local communities.

As an MSP for Central Scotland, I have had recent experience of how the Scottish planning policy is being applied. Unfortunately, that experience has been largely negative. Of particular concern is the pre-eminence that is afforded to Scotland's renewable energy commitments—particularly in relation to the development of wind farms and energy-from-waste plants.

In the past year, I have dealt with a number of residents of Fortissat in North Lanarkshire who are frustrated about what they perceive to be a lack of responsiveness to their concerns about the extent of wind farm developments. Black Law wind farm, which ScottishPower Renewables operates, is the largest development in the area. It numbers 52 turbines. Consent has been received for its phase 1 extension and an application for its phase 2 extension is being considered. When that is taken in conjunction with a separate development proposal from Infinis for a further eight turbines at nearby Damside, an area that contained no turbines just 10 years ago could soon have more than 90 turbines. If the Damside wind farm progresses as planned, turbines will be situated within 1.3km of the village of Allanton and within 1.5km of the village of Stane, in apparent contravention of the proximity principle. Local residents' concerns are, therefore, understandable.

The reason for the exponential rate of development is that North Lanarkshire Council has identified the area as being a suitable location for wind farms. According to a letter that I received from ScottishPower Renewables, that identification

“encourages onshore wind developers to focus their activity”

in the area

“in order to protect more sensitive locations.”

What that means in practice is that, after an initial wind farm proposal has gained approval and the necessary infrastructure has been implemented, the area immediately becomes attractive to, and is targeted by, other developers. As a consequence, there are now a further 10 applications for wind farms in the vicinity of Black Law.

The current Scottish planning policy does not appear to have a robust mechanism for containing such development. It merely states:

“When considering cumulative impact, planning authorities should take account of existing wind farms,

those which have permission and valid applications for wind farms which have not been determined.”

That does not constitute a sufficient safeguard against selected areas becoming inundated with proposals.

The Government has set a target of generating more than 50 per cent of electricity from renewable sources by 2020. Onshore and offshore wind farms, along with energy-from-waste facilities, are cited as two viable sources of renewable energy. I welcome any target that will make energy production more sustainable in the long term, but I am concerned that the targets encourage in planning authorities a predisposition to look favourably on renewable energy applications and to give less regard to their merits and to local communities' wishes than is perhaps appropriate.

I have no doubt that fellow members will have seen the story in today's *Daily Telegraph* that reveals that ministers have received 9,868 protests about wind farm developments of more than 50MW in the past five years. Despite that, they have approved approximately 80 per cent of the applications on which they have ruled.

When I wrote to Mr Mackay, at my constituents' request, to ask him to consider placing a moratorium on further wind farm developments in the Fortissat area, he said that such a move would be

“unprecedented, particularly as a mix of renewable energy sources are required in order that the Scottish Government achieve its ambitious targets for ... generating electricity from renewable sources.”

The Scottish Government has announced its intention to allocate £673,000 to help planning authorities to deal with wind farm proposals, which indicates that an increase in applications is expected. I do not object to wind farm developments per se, but I am anxious that certain areas may become saturated, to the detriment of local communities, so I urge the minister to consider that closely in updating policy.

Derek Mackay: Would it help Siobhan McMahon to understand that the financial support is not necessarily to allow more applications to be approved but to support the resources to analyse where it would be appropriate to site wind farms? The aim is to allow better consideration of wind farms and not necessarily to allow their approval. Most of the time, we agree with local authorities and they agree with us, as Chic Brodie said.

Siobhan McMahon: I welcome the minister's clarification, and I hope that that is what will happen in practice.

The Scottish Government's renewable energy commitments are also having a tangible impact on

applications for energy-from-waste facilities. A number of applications have been made for such facilities in Lanarkshire, the most high profile of which is Shore Energy's proposal to build a pyrolysis plant near Carnbroe in Monklands. Following a lengthy local consultation, the proposal was declined by North Lanarkshire Council's planning and transport committee in March 2010 on a number of grounds, chief among which were that it was contrary to the local development plan and there was insufficient evidence that it would not be detrimental to the health of the local community. However, the decision was on appeal overturned by Scottish Government reporters, who stated that the incinerator was urgently needed in order to work towards zero-waste policy targets. In reversing the decision, the reporters effectively dismissed more than 6,000 objections from local residents. Since then, a local protest group called Monklands residents against pyrolysis plants—MRAPP—has fought an unrelenting battle to reinstate North Lanarkshire Council's original judgment.

Chic Brodie: I have heard all that Siobhan McMahon has said, although I dispute some of her facts. We know what Labour is against in terms of energy security policy. What is Labour for?

Siobhan McMahon: Because Chic Brodie started by saying that he disputes the facts, I do not think that there is any merit in his intervention. As I have stated in previous debates, particularly debates about such plants—I have spoken on three occasions on the issue—I am for going with renewable energy targets as they are, and the pyramid effect, and not simply burning waste in the area. We can do some things to implement renewable energy proposals a lot more effectively than is the case at the moment, and I say to the member that the Labour Party has put that on the record many times.

I understand that members of MRAPP visited Parliament on 19 December to present 2,600 Christmas cards to the First Minister requesting that he take action to stop the Carnbroe incinerator. I hope that they have at least been granted the courtesy of a response.

Of course, the Carnbroe incinerator is not an isolated occurrence. Another application for a waste-management facility near Shotts was approved by Scottish Government reporters on appeal, having initially been rejected by North Lanarkshire Council.

I hope that the Scottish Government will ensure that respect for local democracy, whether it is exercised through local communities or local authorities, is a central part of the revised Scottish planning policy. I also urge that the quest to meet renewable energy targets and zero waste targets,

however laudable, is not placed before the needs and desires of local residents.

15:57

Mark McDonald (North East Scotland) (SNP):

Like my colleague Stewart Stevenson, I have a family interest in the planning system; my uncle is a joiner.

I welcome the debate and come at it from having been a local councillor in Aberdeen. I know that the minister is always keen to look at the example of Aberdeen City Council and its strong planning performance, but it was not always so. When I first arrived at the council in 2007, it was still operating a local plan that dated from 1991 because of a legacy of inertia and incompetence that had been left by previous administrations. The process of putting in a new local plan had been started by the previous administration in 2004 and was eventually seen through.

However, that led to a system of planning by appeal, in which any application that was rejected by the council was immediately appealed and, because of the lack of an updated local plan, the decision was more often in the hands of the Scottish Executive than in the hands of the local council and the planning committee. That led to friction and bad publicity for the planning process. I am thankful that a new local plan is now in place and that it was very well marshalled through by the previous administration. I hope that the current administration will continue with it.

During my time at Aberdeen City Council, I was very enthusiastic about and supportive of the charrette approach. Indeed, one of the three charrettes that was proposed during the 2006 to 2010 period was sited in my council ward of Dyce, Bucksburn and Danestone, at the Grandhome estate. It was an extremely large charrette that looked at developing not just a small planning area but a wider community that would consist of several neighbourhoods. It was designed to form a comprehensive network. Its point was about place-making, which was one of the themes that the minister discussed.

That event brought together community members, interested groups, councillors and a wide range of council departments to look at the front end of the process. It meant that a large amount of time had to be put in at the very outset, but the idea behind that initial input was to streamline the process of planning applications. Based on the Grandhome estate experience, the charrette approach certainly bears examination with regard to future developments in Scotland.

The approach also provided an opportunity to examine how one might develop an area and a community—indeed, a sustainable community—

instead of simply taking the old approach of throwing up a few houses without providing associated amenities or any business infrastructure. The idea was to develop a community in which people could walk to and from school, their place of work or various facilities and, where that was not possible, to integrate in the community a bus network in order to provide sustainable transport.

However, the process also made it clear that attitudes have to change. I remember how, during the local plan process, a councillor from the neighbouring ward attempted to move to other sites in the city all the housing that had been set aside for Grandhome as a result of the charrette. That councillor's view was that the move would lead to an overburdening of housing in the area, but they did not bear in mind that the charrette was attempting to achieve the creation of a more sustainable community.

With regard to transparency and accountability, I note that, in its submission, Aberdeen and Grampian Chamber of Commerce makes the interesting point that producing a written statement of reasons in cases where committees go against the planners' expressed recommendation might lead to greater transparency in the decision-making process. Indeed, that might help developers and communities to understand why an application was approved or rejected against such a recommendation.

As for training needs, I note that the Royal Town Planning Institute has welcomed the extra funding for Heads of Planning Scotland, but has also suggested the creation of a knowledge portal to involve all players in the planning process. As well as training planning officials, we also need to train elected members in their planning responsibilities. One of my early experiences on becoming elected as a councillor was my being contacted by another councillor who wanted to discuss an upcoming planning application. As all of us should know, councillors are forbidden from discussing or declaring their position on planning applications in advance of the application being scrutinised, but anecdotal evidence certainly suggests that some councillors tell constituents how they intend to vote on a planning application before it comes before committee. That puts at risk not just the elected member, but the planning application and the integrity of the planning system itself. We must therefore ensure that councillors are included in any training.

Finally, I welcome the changes with regard to fees. After all, the disparity between the fees that are levied south of the border and in other parts of these islands, and those that are levied here has been an issue for some time, particularly in relation to major applications that are submitted by

significant interests that have the money to pay higher fees. I welcome the minister's comments in that respect and look forward to seeing the detailed proposals.

The debate is relevant, and I hope that the comments that are being made will shape the proposals that the Government introduces.

The Deputy Presiding Officer (Elaine Smith):

We have a bit of time in hand for interventions, if members wish to take them.

16:04

John Finnie (Highlands and Islands) (Ind): All members across the chamber agree that planning is an important matter, but the question that we all need to pose to ourselves is this: whose interests are served by planning policy?

In 2010, the "Scottish Planning Policy" document

"consolidated a series of topic specific policy statements into a single, more concise statement"

containing

"Cross-cutting policies on sustainable economic growth, community engagement and sustainable development."

In my speech, I want to comment on two of the document's policies: housing and rural development.

Regarding the reference to "high quality sustainable places", I pose this question: what is required to sustain such places? The minister repeatedly used the term "sustainable economic growth", but to my mind that should not be about the blind pursuit of profit. With profit, as with all other things in life, enough is as good as a feast, but greed has led us to the situation in which we are seeing a reduction in vital public services. However, I ask the minister to take cognisance of the challenges that are posed by rurality and supersparsity, some of which have already been alluded to.

On sustaining landscape and natural heritage, for that we need people, and people need homes. Whose interests are being served by the planning policies of councils and national parks if the only homes in large areas of the landscape are second homes? There needs to be linkage across the planning process, but that linkage must include continuing land reform, which I know is coming up.

Many people in the Highlands have welcomed the broadband that is being provided along the rail network, but they contrast that with the difficulties that they still face in getting a broadband connection. I know that a lot of work on that is going on, but broadband improvements are a significant element that should link into planning processes.

Another phrase that is used—both in the documentation and by members today—is place making, which has been emphasised. Well—the Highlands and Islands are full of places, so no making is required. It would emphasise the worth of those places if public policies—I absolutely accept the need for central planning—recognised the worth of rural communities. By way of example, 60 houses being built any distance from Holyrood would of course be welcomed, but they would not be significant statistically, but six houses being built in a village or township in the Highlands and Islands would emphasise place making and sustain the local community. They would help to retain the local school, the post office, the pub and the bus service, all of which are vital to sustaining communities and rural economies.

I, too, am a former member of a planning committee and, like Mark Griffin, I have seen communities being galvanised both in support of and in opposition to major local developments. However, I suggest that some caution is required about the term “planning gain”, because I think that tax-avoiding multinational supermarkets that put bowls of fruit into the local primary school are perhaps not being as benevolent as they would want the local papers to believe.

Mark McDonald: I appreciate the point about planning gain, but does John Finnie also accept that, where a developer seeks to build large amounts of housing in an area, there ought to be some mechanism by which the developer can contribute to the required infrastructure—education and so on—that will be needed to cope with the additional housing?

John Finnie: Absolutely. I am not suggesting for one second that developers should not pay their way. However, many members have alluded to the role of developers in employing professional lobbyists and the like, so we need to exercise some caution on that.

As regards housing, I welcome the recent additional moneys that have been allocated. Policies are about people and, given that there are 11,000 people on Highland Council’s waiting list alone, we must ask whether our planning and other policies serve them or—as is occasionally the case—the predatory developer who employs the public relations representatives to which I have just alluded.

There are plans for a new town outside Inverness—“Greater Suburbia”—but I suggest that, rather than that, we need vibrant communities across the Highlands and Islands that are sustained by national planning policies on housing and employment. For instance, I welcome the recent announcement of the development of a fishing apprenticeship, which has the potential to have a significant effect in some areas.

The retention of rural schools is another aspect that can be picked up, if our planning policies are right.

Mike MacKenzie: John Finnie may recall that, in 2011, a big election issue in Argyll and Bute was the council’s proposal at that time to close 30 per cent of its primary schools in the type of area that he has described. Does he agree that that was really a failure of planning policy rather than of education policy?

John Finnie: That example was a failure to do any forward thinking or to recognise that a school is at the heart of a community, and that if we are to retain genuine communities rather than just residential areas, we need to keep schools. There were certainly failures.

I want to raise a number of matters, but I will not have time to cover them all. I am grateful to the organisations that have provided briefings for the debate. I would like to hear the minister’s comments on the Aarhus convention.

We have heard about the public’s right to participate. I welcome the charrette system, because we need genuine public involvement. Mark Griffin’s comments about local development plans were absolutely right, as are the comments about involving young people.

Local issues can have national implications. As one of the briefing papers suggests, bottom-up challenges to national developments can take place without unduly undermining the value of national planning. I also agree that local authorities should be required to publish pre-application discussions with developers, because that would bring welcome transparency.

Resources are finite, and there are challenges across departments. I ask the minister to respond to the Scottish Wildlife Trust’s view that connections between nature reserves is a national initiative that might not be seen as such under the planning framework.

The issue of hill tracks has been raised, and I have been in touch with the minister on that in recent days. I am not reassured by the suggestion about best practice—far from it. Our hillsides are scarred by people who are too indolent to get off their backsides, except to go and destroy wildlife. We need firm action; permitted development rights should not be allowed. The minister has a challenging post and that is an issue that he must address, so I ask him to consider it.

My final message is that we should recognise the challenges of rurality for all services. Anything that the minister can do to acknowledge those challenges would be appreciated.

16:11

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): I am delighted to speak in the debate. Like many members, I served on my local council for the best part of 20 years. I wish that I had £1 for every comment that I heard along the lines of, "Who on earth thought that was a good idea?" Our dearly beloved planners have for many years borne the brunt of public indignation and been blamed for the variety of carbuncle awards that have been heaped on our unsuspecting and defenceless towns.

The drive for modernism in the 1960s saw many of our historic town centres demolished, only to be replaced by units and shopping malls that are characterless and indistinguishable from one another. Many people said, "If that's progress, let's stay where we are," but nobody listened. Of course, it was unfair to blame everything entirely on the planners or, perhaps, on the planning system. Scotland was ready for that type of modernism, with new designs and materials, and for a break from the stuffy historic past when people got droont every time they went shopping on a Saturday.

John Finnie: Willie Coffey used the word "materials". Does he acknowledge that, across Scotland, there are schools that have 1970s extensions built on to Victorian blocks and where the Victorian building is in pristine condition while the 1970s one is falling down? That is because proper materials were not used.

Willie Coffey: I absolutely acknowledge that. There is a lesson to be learned about design.

We all seemed to want American-style shopping malls, indoor spaces and lots of glass, metal and plastic everywhere, so out went the old grey granite and stone high streets. Did local people get what they wanted? To a degree, they probably did, but the price was high, and we are still paying it today.

I recall as a councillor in the 1990s trying to save the original stone railway station house in Kilmarnock, which I believe was the oldest in Scotland at the time. The thinking was that the building served no useful purpose and was better replaced by an imitation red sandstone wall. That replacement was duly carried out, and a photograph to remind us of our heritage had to do. I hope that we have come a long way from those heady days.

I have followed the current developments and announcements by the Scottish Government with great interest—not only as a current MSP and former councillor, but as someone who values the character that is still left in our towns and wants it to be enhanced, and not further diminished by the planning system, planners or even the town

co-councillors. That is a tall order, but it is a worthy aim that we should pursue. I am therefore pleased with the commitments to strengthening the role of local people—particularly young people, as several members have mentioned—in the planning process.

The charrette approach of having interactive design workshops that allow local people to shape their communities must surely be a welcome approach to local planning, which for many people can be too technical and remote to engage the ordinary person on a meaningful basis. Mark McDonald mentioned that earlier.

I was pleased to hear colleagues who have much more knowledge than I do of the charrettes that have been carried out in Dumfries, Fife, Aberdeen and elsewhere confirm that—as I expected—a consequential benefit of the approach might be fewer objections to development proposals when they reach the planning application stage.

One of the greatest complaints that I received as a local councillor was that local people rarely felt engaged with the planning process and took the view that, by the time they heard about the local plan or planning applications, everything was a done deal. The culture change to direct and early engagement of stakeholders and communities, and the minister's commitment to involve more young people in planning, are crucial and will really help us to get things right.

The fees proposal seems to have struck the correct balance between providing enough funding to help bridge the gap that Audit Scotland identified in fees and expenditure and managing the burden that is placed on applicants. An additional £4 million to £5 million coming to our planning authorities should go some way towards helping our councils to fulfil the greater demands that are placed on them these days.

The agreement with COSLA to monitor performance improvements should also help us to identify and assess authorities that need help. That is a useful tool to aid performance improvement.

Other members mentioned the proposals to simplify and streamline the process—the minister touched on those in his opening speech—without losing the quality of output or the involvement of local communities. That, too, is welcome.

Some of the concerns that were expressed by consultees chime with my experience as a local member. I am pleased to note that the minister has acknowledged many of them and will, I hope, set out more details in NPF 3 in March, and in the planning policy review that he announced a moment ago.

One concern is that the time that is taken to process applications is not consistent—which is perhaps a good way of putting it. Many applicants are frustrated by the lack of a clear timetable for objectors to submit views and for the council to determine applications. Progress on that will be very welcome.

A key concern that remains is about how we can enable local members to participate in the planning application process at an early stage. The current advice in some authorities—perhaps all authorities—is that they should not participate in order that they can retain their objectivity when an application comes to committee. However, our local members carry the can if and when things go wrong, and their communities expect them to be involved. I would welcome a mechanism that would permit them to participate in the planning application stages. Perhaps the way to achieve that would be along the lines of the charrettes that we discussed earlier.

The proposals that the minister has set out are welcome and appear to have broad support across Scotland. Planning belongs to us all, and we have a duty to our communities and future communities to get it right. Meaningful engagement with local people to shape those future communities is the right approach. Although there have been some spectacular failures in the past, today's proposals, which have community involvement at their heart, will give us a better chance of getting it right in the future.

16:18

Helen Eadie (Cowdenbeath) (Lab): I am grateful to the Royal Town Planning Institute in Scotland and others who have sent us briefings for the debate.

I bring to the debate my experience of 13 years as the senior vice chair on the economic and development planning committee of Fife Council, where I was also the spokesperson on transportation. I spearheaded a number of initiatives that set good models of practice for sustainability within a sound financial framework. For example, I ensured the establishment of the Inverkeithing to Edinburgh airport bus link, the facilities at the north end of the Ferrytoll park and ride, and the Rosyth to Zeebrugge ferry.

Those are real examples of sound planning and sustainability making a difference for people and communities. I am sure that our forefathers would be in awe if they could see how planning professionals have developed and supported our communities through their professionalism.

Community gain was mentioned. I am sure that, used appropriately, that is a good way forward. I have supported it many a time.

I support Sarah Boyack's amendment. I know that the issue of fees and how to finance the planning system is challenging for any local authority. As a politician who has had to engage in budget talks within a local authority, I know how controversial the issue can be.

I know, too, that fracking has been the focus of huge debate across Europe. For example, it has been prohibited in parts of Bulgaria, and another country was mentioned in the report that I read. In the European Parliament, there have been discussions and debates with the European commissioners. Serious concerns are being expressed by many people across Europe, both those who wish to develop and those who are concerned about the impact on the environment.

Enticing developers to invest in communities is paramount. It is essential that there is a level playing field throughout Scotland, but I acknowledge that there has to be flexibility, too. I read with interest the Planning Democracy manifesto "People, power and planning", which calls for well-resourced systems to ensure that there is sound engagement by the public. We have heard examples today of where that sound engagement has taken place. The manifesto also seeks an appeals process of the third-party sort—it calls it a right of community appeal. We should revisit that idea in the Scottish Parliament. It has been debated before, but it needs to be extensively debated again.

I welcome the news that the Scottish Government is to award £36,000 to Planning Aid for Scotland in addition to its existing resources. I have used the agency time and again. It is a tremendous resource for our communities and I applaud its work.

In the past two or three years, I have been party to discussions in which developers have brought forward plans for up to half a billion pounds-worth of development in Rosyth with the potential for up to 3,000 jobs but, alas, neither central nor local Government helped to make it happen. We still have ground that lies fallow in Rosyth. To my mind, we have to strike a balance between, on the one hand, recognising the realities of life and ensuring that people can earn a livelihood through economic development and, on the other, the environmental issues that could arise if there is not a sound framework in place.

Both I and my constituents are frustrated by the time that is taken to determine applications. Willie Coffey rightly mentioned that issue. For example, the Babcock terminal at Rosyth must have been in the planning process for more than two years. That is disappointing, to put it mildly.

The Scottish Government has said that it will pursue a statutory mechanism to punish

authorities that underperform in the longer term. Some members of the public will be disappointed about that because, as taxpayers, they will feel that they are being unfairly taxed a second time. There are other ways in which to improve performance—carrots as well as sticks. Perhaps financial rewards for the best performers would be a more positive way forward. As the Royal Town Planning Institute in Scotland has said, it is important for authorities to learn from each other and to teach each other how they can best make progress and improve poor performance.

On the charrettes issue, when the approach was tried at Lochgelly in Fife, the local newspapers were full of criticism because the loop was never closed. That is one of the things that we need to learn from charrettes. It is all very well to have exercises in which we go out and ask the public for their views, but there must be a way of closing the loop and providing full information. That was at a time when the SNP was in control in Fife.

Claudia Beamish is not here for this part of the debate, but I absolutely agree with the point that she made about serial offenders. In my opinion, we have a serial offender in my locality, in St David's bay in Fife. His name is Eadie Cairns—I am sure that he is absolutely no relation to either Jim Eadie or me. I hope that, if his current application comes across the minister's desk, the minister will look at the flooding issues, because if there was ever a place that is likely to be overwhelmed by flooding, it is that spot. That is my principal objection to the development at St David's bay.

We are extremely lucky as a nation to have so many individuals across Scotland who, when they come home from their day jobs, work so hard to get their heads round the complex planning system. We are lucky, too, to have the range of professionals who are genuinely eager to be positive in responding to the concerns of the public.

I have had the good fortune to travel extensively, and I have seen some horrendous development where planning laws are not what we have come to expect. We can contrast Sweden's model—in which new developments for housing come with schools, general practitioner surgeries, dental clinics and police provision as integral parts of the plan—with much of Scotland, where so much is retrofitted or bolted on, with inappropriate levels of consideration providing for sometimes poorly placed facilities.

There was an exchange between Sarah Boyack and Jamie Hepburn about the Royal Town Planning Institute in Scotland. Having read its briefing, I simply comment that the use of language in it is interesting. There are instances of "generally welcome" in various sections; in others,

things are simply "welcome". "Generally welcome" might imply qualification whereas where something is "welcome" it could be construed as being absolute. I read the briefing mindful that it was not a total endorsement of the Government's proposals. The minister and his colleagues need to think more carefully in cases where there is a general welcome.

16:26

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I must say that I come here as a partial conscript and that I am well out of my comfort zone among all these ex-councillors who know all about planning. I did not even know what a charrette was—I have probably been at one and never known it.

Many of us have individual and community constituency cases in which planning is a huge and stressful issue. I will basically come at this debate from the community point of view. I will be reprising things that others have said—after all, I am about the hundredth speaker in this debate.

Too often, communities are unaware of a proposed development until the 11th hour. Sometimes developers do not even bother with neighbourhood notification; they do not care and they just get on with it—and get away with it.

I am looking very carefully at what is said in the Scottish Government's response to the "Planning Reform—Next Steps" consultation—I have already taken the minister up on this in an intervention earlier. The document states:

"The views varied about the desirability of a more efficient system, with some concerned that more streamlined procedures may be at the expense of quality of output and community participation."

I have come back to that because the minister has said:

"We have laid legislation in Parliament to amend the Planning Act. In particular, removing the requirement to carry out pre-application consultation when amending a condition associated with a major development."

There are two weasel words there. The first is amending—what does amending mean? It could mean taking out a preposition, which might be a very important preposition, or changing a conjunction from an "and" to a "but". Additionally, what does "a condition" mean? What would that condition be? There are a range of conditions and there are all kinds of substantive and little amendments that take place.

My concern takes us back to third party community right of appeal, which Helen Eadie raised. Many years ago I happened to be on the Communities Committee, which argued for a community right of appeal in very limited

circumstances—and this is one of them. That proposal was rejected by the then Labour-Liberal Administration and, actually, not many in our party agreed with it, but we are back to the issue.

The whole idea of pre-consultation was to ditch the idea of third party community right of appeal, because it would mean that everybody would get a fair shot. The proposals seem to be taking that away from people. I may be wrong and I look forward to seeing what will come, but, for me, there are difficulties with the words “amending” and “condition”.

I have a lot of time for Planning Aid for Scotland, but it is a mystery to me why many communities do not know about it. Helen Eadie said that she has often used it, and I have, too, but I have had to tell active groups, with very professional people who have worked for a long time, about it as they have never heard of it.

I am not blaming Planning Aid for Scotland, but I do not know how we get the message through that there are professional planners who can help communities. Therefore, although I welcome the money that is going to Planning Aid for Scotland, I believe that we must somehow make the people who face developers and local authorities much more aware of it.

Margaret Mitchell spoke about enforcement, which I have a lot of time for. A lot of people do not believe that it will happen. If they are told that a developer has to screen a site to stop dust and everything that is going past, and if it does not happen and they have to complain, they think, “Well, that was going to happen anyway”. If developers promise to put in a row of trees that is 10 feet high—forget the high hedges, these are the important ones—to screen some hideous things and that does not happen, people have to go through hoops to enforce the promise. Margaret Mitchell is absolutely right—I have great sympathy with the view that enforcement during development and post-development should mean what it says.

I now have some wee bits and pieces. I do not know much about how we force or persuade local authorities to develop on brownfield sites, but I would like to see more of that happening rather than greenfield land being encroached on. I would also like to know what happens—it seems to me that this does happen—when a local development plan in which people get involved is put in place, only for councillors to walk away from it and do things that are not in the plan. In such a case, what was the point in people getting involved in the first place?

Another important point was in the news this morning, but we all knew that that would happen. It is about the impact on town centres of out-of-

town retail developments, which Willie Coffey mentioned. Even in Galashiels, although there is not an out-of-town development, we have a major Asda and a huge Tesco, and the wee shops in the main streets are withering on the vine.

Everybody is hypocritical about supermarkets—they shop in them and then complain that they have lost their fishmonger or their greengrocer—but we must take account of their impact. If that is to be the path for town centres, what are planners thinking about in the wider spectrum when they are doing one of those charrettes? I am going to google that word to see how often it is used.

To pick up on John Finnie's important point about planning gain, I agree that planning is not all good news, but it is good news, for instance, in the Borders, where there is planning gain on the land and development for the Borders railway. Land and houses will be more valuable and will sell because of the railway. Planning is sometimes extremely appropriate in that regard.

I think that it was Willie Coffey who referred to design. I hate the Legoland houses: bright, ubiquitous brick wherever we go, which has nothing to do with what a place was like to start with. With houses of semi-dressed stone in Edinburgh and granite in Aberdeen, for example, the design is sympathetic to the place. There is a lot to commend the Victorians and Edwardians for in that respect. What have we got? We have Cala Homes, Persimmon and so on just plonking down the same design and exterior wherever they go, and they are horrible. I do not want to insult my constituents—the houses are probably really nice inside—but the exteriors do not even weather or grow moss.

Finally, a point was made about prohibiting councillors from taking an active part in planning applications in their wards. The wards are much bigger now, and we must look at that situation again because people do not understand why their democratically elected members cannot open their mouths on those applications.

The Deputy Presiding Officer: That brings us to closing speeches. I call Alex Johnstone, who has up to seven minutes.

16:32

Alex Johnstone (North East Scotland) (Con): There have been many carefully chosen words in this debate, but it is always nice to hear Christine Grahame speak from the heart.

Planning touches all our lives, from the neighbour who wants to build an extension to his house, to the astonishingly slow progress of the Aberdeen western peripheral route. It is a process on which we all rely to allow us to have our say on

developments that impact on our communities, but it is also a system that has been under pressure and underfunded for too long. I think that the cracks are beginning to show.

The average time taken to reach a decision on major housing developments in Scotland is now 83 weeks; in my own backyard in Aberdeenshire, the figure is 112 weeks. At a time when construction jobs are being lost and people are looking to get on to or up the housing ladder, a planning decision on new homes can take two years. In November last year, when I questioned the minister about delays in the planning system and the consequent effect on jobs, I was heartened to be told that officials would be looking into it. However, it seems to me that that process might take almost as long as the planning process itself.

One of the many reasons for this crisis is the number of wind farm applications that councils across Scotland currently face. In the Government's motion for the debate, the minister notes that extra funds have been allocated to councils to help them deal with wind farm applications. However, the planning system is not just about determining housing, industrial and infrastructure decisions; it is also about local decisions being made from within the communities that will be affected. In my view, it is disingenuous to the point of duplicity for the Scottish Government to disburse funds to deal with wind farm applications, only for the same Government then to overturn the decisions of local councils that it does not agree with.

Derek Mackay: Does the member not recognise the fact—which has been repeated a number of times—that the Scottish Government agrees with local authorities in the majority of cases on appeal and that local authorities agree with the decisions that the Scottish Government determines under section 36 of the Electricity Act 1989 in a majority of cases?

Alex Johnstone: I carefully did not make the claim to which Derek Mackay refers—if he looks at what I said in the *Official Report* he will see that.

That demonstrates the creeping centralisation for which this Government is becoming synonymous as it draws back powers to Edinburgh that should lie with local communities—all at a time when the costs of submitting an application and the costs to local authorities of processing it are fast becoming prohibitive.

Mike MacKenzie: Will the member take an intervention?

Alex Johnstone: I want to make some progress.

The Scottish Government tells us that the increase in fees will generate up to £5 million to support the work of planning authorities. On the face of it, that looks like a welcome boost to get things moving again—until we look at Audit Scotland's 2011 report, which noted that even in 2009-10, which is before the wind farm applications reached their current peak, there was a shortfall of almost £21 million between the amount that the planning process cost local authorities and the amount that the Scottish Government allocated to local authorities to fund it.

That should set alarm bells ringing on two fronts. First, it surely demonstrates that the major contributory factor in the poor performance of the planning system is its chronic underfunding—even a 20 per cent increase in the fees would do little more than paper over the cracks. Secondly, if it costs so much more to administer than the funding allows, the extra money must be coming from other local authority budgets. The question that must therefore be asked is whether front-line services are under greater threat because the scant resources used to keep them going are topping up a system that is operating so slowly that it is threatening house construction levels and other important developments.

How long can we expect to wait for progress? We can expect the draft Scottish planning policy to be produced in the early part of this year, but that will simply lead to a consultation phase. We will have to wait until the end of the year before we have the proposed national planning framework. Until then, the system will grind on slowly, to the frustration of those obliged to engage with it—from the householder who wants to convert their loft, providing much-needed work for local tradesmen in the process, to the large companies that want to bring much-needed new homes to the market place, with all the employment and training opportunities that such developments would bring.

The Scottish Government must realise that this is not the time for paucity of ambition; it must take stock of the situation and act more decisively. We do not have time for the jam tomorrow approach that has been the stock in trade of the Government.

Let me move on to talk briefly about the Labour amendment. Labour highlighted an important issue during the debate—hydraulic fracturing—which is something that will be discussed in Scotland in the future. Coal-bed methane extraction may more likely be the issue that we find ourselves dealing with in the Scottish context. Nevertheless, a number of Government back benchers pointed out that policy decisions in that energy area lie with the Westminster Government. We have heard that many times before. It is

inevitable that the planning system will become tied up by such proposals when they come along.

Let us look at what happened to wind farm developments in the distant past. Many of us in the chamber, including the governing party of today while it was in opposition, called for strategic guidance to determine where wind farms should be sited in the future. It is important that we acknowledge that part of the Labour Party's amendment and ask the minister to take seriously the requirements that will be placed on any future Government to give appropriate planning guidance on novel gas extraction techniques.

The Deputy Presiding Officer: You must conclude, Mr Johnstone.

Alex Johnstone: I close by offering my support to the amendment in the name of my colleague Margaret Mitchell.

16:40

Sarah Boyack: This has been a good debate. We have been able to discuss a range of issues, and I hope that we have shed some light on where the Scottish Government is going, to assist people who have a strong interest in the planning process and are following the debate.

We deliberately did not lodge a "delete everything and insert" amendment, because it is important that there is a debate. To an extent, planning is and must be cross party, but that does not mean that there are no politics in the issue. We have different views about the values that underpin the planning system.

As Christine Grahame said towards the end of her speech, a key issue in the 2006 act was the attempt to give communities greater opportunities to hear about potential developments before developers signed on the dotted line. Once a planning application is in play, it is entirely up to the developer to amend it, which can mean that everyone is boxed in. Developers end up going down a certain track, although a change at the start of the process would have been less costly and would have made the development more acceptable.

That is one reason why we pushed so strongly for the 2006 act. Christine Grahame was also right to mention the third-party right of appeal. In the end, we did not go for that. However, at the time, we negotiated out of ministers a right of notification, so that in certain circumstances in which local authorities departed from development plans or ignored people's comments, communities would have the right to refer an application to the Scottish Government. That right was inserted before 2007, but it was taken away in 2009. That was a mistake, because power was taken away

from communities. That takes me back to the point that I made in my opening speech about there being dissatisfaction with the planning system. We need to consider why people find it hard to relate to planning.

We cannot walk away from the challenge of resources, which member after member mentioned. The system could be better organised in local authorities and resources could be applied differently, to some extent, but in the overall context of the reduced resources that local authorities are dealing with and the number of people who are moving out of local government, there is a challenge for planning. Because planning is not a statutory system in the way that schools are—in the sense of how the system is delivered—it is very much for the local authority to determine how to deliver its policies. There is a challenge in that regard, which is evident not just in the delays in dealing with some applications but in the lack of resource that local authorities can target at new issues.

Mike MacKenzie: Will the member give way?

Sarah Boyack: No. I want to develop my point a little.

An increase in planning fees will not address the whole resources issue in the planning system. A member—it might have been Mark Griffin—said that people are not very interested in development plans, which is true. However, development plans are a hugely important part of the decision-making process in local authorities. There is an issue to do with how local authorities communicate with people and involve them in setting the framework for the process by which applications are decided.

Cost is fundamental. We do not currently have full cost recovery through fees and there would be a huge uplift in fees if we did. I understand the difficulty of making such a decision. However, the fact remains that given their resources, it will be extremely difficult for local authorities to do the radical work to which the minister aspires. A move to a system that penalises people who are struggling would take us in the wrong direction.

The issues are difficult and it was important to highlight them in the debate. I hope that the minister will reflect on the debate. Members from different parties talked about the problem of resources. We cannot escape the fact that local authorities have their hands tied. They are having to get rid of staff to make the books balance.

Mike MacKenzie: Does the member agree that the on-going extension of permitted development rights takes an awful lot of applications out of the planning system and, in effect, increases the resources that are available to planning departments?

Sarah Boyack: It is probably fairer to say that it takes some of the pressure off the system and that it is a better deployment of those resources. My own council is able to do it because officers take the lead on certain decisions and councillors are simply not involved at all. That relates partly to the deployment of councillors' resources and time, but it relates also to the amount of paper that goes round a department. That is part of the solution, but we need to understand the scale of the challenge and simply dealing with that issue, without looking at the overall funding situation, is not going to deal with it. Comments from the Scottish Property Federation, which colleagues have not referred to much in the chamber, referred to the huge challenge of the process—from buying land, to the application process, to the construction process—to end up with a development that may not be occupied for a matter of years. That is hugely costly, so the working party that the minister has set up is hugely important because, at the moment, councils cannot afford to resource the system that we need if we are to meet the targets that the minister talks about councils aspiring to. That is the problem, and that is where we are at the moment.

Small amounts of new money for renewables are helpful to let local authorities deal with a situation in a one-off sense, but they will not help them to deal with processing major applications with significant traffic and environmental impact assessment papers that need to be processed, never mind the consultation process. The solution that the minister has come up with will not solve the problem in the long run. More political discussion is required.

The other major point in our amendment was about fracking. My colleagues Claire Baker and Claudia Beamish have done a lot of research—they have gone round local authorities and there is both a planning and a licensing aspect to the problem. It is not as simple as saying that if it is one type of development, it is in one box and if it is another type of development, it is in another box. The problem is that such developments cross the planning and licensing regulatory regimes. The research that we have carried out shows that the process is complicated. Local authorities are granting permission through delegated powers for borehole drilling, which is used to extract coal-bed methane, and for exploratory work. For hydraulic fracturing to begin, the operator needs a licence from the Department of Energy and Climate Change, a licence from SEPA and a licence from the Health and Safety Executive. However, it is not always clear whether local authorities have a further scrutiny role if the activity is to move from exploratory, or extraction without fracking, to the use of hydraulic fracking. Questions need to be asked and, after surveying local authorities, we

are convinced that the minister needs to look further at the issue.

We want to highlight the confusion and the lack of democratic accountability and scrutiny around the issue. Guidelines are needed from the Scottish Government. If clarity could be provided, it would help developers and communities; crucially, it would enable local authorities to deploy their resources more effectively.

There is an issue about new types of development. We have spent quite a lot of time in the chamber today talking about renewables. We dispute Margaret Mitchell's comment that wind development is a regressive form of development. We simply do not accept that. The challenge is in the number of proposed developments, because it is hard for local authorities to deal with them, it is hard for communities to keep up and if there are serial developments happening in an area, there are major concerns about the scale of development.

Margaret Mitchell: Will the member take an intervention?

The Deputy Presiding Officer: I am afraid that the member needs to come to a conclusion.

Sarah Boyack: That is the key issue. Our amendment is a constructive amendment; it is meant to add to the debate.

It has been a good debate and I hope that the minister will listen to the comments from around the chamber. It is interesting that it is more than a cross-party debate because there are members with experience of being planners and councillors, who understand how the system works. In reforming the system, the minister must be mindful of that. It is not acceptable just to make a statement that something will happen. The impact must be monitored because in planning it is about checks and balances and democratic accountability. Those must be factored into any change.

16:49

Derek Mackay: It is customary to say that a debate has been good, but I genuinely believe that it has been a good debate that has contributed immensely to consideration of the planning system in Scotland. I appreciate the contributions from every single member, although I would hate to see Christine Grahame comfortable with a subject as she questioned a minister, given how she questioned me having said that she was well outwith her comfort zone. All points are valid and will be taken on board.

On the amendments, I do not think that the Government is that far away from the Opposition parties. However, although we can support the

Conservative amendment, we cannot support the Labour amendment. The specific reason why we cannot do so was demonstrated in Sarah Boyack's speech, which focused on the resourcing of local government, with that on-going inaccuracy that Labour seems to be wedded to that there has been a greater reduction in local government funding than there has been in funding for other parts of the public sector. Of course, the fact is that the share of spending support to local government is higher under the SNP Administration.

Sarah Boyack: Will the member give way?

Derek Mackay: I will continue with my speech in order to get back on to planning as quickly as possible, but I will come back to the issue. I knew that Sarah Boyack would be unable to resist making the point about resourcing during the debate. However, the rest of her speech on the planning system was helpful.

The resourcing of the planning system and which parts of various services they provide resources for are matters for local authorities. Some partners have said that the planning system is certainly a public service and that, if a subsidy is necessary, that is a good thing, as it assists in determining applications in a public-spirited way. However, we believe that resourcing is a factor in planning performance, which is why we reached the conclusion that there was a need for a 20 per cent increase in planning fees.

John Pentland: Following the minister's intervention in my speech, it appears that the cost-neutral option for planning fees is not on his radar. Does that mean that he thinks that it is right that planning applications by wealthy companies should be subsidised by council tax at the expense of education, social work and other local services?

Derek Mackay: Where was Mr Pentland when the public health supplement was going through Parliament and the SNP was happy to put a levy on larger operators—the large retailers—in order to gain contributions to preventative spend? The Labour Party wanted to avoid that.

The member has misinterpreted what I said around the planning fee increase. Twenty per cent, at this stage, seems appropriate and will result in an investment of £4 million to £5 million in the planning system, which will assist local authorities. We want to head towards full cost recovery of planning applications. That is a direction of travel that we support, but it has to be done in partnership with all the various partners and stakeholders to ensure that it reflects where we are in the current economic cycle and that those who are paying the fees can expect a quality service. I am not sure that that is the case across

the country at this point in time. That is why we want to tie the fees issue to the issue of performance, so that people get what they pay for. We certainly aspire to having a properly resourced planning system.

Engagement with the community is the driving force behind the charrettes. We have shed a great deal of light on charrettes, and a number of members have spoken about them. Sarah Boyack quite rightly raised the issue of the performance of Government agencies and partners. I have had meetings with them to ensure that they are contributing to good performance across the country and have met the targets that I have set them.

Margaret Mitchell helpfully focused on the engagement with NPF 3 and covered some of the fracking issues that other members have raised. Although I think that there is clarity around where consents and guidance are required—SEPA produced guidance for some techniques late last year—I will give further consideration to how the matter can play into the SPP and the NPF 3 and to whether there is room to give further clarity.

I was delighted to repeat the statistics on renewables and to state that, most of the time, we agree with local authorities and, with regard to the section 36 notifications, they agree with us.

I agree with Margaret Mitchell about the need for a strong enforcement regime, because the planning system is only as good as the level of enforcement that we are willing to impose after the decisions are reached.

I expected Alex Johnstone to focus on timescales, and I gave him a commitment to consider those legacy cases. It will not take 77 or 81 weeks. We have had early feedback on the reasons why some of those outstanding cases have been around for as long as they have.

Various actions that accord with the next steps reforms that I have announced today and last year have been raised. Interestingly, the Conservatives, like Labour, support a higher increase in planning fees. I will take that on board in my on-going meetings with COSLA on how to resource the planning system.

Mr Johnstone criticised the time that it has taken to take some decisions. However, when the Government makes decisions, it is important that we take the time to consult properly on our draft proposals.

Joan McAlpine raised a number of important points about our renewables capacity and how renewables should be harnessed to provide Scotland with a reliable energy mix. She welcomed the range of measures that we have announced and focused on the idea that, when it

comes to renewables developments, it is not simply the number of approvals that matters, but their placing in appropriate locations.

John Pentland covered the balancing act that has to be done when decisions are taken. The views of local people have to be taken on board, but it is not a simple case of planners being control freaks and applicants being zealous. The balance of all interests must be taken into account. That will certainly be done as part of the joined-up approach that we have deployed and as part of the town centre review. John Pentland's shameless pitch for Ravenscraig to form part of NPF 3 will be noted as part of the on-going consultation.

Chic Brodie helpfully covered the economic partnerships in Ayrshire. He also mentioned the need to get more consistency in the performance of the 34 planning authorities—32 of which are local authorities—across the country.

Mike MacKenzie said that he has been thinking about how to deliver a vibrant planning system since he made his first application 35 years ago. I am not sure that I was thinking about how to deliver a vibrant planning system 35 years ago, but I have spent the past year as a minister thinking about how to deliver a planning system that focuses on efficiency and place making in architecture, as well as early engagement, just as Mike MacKenzie suggested. *[Interruption.]*

The Deputy Presiding Officer: Could we have order for the minister, please?

Derek Mackay: Mark Griffin eloquently set out some of the challenges that we face on community engagement. Communities may not be engaged in the development plan process, but that sets the zoning from which planning application determinations may follow, so allowing greater community engagement at that stage is absolutely vital. Mark Griffin also covered the benefits of the charrette process and, like other members, pointed out that protests at the end of the process are more unhelpful than engagement at an earlier stage.

Jamie Hepburn reminded us of the generous settlement that local authorities have received and how the new funding announcements should assist them to make the right decisions and the right improvements in planning performance.

Anne McTaggart mentioned permitted development. I clarify that the permitted development changes relate largely to householders, so they will not necessarily have the community impact that she fears.

Stewart Stevenson's focus on the contribution that young planners have made was extremely welcome. He commented on the RTPi and the

outcomes that can result from proper engagement, such as the central Scotland green network, with which he was closely involved. He also posed a valid question. Given the increase in permitted development rights and the fact that there are fewer applications in the system, why have costs increased? It would be unfair to expect those who pay the planning fee to fund a service that was not performing well. That is why we will return to the issue in the better regulation bill.

Siobhan McMahon covered the issues of proximity and cumulative impact assessments. The SNH guidance is extremely helpful in focusing on appropriate locations for renewables developments and taking cognisance of any proliferations in particular locations.

Mark McDonald spoke about the frustration with Aberdeen City Council over some local decisions but commended its hard-working planning service.

John Finnie's comments on rurality and super-sparsity were well received, and Willie Coffey, in setting out his desire for quality rather than carbuncles, also made a helpful contribution to the debate.

Helen Eadie, too, made a helpful speech. She distinguished between the RTPi's welcoming and its generally welcoming decisions by the planning minister and the Scottish Government, but I will take welcome or general welcome any day over the outright opposition to the planning decisions and changes that have been made in another place in relation to England. I think that we have been methodical in taking the right approach to delivering recovery and supporting sustainable economic growth in Scotland.

Point of Order

17:00

Margaret McDougall (West Scotland) (Lab): On a point of order, Presiding Officer. On 20 December, in response to a question that Kenneth Gibson asked about the closure of the marine field station at Millport on Cumbrae, the First Minister said:

“the station ... is not actually used by any Scottish university at present, although the Scottish Further and Higher Education Funding Council contributes some funding to it.”—[*Official Report*, 20 December 2012; c 15033.]

Following that statement, I have had several emails from numerous academics at Scottish universities who use the station—most notably, Professor Harry Birkbeck, who has worked in marine biology since 1972 and still volunteers at the station. He pointed out that the University of Glasgow, the University of Edinburgh, the University of St Andrews, Edinburgh Napier University, Heriot-Watt University and the University of the West of Scotland have all used the station and are still doing so. In fact, 533 Scottish university students and 521 English university students used it last year. [*Interruption.*]

The Deputy Presiding Officer (Elaine Smith): Order.

Margaret McDougall: I checked the *Official Report* this morning to see whether the First Minister's statement had been corrected, but it has not been. I believe that the First Minister made the statement in good faith and was simply misinformed. Will he correct the *Official Report* to reflect the fact that the station is used by Scottish institutions for research and training?

The Deputy Presiding Officer: It is clear that such matters are for the First Minister. I know that members are aware that the Presiding Officers are not responsible for the veracity of what is said in the chamber, so the matter is not for me. However, members will also be aware of the recent revisions to the corrections process. If any member at any time inadvertently makes a mistake, there are procedures for correcting the record.

Decision Time

17:01

The Deputy Presiding Officer (Elaine Smith): There are three questions to be put as a result of today's business—[*Interruption.*] Could I have order, please?

The first question is, that amendment S4M-05358.2, in the name of Sarah Boyack, which seeks to amend motion S4M-05358, in the name of Derek Mackay, on planning reform, next steps, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Eadie, Helen (Cowdenbeath) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Malik, Hanzala (Glasgow) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)

Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, Brian (Aberdeen Donside) (SNP)
 Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (North East Scotland) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 52, Against 62, Abstentions 0.

Amendment disagreed to.

The Deputy Presiding Officer: The second question is, that amendment S4M-05358.1, in the name of Margaret Mitchell, which seeks to amend motion S4M-05358, in the name of Derek Mackay, on planning reform, next steps, be agreed to.

Amendment agreed to.

The Deputy Presiding Officer: The third question is, that motion S4M-05358, in the name of Derek Mackay, on planning reform, next steps, as amended, be agreed to.

Motion, as amended, agreed to.

That the Parliament recognises the vital role that the land use planning system must play in supporting sustainable economic growth; recognises the importance of cross-sector collaborative working to enhance the operation of an efficient and effective planning system; supports progress on the next steps of planning reform including the launch of National Planning Framework 3, the review of Scottish Planning Policy, the introduction of the Planning Performance Framework and the agreement between the Scottish Government and COSLA on a way forward in managing planning fees and resources linked to performance improvements; considers that a robust enforcement mechanism is a crucially important part of an efficient and effective planning system, and notes the provision of additional funding by the Scottish Government to local authorities to help them deal with applications for wind turbines, to Planning Aid Scotland to increase young people's involvement in planning and deliver pilot projects supporting engagement, and to Heads of Planning Scotland for training support.

Coal Industry

The Deputy Presiding Officer (John Scott):

The final item of business today is a members' business debate on motion S4M-04875, in the name of Adam Ingram, on the Scottish coal industry. The debate will be concluded without any question being put.

Motion debated,

That the Parliament recognises the importance of the coal industry, which it considers has been and remains a significant contributor to local and rural economies in East Ayrshire, Fife, South Lanarkshire, Dumfries and Galloway, North Lanarkshire, Midlothian and West Lothian; considers the industry a mainstay occupation in the Scottish economy, generating £450 million of economic value to Scotland every year and, with its wider supply chain, employing on average 4,000 people; welcomes the fact that two Scottish projects are being considered to take forward the next phase of the UK Government's £1 billion carbon capture and storage programme to demonstrate the potential to greatly reduce the carbon impact of fossil fuel power generation as Scotland moves to a low-carbon future, but is concerned that future investment in the industry is being threatened by an adverse and unintended effect of the carbon reduction commitment and proposals by the Office of Rail Regulation to hike freight access charges for Scottish coal producers.

17:05

Adam Ingram (Carrick, Cumnock and Doon Valley) (SNP): I thank the members whose support has allowed the debate to be brought to the chamber this evening.

Although the Scottish coal industry is no longer the industrial behemoth of the past, it remains a significant contributor to the Scottish economy through surface mining activities. It supports around 1,500 direct, full-time jobs and 3,000 indirect jobs in the Scottish supply chain, and generates approximately £450 million per annum in economic value for Scotland.

The communities that I represent in the Ayrshire coalfield remain reliant on the good health of the coal companies and their production activities. More than half the Scottish industry's employment and output is generated within the Cumnock and Doon valley area of East Ayrshire. The jobs that are provided are well paid. The average salary is more than £42,000, which is approximately 66 per cent above the overall Scottish average of £25,000 or so. That said, there is a dearth of alternative employment in the coalfield area. Scotland's index of multiple deprivation shows that more than 30 per cent of the Ayrshire coalfield's data zones are in the most deprived bracket. From those statistics, it should be evident that continuation of coal production in the face of current challenges is of vital importance to those communities.

Members will be aware that two of the four coal companies that operate in Scotland—ATH Resources plc and the Scottish Resources Group, which is also known as Scottish Coal—have reported significant financial difficulties related to the low selling price of coal and rising costs. I know that the minister has been heavily engaged in supporting those companies' attempts to secure current and future operations. I am sure that Parliament would be grateful for any feedback and reassurance that the minister can provide at this time.

I am also aware that Scottish ministers and Scottish Government officials have been working hard to relieve some of the adverse pressures on the industry. For example, Scottish ministers were instrumental in relieving the extra burden that was placed on coal companies that had switched from transporting coal from extraction sites to railheads by road to using long cross-country conveyer belts. One might have thought that that was an enlightened investment, but the increased electricity consumption that is needed to power the conveyer belt networks breached the threshold set by the United Kingdom Government's carbon reduction commitment energy efficiency scheme and incurred massive penalties and future liabilities running into millions of pounds. No allowance was made for the significant reduction in CO₂ emissions that was achieved by switching from road transport to conveyer belt. Thankfully, and due in no small part to pressure from the Scottish Government, in his autumn statement the chancellor exempted long conveyer belts from the scheme from July 2013, which will relieve future burdens. However, I understand that Scottish ministers are still pressing UK ministers to relieve the liabilities that were incurred during the scheme's first year of operation.

The Office of Rail Regulation's introduction of increased track access charges on a distance basis for coal freight that is to be phased in from 2016-17 is another contrary proposal with potentially disastrous consequences for the viability of the Scottish coal industry and, indeed, the prospects for the future development of clean coal electricity generation in Scotland. It appears that little consideration has been given to Scottish circumstances. For example, the price of coal from English ports and mines to power stations in England might rise by £1 per tonne, but the equivalent rise from Scottish sources could be £4 per tonne. Clearly, the threat extends beyond the mining companies to Hunterston port and Longannet power station. The proposal makes even less environmental sense as it will encourage the modal shift of coal traffic from rail to road. All the evidence that we have suggests that imported coal flows from Hunterston to Longannet will be affected.

Another pressure on surface coal-mining operations in Scotland relates to restoration bonds. Since the financial crash of 2008, the coal companies have been struggling to secure the bond-type guarantees that local authorities require under section 75 agreements for restoration and aftercare of sites. There are now very few bond providers in the marketplace and their costs have consequently escalated. Again, the Scottish Government is actively trying to find an acceptable alternative model of assurance for planning authorities and coal operators.

Taken together, that combination of pressures is a severe threat to investment in an industry that is currently producing around 5 million tonnes of coal per annum but has permitted reserves of 39 million tonnes in operational sites across Scotland. Significant though that output might be, the coal resource and the industry have much greater potential. As Scotland still has several centuries' worth of mineable coal reserves, security of supply is clearly not an issue. It remains an ideal fuel for baseload and for responding to electricity demand peaks on cold winter nights. That potential will be unlocked with the successful full-scale demonstration of clean coal technologies such as carbon capture and storage, which will greatly reduce the carbon impact of fossil fuel power generation.

Together with our investment in renewables, Scotland could be a world leader in creating a low-carbon future. We have the knowledge and expertise in our universities and industry and the infrastructure in the North Sea. The Summit Power bid to the UK's CCS commercialisation programme for a coal gasification plant fitted with a fully integrated CCS system at Grangemouth could be a trailblazer.

I am absolutely convinced that the Scottish Government has the vision and drive to achieve that ambition. As ever, though, we are constrained by the UK straitjacket.

17:12

Anne McTaggart (Glasgow) (Lab): I am delighted to contribute to this debate on the Scottish coal industry's importance to the wider Scottish economy, and I thank Adam Ingram for securing it.

In the face of new and emerging technologies, coal's importance as an energy source can often be forgotten or marginalised. However, as the motion states, more than 4,000 people are directly or indirectly employed in an industry that contributes an annual £450 million to the Scottish economy.

Many areas of Scotland have a strong mining legacy, if not an active workforce who remain

employed in an industry that has existed here since the 12th century. Many of us in the chamber will have family members in the industry, or will have been born or brought up in mining villages; indeed, I come all the way from Moodiesburn in the North Lanarkshire Council area. When I was speaking to colleagues yesterday, I mentioned the Auchengeich mine—I am sure they thought I was swearing at them. I am sad to say that I am not a coal miner's daughter, but I nearly am and I certainly understand the sense of community that comes from being part of a Scottish mining family.

Alongside the value of the industry to Scotland, the culture of mining families and communities has greatly benefited towns and villages across the country and has encouraged generations to work together for the wider community's benefit. For example, the Scottish Coal Industry Special Welfare Fund is an independent charity that provides financial assistance to vulnerable people who have connections to the mining industry. The scheme awards grants to former miners or their family members in times of hardship, and it dispenses funds that are reserved for community groups that provide services to those who have mining connections or associations with the coal industry. That is just one example of the many schemes that were established to support Scotland's coal industry, and it serves to illustrate the importance that the mining industry continues to command within villages, towns and cities across Scotland.

It is clear that Scotland's coal industry deserves continued support and recognition from the Scottish Government, given its relevance and value to our nation in a number of different ways. Although it is important that we deliver cleaner and more sustainable ways of producing energy in the future, we know that coal will continue to play a significant role in producing energy for decades to come, and that Scotland will be able to rely on the substantial benefit that it brings to our economy through these challenging times.

I hope that the Scottish Government will fully recognise the value that the sector has not just for those who are employed in the industry, but for those who benefit from the charitable values and community spirit that are characteristic of our mining communities.

17:16

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): I congratulate my colleague Adam Ingram on bringing the matter to the attention of Parliament by securing this evening's members' business debate.

In a country that is as resource-rich as ours, with booming industries in oil and gas alongside

the exciting new developments in renewable energy, it can be all too easy to dismiss the coal industry's relevance to modern-day Scotland. Once the powerhouse of Scotland's economy, with 150,000 workers producing 40 million tonnes of coal every year by the 1900s, the coal industry may no longer exist on the scale that it once did, but its contribution to local and national economies remains as important as ever.

Nowhere is that more evident than in East Ayrshire. Like Scotland as a whole, East Ayrshire has a long history of coal mining and production. That history has had its fair share of highlights and tragedies, but it has shaped the community for hundreds of years and continues to do so. I am indebted, for obvious reasons, to my granddad Daniel Coffey for surviving a mining accident in 1927 at the Windyedge pit, near Gatehead in my constituency, which killed two of his companions. The mining industry still touches many families in Ayrshire today.

The coal industry's decline in recent years has been reflected in parts of the community, but that is exactly why what remains of the industry is so important to East Ayrshire. Some 704 people are directly involved in coal-work operations in the area. That represents 58 per cent of the total for Scotland and an increase of 11.8 per cent since 2008. Those workers ensure that East Ayrshire produces more than half of Scotland's entire coal output, with a little under 3 million tonnes being produced in the area each year. Indeed, the coal industry provides 5.6 per cent of the area's gross value added output, which is far more than for any other local authority area in Scotland. It could be convincingly argued, therefore, that East Ayrshire represents the heart of Scotland's coal industry, and that that heart is still beating strongly. In cash terms, those 3 million tonnes of coal account for £46 million gross valued added output, which means that East Ayrshire again leads the way by contributing more than half of Scotland's entire coal industry GVA.

For that reason, I must join my colleague Adam Ingram in welcoming the consideration of two Scottish projects to take forward the next phase of the UK Government's carbon capture and storage programme. As producers and beneficiaries of fossil fuels, we hold a responsibility to contribute to limiting the negative effects that their use may have on our environment and the environments of others. We are already making a great contribution to helping the victims of climate change in other parts of the world through our climate justice fund, but it remains as important as ever that we seek ways to prevent such damage in the first place rather than to cure it afterwards. Carbon-capture technology will undoubtedly help us to achieve that.

However, I share my colleague's concern at the proposals substantially to increase from 2016 the cost of transporting coal by rail. The Office of Rail Regulation, which plans to introduce the charges, anticipates an increase in cost to freight operators of between 3 and 5 per cent. Although we must recognise the good intention behind the increase—namely, to ease the burden on the taxpayer—we must nonetheless consider the long-term impact that the plans might have on the coal industry as a whole. Rail freight should not become a cash cow, because freight hauliers could move much of it back on to the road network, which I am sure we would not wish for.

17:20

Elaine Murray (Dumfriesshire) (Lab): I, too, congratulate Adam Ingram on securing the debate and thank him for giving us the opportunity to debate the coal industry which, as the motion states, is important in my constituency.

I must admit that I was uncertain about the motion's reference to an

"adverse and unintended effect of the carbon reduction commitment",

so I thank Mr Ingram for his explanation of that; the reference is to long conveyor belts, one of which operates on the Glenmuckloch site in my constituency. However, I know that on 24 October last year my colleague Sandra Osborne led a debate at Westminster on the effect of the proposed increase in freight track charges on the industry in Scotland. She believes that the proposal could result in a reduction in mining effort and freight transport in Scotland, and could even threaten the future of carbon capture and storage projects.

Part of Upper Nithsdale is in Mr Ingram's constituency and part of it is in my constituency. The communities of Sanquhar and Kirkconnel were in the past sustained by the mining industry. In fact, the village of Kelloholm, which is adjacent to Kirkconnel, was constructed to serve the many coal mines in the area. However, unfortunately, much of that village subsequently had to be destroyed. The destruction of the UK coal mining industry by Margaret Thatcher's Government in the 1980s also destroyed most of the jobs in the area and left an enduring legacy of unemployment and deprivation, for which that Government has to this day not been forgiven by local people.

Some surface mining continues, although unfortunately it is under a cloud of uncertainty. Mr Ingram referred to ATH Resources, which is one of the largest opencast coal mining companies in Scotland and which employs about 300 people, more than 200 of whom live in Dumfries and Galloway and East Ayrshire. Unfortunately, the

company went into administration on 5 December last year. That was the latest in a number of worrying developments, which include the decision to put on hold plans to extend the Glenmuckloch site near Kirkconnel only 10 months after the extension was announced, and the announcement in May last year that 60 jobs were in jeopardy, which came hot on the heels of the loss of 11 jobs just a month earlier. Buccleuch Estates, which owns the Glenmuckloch site, was concerned that remedial work to restore former opencast areas on site might also be threatened as a result of the restoration bond issue that Mr Ingram described.

I am not always nice to Scottish Government ministers, but in this instance I record my gratitude to the Minister for Energy, Enterprise and Tourism for his interest in that difficult situation and for his request to Professor Russel Griggs, who has been working closely with partners to attempt to find a solution that will preserve as many of the jobs as possible, if not all of them. Fortunately, Aardvark TMC Ltd, which is the parent company, is continuing to trade, which means that employee, supplier and customer contracts continue to be honoured. It is to be hoped that the financial restructuring of the group and the purchase of its debt by Better Capital LLP will allow new investment to be secured. In an area of high unemployment and limited alternative opportunities, the jobs are extremely valuable. One of the main factors that has brought ATH to its current position is the fall in the global price of coal. Ironically, one factor in that is the development of shale oil and gas technology in the United States.

Given that story, it is perhaps surprising that there is now considerable interest in the coal reserves in another part of my constituency: Canonbie, where the mines closed about 70 years ago, although seams of high-quality coal that stretch out under the Solway remain. Recently, two companies have expressed an interest in opencast and drift mining, although I am not sure that their enthusiasm is shared by everyone who lives in the area. However, I hope that that interest indicates a positive future for the coal industry in Scotland, and that it will continue to be an important part of our energy supply in the coming years.

17:24

Murdo Fraser (Mid Scotland and Fife) (Con): I thank Adam Ingram for securing the debate. I enjoyed listening to his opening speech and found myself agreeing with most of it, although he rather lost me with his final line.

There is something of a misunderstanding about the coal industry in Scotland. Many people assume that, with the closure of the deep pits, the

industry no longer exists. I do not want to get involved in a historical dispute, but I say gently to Dr Elaine Murray that the person who did most to close the deep mining industry in Scotland was not Margaret Thatcher but Arthur Scargill.

There are still huge reserves of coal in Scotland. It is a valuable source of energy that we should use. In recent years, it has become rather the ugly duckling of energy generation, but despite that, the industry is still key to our energy future. As in life, when it comes to energy, balance is crucial. An overreliance on gas—or, indeed, renewables—could handicap the future profitability of businesses and threaten us with spreading fuel poverty.

As Adam Ingram set out, in Scotland, the coal industry contributes more than 4,000 jobs and generates more than £450 million for the economy. In the main, those jobs are permanent and stable and the wages can be higher than average. In some cases, they can be up to three times the wages of people who work in supermarkets. In my region—in Fife and Stirling—the coal industry supports hundreds of jobs. Scotland's largest supplier of solid fuel, Fergusson Coal, operates from Stirling and alone sustains 200 jobs.

Despite coal currently being responsible for 54 per cent of the UK's energy mix, its future is uncertain. Adam Ingram and Elaine Murray referred to the opencast mining company ATH, which announced just before Christmas that it was falling into administration, which has placed question marks over the 300 jobs that it supports—some of them in my constituency.

Cheaper foreign coal is also threatening the industry's survival in Scotland and industry leaders tell me that the burden of regulation is also hindering its competitiveness. The industry needs assurances on its future from the UK Government and the Scottish Government. There needs to be a strategy for coal just as there is a strategy for gas. It would be good to hear the minister publicly commit to the future of coal within Scotland's energy mix.

The Minister for Energy, Enterprise and Tourism (Fergus Ewing): I agree with much of what Murdo Fraser has said, but does he agree that, as has been said already, the ORR's proposed track access charges represent a pretty serious additional threat to the coal industry?

Murdo Fraser: Yes. I will address that point if time allows, but the point that I want to make to the minister is that prospective investors need assurances about the future of coal and will invest only if they believe that its future is secure.

I will address the point that the minister made. There was some good news for the industry last

week, because the Office of Rail Regulation postponed the introduction of new freight charges. It chose the lowest increase and to phase the full cost over three years, which means that the industry has more time to adapt.

However, I recognise that there are still concerns for Scottish coal producers, and that coal travelling long distances from Scottish mines to English power stations will face higher charges. It is a matter of balance between what the industry pays and what the taxpayer pays. We need to be aware of that.

Coal means security of supply. There are between 100 and 300 years of coal left in Scotland. It is also cheap—it is the cheapest form of energy. It costs £25 per megawatt hour compared to £140 per megawatt hour for offshore wind.

Coal has a role to play, but we cannot ignore the emissions issue. Coal is not clean, but it can be clean. Intensive scrubbing and other measures are greatly reducing pollutants, but the future must be carbon capture and storage. I join other members in the debate in hoping that the opportunities at Peterhead and Grangemouth for experimental CCS plants will get the go-ahead. With those, we could have clean coal and this vital industry and the jobs that it supports would have a bright future.

17:29

Helen Eadie (Cowdenbeath) (Lab): I, too, congratulate Adam Ingram on securing the debate. It is an important debate for the Scottish economy and for those of us who have had the privilege to serve constituencies in which coal mining has been at the heart of the community.

My father-in-law died last year and we have been clearing out his papers over the past months. It has been fascinating to see the extent to which much of the technology in the coal industry has changed over the years. Adam Ingram and others mentioned that. As Adam Ingram rightly states in his motion and said in his speech, there are opportunities to develop coal in Scotland provided that there is political will to secure that outcome.

As others have said, it is vital that we remember that there are still 3,000 to 4,000 jobs in the industry. Surface mining is the only source of well-paid jobs in some communities in which it is located. Coal industry wages can be three times the wages for working in a Tesco supermarket, and the working conditions are better. Also, local suppliers rely on the industry.

We heard much about carbon capture and storage this afternoon. It is vital for the future of Scottish energy, and it seems to me that the proposed major CCS project at Grangemouth

would be ideal. The site is near coalfields, it is on the east coast of Scotland towards the North Sea, and there is already a local community of interest in energy. In recent weeks, the development of CCS work in north Germany has looked promising, but let us ensure that Britain is not slow to develop and sell the technology. Previously, we have missed opportunities that have been grabbed by other countries.

I am advised that the carbon reduction commitment has been a civil service bureaucratic nightmare. It was badly thought out and is impossible to operate. A ludicrous position has arisen whereby companies delivering more than a certain tonnage on conveyor belts are taxed, but they can avoid it by using diesel lorries instead. So much for carbon reduction. The UK Government is embarrassed, but it has not apologised. At least the fees will now apply only in the current fiscal year; previously, they were to be permanent.

We also discussed freight access charges this afternoon. I welcome the news that Murdo Fraser has just made me aware of, because the Office of Rail Regulation, which sets track access charges, proposed to double the cost of moving coal by rail in Scotland. That would mean a movement to more lorries on Scottish roads, and not only for coal, as the increases would apply to other rail freight movements as well. I have always believed that Governments should incentivise industry to move freight to rail. I well remember Scottish ministers in the first session of the Scottish Parliament making £600,000 available for the movement of Safeway goods from road to rail at Inverness. I thought that that was splendid. It was the first time in 18 years that there had been an announcement by any Government in the UK of such an award for the movement of goods from road to rail. It is absolutely the right way forward; if we stop to think about the damage that heavy goods vehicles do to our roads, we see that it has to be the answer.

On the sustainability of Scottish coal reserves, although coal has been mined for centuries, it is estimated that 75 per cent of all coal that was and is mineable in Scotland—I include post-industrial revolution consumption—is still in the ground waiting to be won. In other words, coal will be available for several more centuries.

On security of supply, economically, it is Scotland's coal. It is indigenous and not imported. George Osborne's dash for imported gas is unsustainable. Domestic gas prices for electors are already causing severe fuel poverty. What will prices be like in the future? Can we rely on Russia not to hold us to ransom on price and on Iran not to block the Strait of Hormuz? What of the Qatar-based gas price cartel? Surely it is also environmentally unfriendly to import coal from

halfway around the world, given the shipping costs and fuel consumption.

The Deputy Presiding Officer: I would be grateful if you could draw to a close, please.

Helen Eadie: I am grateful to have had the chance to contribute to the debate, Presiding Officer. Thank you.

17:33

John Wilson (Central Scotland) (SNP): I, too, congratulate Adam Ingram on securing this members' business debate. It is important to recognise, as the motion does, the value of the coal industry in Scotland and the fact that coalfield communities are relevant to modern-day Scotland. As Adam Ingram stated, despite the decline that has been visited on the coal industry, it still contributes significantly to the Scottish economy and it has a future with the right support and encouragement.

This debate is important for some of us as, it should be remembered, next year will be the 30th anniversary of the miners' strike and the subsequent actions by Margaret Thatcher, which some would argue led to the demise of the coal industry in Scotland and other parts of the UK.

Scotland has an industrial heritage that we should be proud of and we must realise that no community should be left behind, especially when traditional industries such as mining are looking forward to a brighter tomorrow.

It is vital that we offer traditional mining communities a sustainable future, as the preceding generations deserved nothing less. It is worth noting that the case for a growing Scottish coal industry is based on the use of the latest CCS technology. Therefore, what many people regard as a dirty industry could find itself renewed.

It is also worth observing that coal is being shipped into Scotland from overseas and transported across central Scotland from Hunterston in Ayrshire to Longannet in Fife. If the charges on the transportation of coal are imposed, I estimate that, on the 23 journeys that are made daily, six days a week, they could add £2 million to the cost of transportation. That cost will not be borne by taxpayers, as Murdo Fraser rightly said, but by the consumers who use the energy that is produced.

There is more that we can all do as individuals for the low-carbon economy and there is more that the UK Government and the Scottish Government can deliver on policy development. I am therefore encouraged that the Scottish Government has carried on the good work that it started when it published the discussion paper "Towards a Low

Carbon Economy for Scotland" back in March 2010.

The advancement of a low-carbon economic strategy will also aim to make Scotland more capable of resisting the volatility that is associated with ever-increasing energy prices. The future is clearly geared towards a low-carbon economy, which is even more apparent considering the aim to almost completely decarbonise road transportation by 2050.

Many parts of Ayrshire and Lanarkshire that are highlighted in the motion suffer from deep-seated levels of poverty and, as a consequence, depopulation is also a factor. Of course, it would be remiss not to state that there is an issue of hidden unemployment. In North Lanarkshire there are more than 13,000 claimants in receipt of severe disablement allowance.

We need to embrace the fact that coal is not completely the sunset industry that people might think it is and that there is, I hope, a better future for people of all ages in mining communities that have suffered from deindustrialisation over a significant period. Scotland needs to have reindustrialisation as a vital part of our economic future. The First Minister stated in the chamber that investment is critically important in the process of renewal and regeneration and that

"investment will prepare our nation to meet the challenges of the future."—[*Official Report*, 26 May 2011; c 70.]

I live in the heart of the traditional mining villages in Lanarkshire. In the village in which I live, people still remember fondly the mining industry and what it brought to those communities. I hope that we can move towards a future in which we can see revitalisation and the creation of much-valued jobs in those communities and an industry that we can be proud of.

The Deputy Presiding Officer: Due to the number of members who still wish to speak in the debate, I am minded to accept a motion without notice to extend the debate by up to 30 minutes.

Motion moved,

That, under Rule 8.14.3, the debate be extended by up to 30 minutes.—[*Adam Ingram*.]

Motion agreed to.

17:38

Neil Findlay (Lothian) (Lab): The coal industry has a huge historic legacy in Scotland and across the UK, as members have mentioned. It employed more than 1.4 million at its peak and 150,000 across the coalfields in Ayrshire, Lothian and Fife, as well as in many other areas in Scotland, as Elaine Murray mentioned.

That went on until the industry was butchered by the Thatcher and Major Governments. We have to nail, once and for all, the garbage that Murdo Fraser comes out with that it was Arthur Scargill who somehow closed down the industry. If we take that logic a step further, presumably Scargill closed the car industry, heavy engineering and the steel industry. Of course he did not—the ideology that Mr Fraser worships closed down those industries.

Murdo Fraser: Is the member really telling us that a megalomaniac hard-left union leader exploiting ordinary coal miners to try to bring down a democratically elected Government is something to be celebrated?

Neil Findlay: Mr Fraser needs to stop taking the drugs. If he wants evidence of a megalomaniac, he need only look at his hero—or heroine, more like. However, I invite Mr Fraser to continue his thesis and debate in public. I invite him to come at any time to Addiewell, Fauldhouse or Dalkeith miners' welfare clubs. We can get people along to listen to his views on the time in question; I think that we could sell ringside seats and sell out.

Some would say that the coal industry is a thing of the past, but I disagree. Many members—most recently Helen Eadie—have referred to the fact that 75 per cent of Scotland's coal is still in the ground. Most of that coal is extracted through surface-extraction methods. I have had major disagreements with the industry about that over the years, particularly when the industry seeks to extract coal on the doorstep of residential properties or when the benefits of extraction do not outweigh what it is doing to the community. However, good companies operate in such a way that people hardly notice that they are there. A major example of that in my area is the redevelopment of the former Polkemmet colliery site over the past five or six years, which has not caused any major problem in the community and which has cleaned up a large brownfield site.

Coal must of course be part of a balanced energy policy, with gas and hydro. I am sceptical about nuclear, but we have it and cannot simply wish it away, so we must look at it in all our energy policy deliberations. However, I have major concerns about the potential impact of fracking on the environment. Members have referred to the UK Government's carbon capture policy, which has been a massive shambles. We need to get the policy back on track. My friends at the National Union of Mineworkers tell me that the price of coal has dropped by 30 per cent because of gas from the US, which is now going down the fracking route, coming on to the market. Members have referred to ATH, so I will not go over that again.

I have two further, related issues to raise. The Scottish Government is cutting the budget of the

Coalfields Regeneration Trust by 67 per cent. The Tory Government in England is cutting its budget in that regard, too, but by only 12.5 per cent. However, £1 million is being taken out of the trust's budget in Scotland by the Scottish Government, which must address that issue. I hope that Mr Ingram and his colleagues will address that.

Finally, my colleague David Hamilton and I have been running a campaign to seek a review of the cases of those who were convicted during the 1984-85 miners' strike. More than 650 people have contacted me about that and have emailed the Cabinet Secretary for Justice over the past few weeks. There is a real sense of injustice over the issue. I hope that I will be able to come back to it over the next few weeks and months until we get a result.

17:43

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I thank Adam Ingram for the opportunity to debate this important subject. Anne McTaggart said that many of us have family members with connections to the industry. The 1841 census for Muir of Bannockburn showed that 328 Stevensons lived in the area, almost all of whom were miners. One of them was James Stevenson, who was my great-great-grandfather. His father, John Stevenson, probably died in the 1830s in a mining accident. Of course, in those days they did not even bother to record deaths in the mining industry, so I shall probably never get to the reality of that. However, the mining industry touches families across Scotland, including perhaps quite unlikely families, it might be thought.

I want to touch on an experience that I had as a minister, when I visited the Nith at the request of the fishing interests there. I found a fascinating coalition of interests, with a huge environmental benefit, between the opencast mining industry and the salmon fishing industry. With the need to open up ground to get access to coal in the area, there was a need to reroute the River Nith.

The consequence of doing that and restoring the Nith has been to dramatically reduce the pollution, which has given it a much more effective environment for salmon—four times as many salmon now reach the headwaters of the Nith as was the case before the opencast coal mining industry. When we consider the coal mining and other industries that can be polluting, we need to see opportunities for those industries to work for the benefit of communities, in terms not only of the employment that they give—substantial as that unquestionably is—but of the related environmental benefits.

In capturing, via carbon capture and storage, the carbon dioxide that comes from the combustion of coal, we are playing to a secure local supply of energy. That is to be preferred to putting ourselves in the situation of importing—as the UK Government appears to want to do—wood, coal and gas from across the world. It is clear that being self-sufficient in energy is important.

Carbon capture has huge economic opportunities as a technology, not only because we can export it but because we have the depleted oil reservoirs in the North Sea into which we can pump our own and others' CO₂. The abandoned Miller field is a particularly good example of where we can put our CO₂. It was a sour oilfield—the oil that came out was acidic, so the pipes that go to the field are more resistant to acidic corrosion than other pipes to oilfields. Of course, carbonic acid is mildly acidic, so that is the perfect first field that we might contemplate using—and with a reduced cost of doing so.

I did a quick sum on rail access. If the cost increases by £4 a tonne, that is £9,200 per train, which puts that access cost into context. The rail network is a national asset that should be bound, in Scottish terms, by the public bodies' duties in the Climate Change (Scotland) Act 2009. They should give due intent to carrying freight on the rail network. If only that was the case more generally. I hope that we see a more effective regime for carrying freight on the rail network; it has a big role to play.

17:47

The Minister for Energy, Enterprise and Tourism (Fergus Ewing): I am grateful to Adam Ingram for securing this important debate and for his clear and succinct account of the industry's importance and the challenges it faces. We are grateful to him for that; he brings a depth of knowledge of his part of Scotland to the debate. I also thank other members for their speeches.

As the Minister for Energy, Enterprise and Tourism, I am well aware of the important role that the coal industry plays in the rural and wider economy. Scottish output from surface mining—there is no underground mining in Scotland now—was around 5.5 million tonnes of coal in 2011, which represents just more than half of the UK total from surface mining. Despite the difficulties that many members have alluded to—which I will come to—Scottish output has been relatively stable over the past five years, with some marginal reductions in the 17 Scottish surface mines that were in production at the end of September 2012.

We have heard that East Ayrshire and South Lanarkshire are key areas for the coal industry, but the industry encompasses other areas, too. I

had the interesting and pleasurable experience of visiting two opencast mining sites, and I was extremely impressed by the professionalism of the activity there. Although a planning application for an opencast mine can cause controversy when it is submitted, as some members have alluded to, I was also struck by the contrast between the numbers of objections that one particular company told me it had received for its last successful planning application, which I believe ran into the thousands, and the number of complaints that there have been since that opencast mine started operating a few years ago—zero. There is perhaps a lesson for us in that.

Our planning policy from 2010 seeks to minimise the negative impacts that can arise for communities, particularly those that are in close proximity to new opencast mines, but we recognise that opencast mining and coal play an important part in our energy mix. In the 24 hours to 4.30 pm today, coal generated 43.5 per cent of the UK's electricity. Many members will be familiar with those statistics, which are available on a day-to-day basis.

Coal is still king in many respects, at many times of the year and in particular weather conditions, and it is important that the Scottish Government and all parties recognise—I think that they do—that there is a need for baseload and for thermal generation. That is very much part of our draft electricity generation policy statement. We are on a transition to a low-carbon economy, but it will be a long transition because there will be the need for baseload for many years to come, despite the fact that we will be generating and indeed exporting renewable energy most of the time.

As members said, the coal industry in Scotland supports at least 4,000 jobs, the majority of which are in rural areas. Adam Ingram set out the facts clearly, as did other members. The average salary, at around £42,000, is well above the Scottish average, so we are talking about well-paid jobs that would be difficult to replace in the locations in which they exist. From my discussions with employees, I know that people take great pride in their jobs and do them extremely well. At one of the coal companies, a consultation is going on because of the economic difficulties, and a 10 per cent reduction in wages has been proposed. The response reflects the difficulties that such companies face.

The contemplation of such a practical, responsible measure contrasts with the approach of the ORR, which Mr Ingram rightly mentioned. The increased track access charges that the ORR announced last week present a real threat to the coal industry. The ORR says that switching from road to rail reduces CO₂ emissions by 70 per cent

per tonne, but under its proposals a charge of £4.04 per tonne will be added to the current track access charge of £2.83 per tonne. As Dr Elaine Murray said, the unintended consequence might be that coal freight is forced on to the road network.

Worst of all, the new charge will be levied on a per-kilometre-travelled basis. Given that 50 per cent of coal produced in Scotland—around 2 million tonnes—travels to market in England by rail every year, the new arrangements will place coal operators in Scotland at a severe disadvantage compared with their competitors in England and Wales.

I am grateful for Murdo Fraser's support in principle. He pointed out, quite reasonably, that the new charges are due to be introduced in 2016, which gives us a breathing space in which to seek to persuade the ORR that unless things change significantly the impact of the new charges will potentially be very damaging. Along with my colleague Keith Brown, who is active in making representations in that respect, I will continue to make our case heard.

Members made reference to other difficulties that the industry faces. The predominant issue is the coal price, which has fallen from £90 per tonne last March to £60 to £65 per tonne today, which is a swingeing reduction. It is not surprising that many companies in the industry face particular difficulties.

As many members know, Sir Russel Griggs, officials and I are doing everything that we can do to keep in contact with companies that are playing a leading role in Scotland. It would not be appropriate to go into detail in that regard; suffice it to say that we are doing everything that we can do and that Russel Griggs is intensively involved in that regard. I have sought to keep members who have contacted me informed on the progress of talks.

I believe that there is a bright future for the coal industry. Our strategy is correct. I and Mr Wheelhouse had a coal summit last year with a number of the main players. There have been a number of meetings and we are looking at what we can do to improve the practical difficulties that have been referred to with regard to such matters as restoration bonds—in this day and age, it is very difficult to get those bonds, if possible at all. Alternative approaches must be considered, and I am grateful that local authorities, with their detailed knowledge and understanding of the opencast industry, are involved in a positive way in the discussions. That particular challenge can be overcome.

I have been able to do justice to only a few of the issues that have been raised. The carbon

reduction commitment policy was giving rise to an unintended consequence that would have severely damaged the industry. I and Mr Wheelhouse made representations to the UK Government on that, and I was pleased to have a fruitful conversation with Greg Barker on the issue. I am also pleased that a measure has been announced that will reduce part of the problem—although it will not deal with the problem as regards the money paid for the first year of the scheme. We will persist with our arguments on that in the hope that they will prevail.

I pay tribute to all who work in the industry. There is a good, strong future for the opencast mining industry in Scotland. Members have referred to carbon capture and storage and to the opportunities that exist in Scotland to take that forward—we are wholly behind that.

As many members have said, the coal industry in Scotland is part of our culture and our history. It should remain so for a long time—for many years to come—and as the energy minister I will do everything that I can, working with colleagues from all parties, to ensure that that objective is achieved.

Meeting closed at 17:57.

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