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Official Report

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Wednesday 16 December 2015

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Scottish Parliament

Wednesday 16 December 2015

[The Deputy Presiding Officer opened the meeting at 13:30]

Home-Start Garioch

The Deputy Presiding Officer (Elaine Smith):

Good afternoon and apologies for the slightly late start due to circumstances beyond our control. The first item of business today is a members' business debate on motion S4M-14515, in the name of Alison McInnes, on Home-Start Garioch, which celebrates 20 years.

The debate will be concluded without any question being put. I would be grateful if members who wish to speak in the debate would press their request-to-speak buttons as soon as possible. However, I would like members to note that we are rather tight for time.

Motion debated,

That the Parliament congratulates Garioch Home-Start on its 20th anniversary; notes that the organisation first opened its doors in the Garioch area of Aberdeenshire in April 1995; further notes that Home-Start is a voluntary organisation that offers support to families facing issues such as rural isolation, disability, illness, multiple birth, post-natal depression and family difficulties; recognises what it considers the importance of such projects to families who are facing such issues; further recognises the need for ongoing one-to-one support, such as is provided by Home-Start to families with young children; congratulates the staff and volunteers of the organisation, and wishes them the very best success in the future.

13:30

Alison McInnes (North East Scotland) (LD): I thank the members who signed my motion congratulating Home-Start Garioch on its 20th anniversary. I am most grateful.

Garioch is an area in Aberdeenshire centred on the town of Inverurie. The area has a lot of young families, many of whom have settled in the area from other airts and pairts. Not everyone has the extended network of family and friends that was more prevalent in earlier decades.

The Home-Start movement was created in 1973 in Leicester when Margaret Harrison decided to set up a small pilot project. Explaining her decision to set up Home-Start Leicester she said:

"When my three children were young, I was involved in voluntary work with parents and children here in Leicester—in children's homes, with the Family Service Unit, mother and toddler groups and the Child Guidance Clinic. Invariably, parents, many of whom were involved with social workers and other statutory agencies, would ask me to visit them at home 'so we can really talk'."

So an idea was born and it was simple: that volunteers go into a family's home to offer friendly, non-judgemental support that stems from their own experience. It proved to be a great help. It is still the selling point and strength of Home-Start schemes, including the one in the Garioch.

Margaret Harrison died earlier this year but she left a lasting legacy. Her small project in Leicester has grown and now spread to 22 countries. The United Kingdom alone has 288 Home-Start organisations and it is estimated that the movement has helped more than 1 million children globally.

In Garioch alone, it is estimated that Home-Start's volunteers have helped 993 families with 2,122 children in the organisation's 20 years. Volunteers have spent an estimated 106,000 hours assisting those families in the long and short term. That is an enormous achievement and shows real enthusiasm for the aims and values of the organisation on the part of its staff and volunteers.

All the staff and volunteers deserve recognition, but I will name four people especially. Sandra Herbert was the first ever chairperson of the organisation in the Garioch. Clare Smith has been a volunteer from the beginning. She is the only remaining volunteer who received her training at the first preparation course ever organised. Angela Gowdy has also been involved for some time. She first became a volunteer in 1996 and has been on the organisation's board of trustees. Special mention also goes to Valerie Tennant. She is the only original member of staff who is still with Home-Start Garioch.

The Home-Start movement aims to support families with children from their birth to age five. We all agree that the early years matter and that the getting it right for every child approach is the right one. The five years between birth and school are vital for a child's development. Giving children the best possible start in life is vital; it determines the opportunities and life chances that they have. Children who are raised in a stable and loving environment are more likely to have a positive and healthy future. Every child deserves that.

Some people might ask why Home-Start's voluntary support is so important when we have midwives, health visitors, general practitioners, nurseries, playgroups and a host of other professionals. The answer is fairly simple: truth to be told, being a parent is not easy, as many of us can testify. It is a role of great importance but there is no training and children do not come with an instruction manual.

Parenting can be overwhelming and, if we add the other pressures that we sometimes face in life—financial difficulties, ill health, isolation and

stress—parents can sometimes struggle to cope. A young child who is caught up in that can miss out on the love, routine and stimulation that are vital for their future. People often do not like to ask for help from professionals, and that is where volunteers can step in, offering one-to-one support and building a rapport and trust.

Many new parents lack confidence. Home-Start volunteers help by spending a couple of hours a week with them, providing non-judgmental practical and emotional support and helping to build confidence and family resilience. Volunteers are carefully matched with families, and what help they offer is tailored to the individual family. That help might just involve having someone to talk things through with, or it might be practical help with, for instance, how to plan healthy eating, playing and reading with children or even how to cope with sleepless nights.

Lessons that children learn at an early age will follow them for the rest of their lives. That is the time when children develop their personalities, learn to express themselves and gain self-control—skills that will ensure that they can achieve their full potential.

A United Kingdom Department for Children, Schools and Families study in 2008 suggested that the home learning environment in the early years is the largest factor in attainment and achievement at age 10, bigger even than the effect of pre-school and primary school education. Similarly, the millennium cohort study provided evidence of significant inequalities in development at age three, which can persist throughout life. It is therefore important to support parents in providing a stimulating and supportive home environment. There are plenty of good reasons to value the work that Home-Start does.

Home-Start Garioch tells me that it plans to be around for another 20 years at least. It is making plans to improve the services that it offers to parents and to grow further. In co-operation with other Home-Start organisations in Aberdeenshire, it has secured core funding until June 2017 from the local authority. Home-Start Garioch is expanding its expertise, with two of its 50 volunteers now trained to deliver the mellow bumps training programme, which will focus on vulnerable expectant mums. It also plans to offer drop-in support or play sessions during the school holidays.

Finally, Home-Start Garioch is equipping itself to offer triple P, the positive parenting programme, which is designed to prevent, as well as treat, behavioural and emotional problems in children. It aims to equip parents with the skills and confidence that they need to be self-sufficient and to manage family issues without on-going support.

I hope that all members will join me in congratulating Home-Start Garioch on its vision. I thank the staff and volunteers at Home-Start Garioch, as well as those at other Home-Start organisations, for the support that they provide to so many families and children. Their expertise is invaluable and their work is crucial.

13:37

David Torrance (Kirkcaldy) (SNP): I congratulate Alison McInnes on securing the debate. I agree with my colleague that Home-Start offers a valuable service to families, not only in Garioch but in 32 communities across Scotland. Its impact is crucial to many vulnerable and marginalised groups, including lone parents and families with a parent in prison. It also offers advice to step, foster and adoptive parents, as well as to grandparents who care for their grandchildren.

Home-Start's model for providing services brings many benefits to local communities. Most importantly, it contributes to creating happier and safer homes. The organisation also strengthens community engagement and cohesion by delivering services locally through volunteers. In Scotland, more than 1,000 Home-Start volunteers support around 2,000 families. I believe that Home-Start Garioch is exemplary for the organisation's work. As Home-Start Garioch celebrated its 20th anniversary in November, I congratulate the organisation on the occasion. In the past two decades, its volunteers and staff members have assisted many young families with needs. Overall, the organisation has supported 993 families with 2,122 children.

Home-Start Garioch would not be able to provide its services without the dedication and commitment of many volunteers. I take this opportunity to thank volunteers in all the local Home-Start branches across Scotland. It is truly incredible how much time and effort people dedicate to help those who are less fortunate.

Volunteers are expected to have parenting experience, although they receive additional comprehensive training, which covers child protection issues, the role of the health visitor and confidentiality. After training, each participant is matched with a family, which the volunteer visits for several hours a week. The tasks that each volunteer takes on differ greatly, from looking after the children to keeping the parents company over a cup of tea.

Home-Start has also been a vital part of community life in my constituency of Kirkcaldy. In the organisation's own words:

“Home-Start Kirkcaldy offers support, friendship and practical help to parents with young children in Kirkcaldy, Kinghorn, Burntisland and Cardenden.”

Home-Start Kirkcaldy recently celebrated its 21st anniversary. It was founded in 1994 and has supported around 800 families in the area. Its work is as vital today as it has ever been, especially in the context of the UK Government’s welfare cuts.

At present, 38 Home-Start Kirkcaldy volunteers offer their time to help out families in need. Volunteers also support the crèche, which is available for two days a week. It offers a friendly and safe environment for children to learn through play experiences and have fun while their parents get a little break. Those services can make a real difference and much has been achieved, but we cannot neglect the fact that there are many prevailing issues that are affecting families.

As my colleagues will be aware, the Kirkcaldy area has a high number of teenage mothers, who are often disadvantaged and face many burdens in raising their children. Teenage mothers are less likely to complete their education or to seek further educational opportunities, and as a result they are more likely to be in receipt of some form of income-based benefit or to be employed in low-paid jobs

Another major issue that affects families is child poverty. The sad reality today is that one in four children in Kirkcaldy grow up in poverty. In Scotland, 50,000 children live in cold homes in winter because their parents cannot afford heating costs.

I believe that Home-Start’s work, especially its home visiting scheme, has successfully addressed some aspects of those problems. Enabling parents to feel supported regardless of their circumstances can make an incredible difference in boosting their confidence and allowing them to keep up with daily challenges. I commend not only Home-Start Garioch and Home-Start Kirkcaldy but the other 30 branches in Scotland. Their work has benefited many families with young children, and I urge members to continue supporting their endeavours.

13:41

Lewis Macdonald (North East Scotland) (Lab): I too congratulate Alison McInnes on bringing the debate to the chamber, and I thank her for the opportunity to focus on the challenges of raising a family in an area that I know well.

My family moved to Inch when I was 11 years old. As a pupil at Inch primary school and then at Inverurie academy, I became ever more aware as I grew up of the inequality of circumstances and opportunities facing young people in the Garioch and of the shared experiences of living in a rural area.

In some respects, the needs of vulnerable families in rural Aberdeenshire are similar to those of vulnerable families throughout the country. Many are struggling to make ends meet because of low pay or cuts in benefits, and many are finding that the public services that they previously relied on are under threat. In that sense, Home-Start Garioch is dealing with issues similar to those dealt with by Home-Start Aberdeen, which has just relocated successfully to the very centre of the city, at 1A Alford Place.

What is different in rural Aberdeenshire is the increased sense of isolation that families can feel when they are struggling to cope. It is therefore vital that a service such as Home-Start is available there, and that such services are delivered by people who understand what that relative isolation can mean.

Physical isolation has an impact. Bringing up a child in a cottage a mile from the nearest paved road and a long way from the nearest bus stop is a challenge in itself, but the lack of affordable housing in many of our rural centres sometimes makes such choices for parents unavoidable.

Social isolation has an impact too. Some of the kids in my class at school had to go to exceptional lengths in order to take part in any of the activities that happened outwith school hours, and that is still the case today. Parents often face the same difficulties if they do not have access to a car.

When things get tough for people, it can be an extra burden not to be able to meet and talk with others who are facing the same situation. Having Home-Start volunteers to turn to can make all the difference. Those volunteers can help and support parents who are dealing with a wide range of issues, but it is important to recognise that Home-Start Garioch is only one of several organisations that work together to help. It does not have to operate on its own.

The relationship with Aberdeenshire Council is important, especially in identifying vulnerable people who need extra support. Links with health services are important too, and I am sure that Home-Start staff and volunteers across the country will take an active interest in the future integration of health and social care services and how that impacts on their role in the third sector.

As Alison McInnes reminded us, Home-Start operates across the UK and around the world, and there is within it a network of Home-Start schemes in the north-east. There are schemes in Banff, Buchan, Kincardine, Deeside, Angus, Aberdeen and Dundee. They all make use of the skills and experience of volunteers to make a difference to people’s lives. That volunteering is absolutely critical.

I want to mention another local voluntary organisation, Gordon Rural Action, which works with many of the same families and provides advice on welfare issues and debt problems across the wider Gordon area. It provides support to clients who face the threat of eviction or court action for debt recovery. It gives specialised support that backs up the voluntary effort of Home-Start Garioch volunteers.

The work done by Home-Start Garioch and its partner organisations in the past 20 years has been invaluable and has made a real difference to those who have turned to it for help. The staff and volunteers are to be commended for their efforts, and I wish them the best of luck for the next 20 years of supporting families in their local area.

13:45

Alex Johnstone (North East Scotland) (Con):

I congratulate Alison McInnes on bringing the motion to Parliament for debate. Before I continue, I offer the apologies of Nanette Milne, who intended to participate in the debate but has been called away to deal with other parliamentary business. However, I am delighted to have the opportunity to say a few words in support of Home-Start Garioch.

In rural communities, problems are often masked by distance and sometimes, in areas such as Garioch, strangely, by wealth. We are talking about one of the wealthiest areas anywhere in Scotland, but we have to remember that, in a broad rural community, it is easy for people to be left behind. Many who suffer deprivation in such communities are almost out of sight and out of mind.

Such communities, particularly Garioch, are in many respects great examples of ones that work well. Quite often, families and peers work together to ensure that support is provided to families who need it when it is needed. However, if someone is outside the range of their family or friends or lacks access to transport and begins to feel isolated, starting a family at the same time can be a major challenge and difficulty. It is therefore wonderful that organisations such as Home-Start Garioch exist to formalise that traditional family or peer group relationship and to deliver for those who are in need and who cannot access support mechanisms through a more traditional means.

As we have heard, there is a network of Home-Start organisations across the rural north-east that can provide such support. Those organisations should never be left on their own. At every level, we must remember that they require all our support and encouragement. The Government needs to look closely at the support that can be delivered at all stages.

The vital thing is that no one should feel that they are alone or isolated, particularly in a rural environment, and no one should feel that there is no one there to help, especially when they are beginning to build a family and bring up children. That is why organisations such as Home-Start Garioch are so vital, particularly in areas such as Garioch. For that reason, I offer my sincerest congratulations to Home-Start Garioch on its 20th anniversary, and I look forward to another 20 years and more.

13:48

Christian Allard (North East Scotland) (SNP):

For people who have just walked into the public gallery to listen, I point out that they are in the right debate—it is about “Gearie”, even if some people might think that we should be saying “Garioch” or “Gayrioch” or something else. Maybe that is easy for people from the north-east, but it is an important point, because in the north-east we have a lot of people from abroad and from other parts of Scotland and the United Kingdom, and they need to understand the local language, which is not always easy. Garioch is spelled differently from the way it is said.

I thank Alison McInnes for bringing the debate to the chamber. Home-Start Garioch is important. I remember meeting Mhairi Philip and some of her colleagues in the Parliament some months ago at a presentation of the Home-Start UK Scottish manifesto. It was good to see them here and to find out about the network in the region, which is very strong. That network is getting richer and richer, with people working in partnership.

In January 2014 I went to north-east Aberdeenshire and I saw what Home-Start was doing for families in Fraserburgh, Banff and Buchan and across the area. It was opening new facilities with Children 1st. It is important to see different organisations working together to support families and children.

At that time I was with the local MP, Eilidh Whiteford, and it was important for us to understand that families are changing. A lot of people are coming to the north-east from eastern Europe and a lot of languages are spoken there. People are working hard, and they do not have as much time as they would like to understand the local environment and schooling, so maximum support is important.

That is particularly the case when parents have separated. I spent 10 years as a single parent, and I know that it is very important to have support when people do not have a connection with the people around them. Those organisations are doing a fantastic job.

There is a network across the region. Home-Start Aberdeen has done very well this year, with a new chair, Roberta Eunson. It moved from Mastrick to Alford Place. It will be the beneficiary charity for the coast-to-coast bike ride that will be undertaken by BP staff.

Other areas are important, such as Deeside. My friend Linda Clark has been heading Home-Start Deeside for a long time. It provides support to a lot of families across the Deeside valley. It is a charitable organisation, of course, that helps vulnerable families. Deeside is a rich area, but there are pockets of poverty. In rural Aberdeenshire we find that help is needed by young families and families in which the parents are separated.

Home-Start Deveron is based a bit further north. It looks after Banff, Huntly, Macduff, Portsoy and Turriff. It is doing a fantastic job for the area. All the Home-Starts are on Facebook now; it is a lot easier to find them than it used to be.

Home-Start Kincardine is based in Stonehaven and offers a lot of support to families there. I talked about Home-Start Dundee before.

The Deputy Presiding Officer: Draw to a close, please.

Christian Allard: Parents and families get a lot support all across the region. I thank Alison McInnes for bringing the debate to Parliament.

13:52

The Minister for Children and Young People (Aileen Campbell): I thank everyone who has taken part in the debate who reinforced how to pronounce Garioch. I thought it might have been pronounced differently when I was preparing for the debate. In particular, I thank Alison McInnes for lodging the motion, and I thank everyone else who took part in the debate. David Torrance spoke about Home-Start in Kirkcaldy and across Fife, Lewis Macdonald spoke about his personal reflections of the Garioch area and Aberdeenshire, Alex Johnstone spoke about the impressive network of support across the north-east, and Christian Allard spoke about his experiences of voluntary organisations in that region.

I wish Home-Start Garioch a very happy 20th birthday. It has helped thousands of families over the past two decades. It is an honour to mark such a significant milestone here in Parliament.

As so many of our dedicated third-sector partners do, Home-Start plays a vital role in supporting our most vulnerable families right across Scotland's communities. Many issues are faced by families today, including in perinatal health, social exclusion, isolation and problems of access to services—the social and rural isolation

that Lewis Macdonald and Alex Johnstone pointed out—and the challenges of separation that families go through, which Christian Allard pointed out. I commend Home-Start Garioch and its colleagues for the transformational work that they do. David Torrance was absolutely right to point out the additional challenges that far too many families face around the welfare reform agenda and poverty.

Through the third sector early intervention fund, this Government has invested more than £590,000 in Home-Start UK to deliver services across Scotland. In Aberdeenshire, Home-Start Garioch is a member of the family solutions plus public social partnership, alongside Children 1st, Home-Start North East Aberdeenshire, NHS Grampian and Aberdeenshire Council social work department.

Through the early years change fund, we have invested more than £8.5 million to create a number of family-support public social partnerships, such as family solutions plus. Partnerships between third sector agencies and local authorities take an assertive outreach approach and provide families with intensive support when it matters most, thereby preventing problems from escalating.

The aim of family solutions plus is to improve and safeguard the wellbeing of children who are not engaging in or accessing universal provision, and to increase family capacity and resilience. The partnership adopts an early intervention approach, focusing on providing intensive support for families when they need it. Practical interventions focus on enhancing family networks, to increase resilience. Again, I thank Home-Start Garioch and its partners for all that work.

The first Home-Start in Scotland was established in Perth in 1984. Today, nearly 15,000 home-visiting volunteers across the United Kingdom help more than 29,000 families every year, giving more than 1 million hours of their time. In Scotland, more than 2,000 families, including more than 4,000 children, are being supported by nearly 1,000 volunteers through local schemes. The organisation operates in 22 countries and on five continents.

Alison McInnes talked about the hours that the volunteers at Home-Start Garioch put in. She mentioned the sterling work that Sandra Herbert, Claire Smith, Angela Gowdy and Valerie Tennant have been doing for a long time in their local group. The energy and drive of Home-Start's well-trained workers and volunteers are inspirational. Those people make a significant contribution not just in Aberdeenshire, but right across Scotland. Home-Start volunteers support families with young children to deal with whatever life throws at them, and they support parents as they learn to cope,

improve their confidence and build better lives for their children.

That approach very much chimes with the aims of our parenting strategy, which seeks to value and raise the profile of parenting and to build on parents' assets and strength, building confidence and sustaining change. As Alison McInnes rightly said, a child does not come with a manual. Bringing up a child is one of the most important things that any of us does, so it is right to support parents in their important role.

As Alison McInnes said, Home-Start volunteers visit the family's home for a couple of hours every week, tailoring their support to the needs of the parents and children. They also run family groups and social events, to give children the best possible start in life. The work that Home-Start does with vulnerable and socially excluded families is to be applauded.

The debate gives us a chance not only to recognise volunteers' dedication and commitment, but to reflect on what volunteers gain from the work that they do. I was interested to learn that Home-Start UK has carried out work that demonstrates the positive benefits of volunteering for volunteers, including increased confidence, development of skills and knowledge and increased involvement in the community. I could go on, but that shows what volunteers get back from their volunteering.

The debate also gives us a chance to acknowledge the third sector, which is fleet of foot and can tailor its responses to urgent need. In preparing for the debate, I took a quick look at Home-Start Garioch's Facebook page. One post, in particular, caught my eye. It said:

"We have a family moving into temporary accommodation who have nothing. If anyone has spare bedding, single beds, or bunk beds, chest of drawers, sofa, kettle, crockery ... it would go to a really good home".

There had been a phenomenal response to the request, with offers coming from across the region of everything from toys to a garden rake. That kind of practical help is powerful and transformational for families in a time of crisis.

All our policies for children and young people have one overall aim: to improve outcomes for every child and young person in Scotland. Again, I thank Home-Start Garioch for striving towards achieving our common ambitions, because what it does very much chimes with the rest of our policy commitments, whether we are talking about getting it right for every child and the legislative commitment that we made to GIRFEC in the Children and Young People (Scotland) Act 2014, about the early years framework, about the early years collaborative, which embraces what the third sector can do in communities, or about the work

that we want to do around developing Scotland's play strategy. I also understand that Home-Start is doing more and more in relation to mental health.

We have a lot to learn from Home-Start and it is great to be able to recognise the work that it has done, on Home-Start Garioch's 20th anniversary. I thank Home-Start. Here's to the next 20 years of success in the organisation's work, in Garioch and across Scotland and the UK.

Business Motion

14:00

The Deputy Presiding Officer (Elaine Smith):

The next item of business is consideration of business motion S4M-15209, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a revision to the business programme for today.

Motion moved,

That the Parliament agrees to the following revision to the programme of business for Wednesday 16 December 2015—

delete

6.00 pm Decision Time

and insert

6.30 pm Decision Time—[*Joe FitzPatrick.*]

Motion agreed to.

Portfolio Question Time

Fair Work, Skills and Training

14:00

The Deputy Presiding Officer (Elaine Smith):

The next item of business is portfolio questions. As time is tight across the whole afternoon, brevity would be much appreciated.

Living Wage

1. Willie Coffey (Kilmarnock and Irvine Valley) (SNP): To ask the Scottish Government how many employers in Scotland pay the living wage. (S4O-05174)

The Cabinet Secretary for Fair Work, Skills and Training (Roseanna Cunningham):

Information is not available on the overall number of employers who are paying the living wage—although we know that many do—which is why we encourage them to become accredited.

During last month's living wage week, both the First Minister and I, along with other ministerial colleagues, took part in a range of activities to promote the benefits of the living wage.

I am pleased, of course, that the Scottish Government is one of over 425 Scotland-based living wage accredited employers, with workers from a number of different sectors and areas of Scotland benefiting from the substantial progress that we are making. That figure continues to grow as we fast approach the target of 500 that the First Minister set for achievement by March.

Willie Coffey: As the cabinet secretary knows, the United Kingdom's national living wage is not a living wage and does not support young people under 25. Can she tell us how many employees across Scotland earn the living wage or more and how that compares across the UK?

Roseanna Cunningham: We know from the latest figures that more than 80 per cent of employees in Scotland are being paid the living wage or more. That represents a higher proportion than anywhere else in the United Kingdom with the single exception of the south-east of England, so it is a higher proportion even than in London. That is good news for Scots workers.

Unemployment (Glasgow Provan)

2. Paul Martin (Glasgow Provan) (Lab): To ask the Scottish Government what steps it is taking to tackle unemployment in Glasgow Provan. (S4O-05175)

The Minister for Youth and Women's Employment (Annabelle Ewing): The Scottish

Government is committed to increasing employment levels and helping unemployed people across Scotland to achieve their full potential. Employment in Scotland is now above its pre-recession peak in 2008 and the employment rate in Scotland is higher than the United Kingdom average. Employment levels in Glasgow have also increased over the past year, while unemployment has fallen.

The Government continues to invest in a wide range of employment initiatives in Glasgow, and I am happy to discuss them further with the member.

Paul Martin: The minister may recall a statement that was made in March 2014 in connection with the European youth guarantee, with £1.1 billion over two years to be spent in the south and the west of Scotland. A condition of the additional European funding was that it would be committed in the financial year 2015-16. Can the minister advise us what progress has been made in that respect?

Annabelle Ewing: That falls within the jurisdiction of the Cabinet Secretary for Infrastructure, Investment and Cities, Keith Brown. I will ensure that the member's question is passed on to the cabinet secretary, if that is acceptable, because his officials are dealing with the European social fund moneys.

Apprenticeship Levy (Discussions)

3. Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): To ask the Scottish Government whether it will provide an update on its discussions with the United Kingdom Government regarding the apprenticeship levy. (S4O-05176)

The Cabinet Secretary for Fair Work, Skills and Training (Roseanna Cunningham): I last spoke to UK Government ministers on 26 November, when I confirmed our agreement to establish a working group of senior officials from across all four nations to manage the transition from the current arrangements. In addition, the Treasury has established a four-nations senior officials group to discuss the allocation of the levy to the devolved Administrations.

In our discussions with the Treasury and the Department for Business, Innovation and Skills, the objective is to achieve the best outcome for Scotland. We now know what the rate and scope of the apprenticeship levy will be when it is introduced in April 2017, but we are still to be provided with clarity on how Scotland's share of the money that is raised will be calculated and transferred to the Scottish Government.

Christina McKelvie: I welcome the establishment of the four-nations working group

and the fact that all nations' voices will be heard. Does the cabinet secretary agree that the UK Government must, as a matter of urgency, provide clarity to business, which has approached me, and to the Scottish Government on how it intends the apprenticeship levy to operate?

Roseanna Cunningham: That clarity is incredibly important. We know that the levy rate will be 0.5 per cent of pay bills above £3 million, so we think that companies with more than 120 employees will be caught. It is unfortunate that we still do not have clarity on how Scotland's share of the levy will be calculated, because many of the companies that are caught will be cross border, and some employees will be based in Scotland while others will be based elsewhere in the United Kingdom.

Once we have clarity, I will work directly with employers and other stakeholders to explore how the funding from the levy will benefit employers and young people and support the growth and enhancement of our successful apprenticeship programme. As I said, I am working with my counterparts in Wales and Northern Ireland, who have similar issues with the UK Government on the lack of clarity on the levy.

John Pentland (Motherwell and Wishaw) (Lab): What discussions has the Scottish Government had with industry bodies based here in Scotland and in the rest of the UK, and with others who provide apprenticeship training, on the levy's impact on their current apprenticeship schemes?

Roseanna Cunningham: A number of us have had conversations, both formal and informal. For example, I have spoken to the Scottish Chambers of Commerce and the Scottish Retail Consortium, which both have members who are very concerned. When we had those discussions, we did not even know the levy's rate or scope, which introduced an enormous amount of uncertainty into the process. We still have no certainty on the Treasury's decision-making process on how the levy will be divided up. We continue to press the UK Government on that to enable us to have meaningful conversations with business about how we will progress once we have that certainty on the levy.

Energy Efficiency (National Infrastructure Prioritisation)

4. Patrick Harvie (Glasgow) (Green): I apologise for being a few moments late for the start.

To ask the Scottish Government what the implications are for skills and training of its proposed national infrastructure priority on energy efficiency. (S4O-05177)

The Cabinet Secretary for Fair Work, Skills and Training (Roseanna Cunningham): As the member knows, the cornerstone of the national infrastructure priority will be Scotland's energy efficiency programme, which will bring an integrated approach to energy efficiency provision of heat to reduce energy costs and greenhouse gas emissions for domestic and non-domestic properties throughout Scotland. Work to develop that programme is under way. There has been significant development of new skills to support our current energy efficiency and low-carbon programmes, and we will consider what skills and training are required to develop the necessary capacity in the sector as the new programme is piloted and developed.

Patrick Harvie: As the cabinet secretary makes clear, we are yet to see the detail of how the national infrastructure priority will pan out, what the practical implications will be or, indeed, what scale of work will be required. However, we have been told that it will impact on every building in Scotland. Does the cabinet secretary agree that that implies a dramatic increase in the availability and breadth of skills that we will have to provide in energy assessment, installation and, hopefully, the design and manufacture of some of the materials and equipment that are to be installed, so that the highest-quality jobs that the programme supports are based in Scotland?

Roseanna Cunningham: I would definitely agree with that. We have a tremendous employment and skills opportunity here. We are doing a lot of work in this area. We are engaging with Skills Development Scotland and partners to support skills uptake in low-carbon technologies through vehicles such as the low-carbon skills funds, modern apprenticeships, flexible training opportunities and individual learning accounts. The low-carbon skills fund has supported more than 3,000 training opportunities in low-carbon technologies since 2010-11. Other work is going on through the Energy Savings Trust and resource efficient Scotland, including other work to develop the capacity of the workforce.

Of course, as the programme rolls out, niche opportunities will become apparent. It is a little difficult to foresee exactly what those will be, but we are ready and willing to ensure that the labour market in Scotland gets the best possible results.

Claudia Beamish (South Scotland) (Lab): South Lanarkshire College won the homes for Scotland award for work on sustainable construction. It has a low-energy and low-carbon teaching block and a house where those in training can practise with airtight thermally efficient design. What support do the Scottish Government and partners envisage for the transformation in building techniques that is needed? How will they

be able to develop practical models such as the one at South Lanarkshire College across south Scotland and beyond?

Roseanna Cunningham: Some of the things that I mentioned in response to Patrick Harvie's question will involve a wide range of events, workshops and other support right across Scotland, including with colleges.

I commend South Lanarkshire College for the work that it is doing. The college sector is vital for all the skills development that goes on. We refreshed the skills investment plan for the energy sector last year. That was developed in partnership with a variety of bodies, and colleges would have had some input. The sector must develop continually, so we must be able to operate as quickly as possible when we see opportunities develop. Colleges are key to that.

Gender Pay Gap

5. Colin Beattie (Midlothian North and Musselburgh) (SNP): To ask the Scottish Government what its position is on reports that the gender pay gap in Scotland is 7.3 per cent, compared with 9.4 per cent in the United Kingdom. (S4O-05178)

The Minister for Youth and Women's Employment (Annabelle Ewing): Colin Beattie is correct to say that the figures that were published by the Office for National Statistics last month show that the gender pay gap has been persistently lower in Scotland than in the UK. The recent falls in the gender pay gap in Scotland relative to the UK have been driven by the growth of female earnings in Scotland. Other factors that contribute to the narrower pay gap in Scotland include increases in the number of older female workers and the fact that the gap is smaller in Scotland for the highest 10 per cent of earners.

I am sure that the member would agree that the fact that we are still talking about the issue in 21st century Scotland, 45 years after the Equal Pay Act 1970 came into force at Westminster, is beyond comprehension. That is why the Scottish Government has made it a priority in our programme for government to seek to address the factors that give rise to the gender pay gap, to the extent that we have the power to do so.

Colin Beattie: I am sure that the minister will agree with me that, despite that good news, any gender pay gap is too high. What steps is the Scottish Government taking to continue to reduce the gap?

Annabelle Ewing: As I said in my first response, the Scottish Government sees continuing to reduce the gender pay gap as an absolute priority, and we will seek to do whatever we can within the powers that we have. Some of

the action that we are taking informs the broad approach that we must take to the issue. For example, we are tackling underrepresentation of women in senior management roles and in the board room through our partnership for change campaign, and we are strengthening our commitment to pay transparency by reducing from 150 employees to 20 employees the threshold at which public authorities must report on their pay gap. In addition, of course, we continue to promote fair work practices and to extend childcare provision.

There is no single answer to the problem. We will do everything that we can to ensure that, in 21st century Scotland, we can finally stop talking about a gender pay gap.

The Deputy Presiding Officer: Question 6, in the name of Jenny Marra, has not been lodged and no explanation has been provided. I am afraid that this is the second week running that that has happened with no explanation. It is not acceptable, so I trust that an explanation will be forthcoming.

Question 7, in the name of Cara Hilton, cannot be called because Cara Hilton is unable to be in the chamber. An explanation has been provided for that.

Youth Employment

8. Stewart Stevenson (Banffshire and Buchan Coast) (SNP): To ask the Scottish Government what information it has on how youth employment in Scotland compares with the rest of the European Union. (S4O-05181)

The Minister for Youth and Women's Employment (Annabelle Ewing): The latest data from Eurostat show that Scotland, with a rate of 54.6 per cent, had the third-highest youth employment rate across the European Union countries for quarter 2 of 2015. Only the Netherlands, with a rate of 61.3 per cent, and Denmark, with a rate of 55.9 per cent, were ahead of Scotland.

Stewart Stevenson: That is very welcome news, although overtaking the Netherlands and Denmark should remain an objective.

What investment is being made to improve opportunities for young people across Scotland so that we can get to number 1?

Annabelle Ewing: I share Stewart Stevenson's ambition to get to number 1. The Scottish Government has been taking a number of initiatives and making a number of investments to ensure that we do everything that we can so that young people can fulfil their potential in life. For example, we invested £12 million last year and we have invested £16.6 million this year in embedding our developing the young workforce principles and

policies. We have also provided more than 25,000 modern apprenticeship starts year on year, and some 101,000 modern apprenticeship opportunities have been delivered in the current parliamentary session. We have ambitions to go further and secure 30,000 modern apprenticeships starts by 2020.

Of course, we also work with Skills Development Scotland on employability activity, we invest in community jobs Scotland, which is operated through the Scottish Council for Voluntary Organisations, and we have extended eligibility for the educational maintenance allowance. There are a number of other initiatives, and I should add that we work with Inspiring Scotland to help young people in the 14 to 19-year-old age bracket. We are therefore conducting a number of activities across a range of areas to ensure that we are doing everything we can.

In that regard, I am pleased to note that the labour market statistics that were published this very morning show that youth employment has increased by 20,000 over the past year. We are going in the right direction, but we recognise that we have more to do.

Mary Scanlon (Highlands and Islands) (Con): Is the minister satisfied that, in line with the Wood commission recommendations, all pupils who want to attend further education for vocational work experience and qualifications are being given the opportunity to do so?

Annabelle Ewing: I hope that that is the case. Our youth employment strategy sets out a series of detailed targets over a seven-year period; in fact, in the past week or so, we published the first annual report on developing the young workforce, which is our refreshed youth employment strategy. If Mary Scanlon wishes to raise any particular concern with me—or with the Cabinet Secretary for Education and Lifelong Learning, Angela Constance—I will be very happy to pursue the matter.

“A study of the perceptions and experience of Police Officers and Staff during pregnancy and maternity” (Response)

9. Alison McInnes (North East Scotland) (LD): To ask the Scottish Government what its response is to the Scottish women's development forum report, “A study of the perceptions and experience of Police Officers and Staff during pregnancy and maternity”. (S4O-05182)

The Minister for Youth and Women's Employment (Annabelle Ewing): The Scottish Government is clear that we want to see no barriers to what women can achieve in the workplace. We provide funding to the Scottish women's development forum, and we welcome the

Police Negotiating Board agreement to increase occupational maternity leave for Scottish police officers from 1 April 2016. A key priority for Police Scotland is recruitment and retention of women officers and staff, and it recognises that the report highlights important areas of improvement within the service that will help it to embed equality and diversity throughout its policies and procedures. I was pleased to note that the Scottish women's development forum report was welcomed by Police Scotland and the Scottish Police Authority's human resources committee, with all the recommendations being accepted.

Alison McInnes: The report shows that, even when the law is clear and the right HR policies are in place, those policies are not always followed and are open to misinterpretation by line managers. That happens across employers; indeed, Maternity Action has said that

"all the available evidence suggests that ... pregnancy and maternity discrimination is now more common than ever before",

and estimates that

"as many as 60,000 women"

in the United Kingdom

"are pushed out of work each year."

Does the minister agree that action to tackle that discrimination is overdue, and will she take this opportunity to send a strong message to employers in Scotland that it is time for change, and do what she can to ensure that the public sector leads the way? Finally, will the Scottish Government consider commissioning research on the prevalence of pregnancy and maternity discrimination in the workplace?

Annabelle Ewing: I will try to deal with each point in turn. First, I understand that Police Scotland will shortly be publishing a new pregnancy and maternity guidance pack and an updated standard operating procedure, and additional material will be available on its intranet and the internet. I therefore think that Police Scotland will be taking practical steps that I am sure Alison McInnes will commend.

On the wider issue, I agree that any pregnancy and maternity discrimination is unacceptable. Work is being carried out at United Kingdom level on the matter; I understand that that work has been delayed, but when we get the response that it has been preparing, we will work with the Equality and Human Rights Commission to see what the Scottish Government can do. At all times, we will ensure that we send out the very clear message that such behaviour is unacceptable in the 21st century.

The Deputy Presiding Officer: I will call question 10, but brevity will be appreciated.

Digital Skills Shortage

10. Iain Gray (East Lothian) (Lab): To ask the Scottish Government what action it is taking to address the reported shortage of 11,000 professionals with digital skills, particularly in relation to computer coding training. (S4O-05183)

The Cabinet Secretary for Fair Work, Skills and Training (Roseanna Cunningham): We are working in partnership with public sector partners and industry representatives to address skills issues in Scotland's digital sector, with a programme of work built around the recommendations in 2014's information and communications technology and digital technologies skills investment plan. A prime example of that collaborative work is the recent opening of CodeClan, which is an industry-led digital skills academy based in the heart of Edinburgh.

Iain Gray: The cabinet secretary will know that earlier this year the Education and Culture Committee received evidence that we have lost more than 200 computer science teachers in schools in recent years, and that teacher training places remain unfilled. As a result, some 12 per cent of Scotland's secondary schools do not teach computer science at all. What action is the Scottish Government taking to address that crisis in computer science education?

Roseanna Cunningham: A number of things are being pursued at every level of education, including in colleges and universities. As Iain Gray knows perfectly well, he ought to raise the situation in high schools directly with the Cabinet Secretary for Education and Lifelong Learning, Angela Constance. I will alert her to his concern about that particular issue.

Social Justice, Communities and Pensioners' Rights

The Deputy Presiding Officer: I would appreciate brief questions and answers in this section too, please.

Older People's Welfare

1. Richard Lyle (Central Scotland) (SNP): To ask the Scottish Government what action it is taking to look after the welfare of older people. (S4O-05184)

The Cabinet Secretary for Social Justice, Communities and Pensioners' Rights (Alex Neil): We have a long-standing commitment to improving the welfare of older people throughout Scotland, and we have taken decisive action in a number of areas, including investing in services and initiatives that are designed to empower and improve the lives of older people. Those include

free personal and nursing care; a record £119 million this year for fuel poverty and energy efficiency; the concessionary travel scheme for older and disabled people; support for a number of social prescription pilot projects in Glasgow; and the introduction of free prescriptions. We are also committed to working with older people and older people's organisations to ensure that the quality of life for older people in Scotland continues to improve.

Richard Lyle: I thank the cabinet secretary for that very welcome answer. Does he agree that the concessionary bus travel scheme delivers for older people in our communities across Scotland and, indeed, tackles isolation issues? What action is being taken in this festive period to ensure that we are aware of the isolation of older people in our communities, which is particularly important at this time of year?

Alex Neil: I totally agree with the member on the benefits of the concessionary bus travel scheme, which makes a major contribution to stopping isolation and depression among older people. There is no doubt about that.

On provision during the festive season, obviously every service is making its own arrangements, but I draw attention to Silver Line Scotland, which is Age Scotland's free helpline for older people. It offers information, advice and a befriending service for older people throughout the year, including at this time of year, and it is, of course, supported by the Scottish Government.

The Deputy Presiding Officer: Question 2 has not been lodged. An explanation has been provided.

Benefit Sanctions (Single Parents)

3. Joan McAlpine (South Scotland) (SNP): To ask the Scottish Government what information it has regarding how many single parents in Scotland have been subject to benefit sanctions in the last year. (S4O-05186)

The Cabinet Secretary for Social Justice, Communities and Pensioners' Rights (Alex Neil): In the year ending June 2015, a total of 1,854 jobseekers allowance sanctions were applied to 1,207 lone parents in Scotland. We have no information on lone parents in receipt of other benefits who have been sanctioned.

Joan McAlpine: It is very worrying that a vulnerable group such as single parents and their children is subject to sanctions, particularly as a study last week by the Crisis charity found that one in five people who were questioned became homeless as a result of sanctions. The Crisis survey also found that sanctions had risen sharply among homeless people and particularly among those with a mental health problem. Does the

minister agree that pushing already vulnerable people into homelessness is completely unacceptable in a civilised society and that, for that reason, the Scotland Bill was totally wrong to leave responsibility for sanctions in the hands of Westminster?

Alex Neil: I totally agree with every sentiment that the member has expressed. Not only was the Crisis report depressing on the impact of sanctions on some of the most vulnerable people in our society; the response of the Department for Work and Pensions was utterly unacceptable in trying to deny that sanctions are having such a detrimental impact.

I am sure that any MSP who has regular surgeries will come across victims of sanctions. Given the obstinacy of the United Kingdom Government on sanctions policy, by far the best way to deal with the situation is to devolve sanctions policy to the Scottish Parliament so that we can adopt a humane approach and give the recipients of social security benefits dignity and respect, rather than treating them in the terrible way in which the UK Government currently treats people, particularly through the sanctions regime.

Ken Macintosh (Eastwood) (Lab): I associate myself with the remarks of the cabinet secretary and Ms McAlpine on the Crisis report about the effect of benefit sanctions on homelessness. The sanctions might have contributed to the unfortunate stall that we have experienced in Scotland in progress on reducing the amount of homelessness here, which currently affects around 54,000 households. How will the cabinet secretary respond to that situation and what action can he take to address homelessness in Scotland, particularly at this time of year when we have rough sleepers out on our streets?

Alex Neil: In how we approach the situation, I make a distinction, as previous Administrations have done, between the issue of rough sleepers, which presents particular challenges, and the more widespread issue of homelessness, which very often is the result of family breakdown because of issues such as domestic abuse. We have had success in a range of areas across various parts of the country in dealing with homelessness, but the best way to deal with it is to increase the supply of housing. That is precisely why we have committed to an increase of nearly 70 per cent in the building programme for affordable homes over the next five years, which I hope Labour members will welcome.

Scottish Index of Multiple Deprivation (Delayed Publication)

4. Drew Smith (Glasgow) (Lab): To ask the Scottish Government for what reason the

publication of the Scottish index of multiple deprivation has been delayed. (S4O-05187)

The Minister for Housing and Welfare (Margaret Burgess): The Scottish index of multiple deprivation was delayed because an extension to an earlier consultation, which improved the geographical building blocks or data zones of the index, meant that it was not possible to complete the SIMD in 2015. The SIMD is designated as a national statistic by the United Kingdom Statistics Authority; as such, the decision to delay the SIMD can be taken only by the chief statistician. His decision was announced in October 2014 through the SIMD section of the Scottish Government's website and communicated in an SIMD newsletter. There was no ministerial involvement in that decision.

Drew Smith: The decision to delay publication is obviously regrettable. However, in the spirit of Christmas, can I ask the minister what targeted and redistributive policies of the Scottish Government she is most confident will have delivered a meaningful improvement to the position of her constituents and mine living in some of the most deprived parts of the country?

Margaret Burgess: The Government has taken a number of measures in that regard. For example, we have increased childcare provision to assist people in getting back into work and back to being part of the economy, improving their standards of living. We have taken a number of social measures that are helping people, such as free school meals, education maintenance allowance, the council tax freeze, the council tax reduction scheme and the Scottish welfare fund. All those are helping people in deprived areas and improving their life chances. We will continue to do what we can to help people in low-income and deprived areas, despite the austerity that has been forced on us by the United Kingdom Government.

Energy Efficiency (Existing Homes)

5. Mike MacKenzie (Highlands and Islands) (SNP): To ask the Scottish Government what plans it has to improve the energy efficiency of existing homes. (S4O-05188)

The Minister for Housing and Welfare (Margaret Burgess): Energy efficiency is a priority for the Scottish Government and has been designated as a national infrastructure priority in recognition of its importance. The cornerstone of that will be Scotland's energy efficiency programme, which will provide an offer of support to buildings across Scotland to improve their energy efficiency over a 15 to 20-year period. During the first, development phase of the programme, we will continue to deliver our existing home energy efficiency programmes for Scotland, which provide support to households across the

country. That includes local authority-led area-based schemes; our national fuel poverty scheme, warmer homes Scotland; and low-cost loans, which will help households spread the up-front cost of investing in energy efficiency.

Mike MacKenzie: Can the minister tell me a bit more about how the new energy efficiency programme for Scotland will build on the home energy efficiency programmes for Scotland in terms of delivery in rural areas?

Margaret Burgess: We have established the rural fuel poverty task force to consider the issues that our remote, rural and island communities face in tackling fuel poverty and improving energy efficiency. The task force is due to report later next year, and we will incorporate its recommendations into the development of the new programme, as appropriate.

Over the lifetime of the home energy efficiency programmes for Scotland, we have allocated more than £7.4 million to Highland Council to support area-based schemes and we have increased the grants that are available for houses in remote and rural areas by almost 40 per cent to £9,000. We will build on the success of our existing area-based schemes and, once the powers over supplier obligations have been devolved, we will have the scope to tailor Scotland's energy efficiency programmes so that they best meet Scotland's needs. That will very much include our rural and island communities.

Scottish Housing Quality Standard (Lothians Dwellings)

6. Alison Johnstone (Lothian) (Green): To ask the Scottish Government what percentage of dwellings in the Lothian region meet the Scottish housing quality standard. (S4O-05189)

The Minister for Housing and Welfare (Margaret Burgess): The latest available local authority results from the Scottish house conditions survey were published in January 2015 and relate to the aggregated three-year period from 2011 to 2013. Those figures show that 50 per cent of all dwellings and 50 per cent of social housing in the Lothian region met the Scottish housing quality standard.

I stress, however, that that does not necessarily reflect the current level of compliance. Every social landlord in Scotland also has to provide an annual return of their compliance, which is published on the website of the independent Scottish Housing Regulator. The regulator has advised that, according to the returns made by landlords, there are 79,382 self-contained social rented properties in Lothian as at 31 March 2015. Of those properties, 70,620—which equates to 88.96 per cent of social rented houses excluding

exemptions—meet the Scottish housing quality standard.

Alison Johnstone: The scale of the challenge is clearly massive. Over half of Scotland's homes are in need of repairs to critical elements, and thousands of people are not warm enough in the winter. Reducing VAT on repairs would help. We also need to see warm homes over winter as a critical part of preventative spend to keep people healthy. How does the Government intend to include housing issues in health and social care considerations?

Margaret Burgess: We are already doing that through our home energy efficiency programmes for Scotland—HEEPS—and our energy efficiency programme. Keeping people warm in their homes and providing energy efficiency measures sit side by side with what we are doing in health and social care, and we have a health professional from Healthcare Improvement Scotland on our fuel poverty group. We are looking closely at the issue.

I have already talked about our energy efficiency programme, and we will continue with our warm works programme and our energy advice. We are also looking at the building of new homes to ensure that they are energy efficient in addition to improving the current housing stock.

Cameron Buchanan (Lothian) (Con): Does the Scottish Government agree that the best way to improve housing standards in the private rented sector is to incentivise landlords to invest in full-quality improvements?

Margaret Burgess: In the Housing (Scotland) Act 2014, we improved the standards that landlords have to meet, because it is still a problem that the housing in the private rented sector is of the poorest quality. We have taken actions to address that and will continue to do so in regulating letting agents, enforcing landlord powers and giving tenants more rights through our Private Housing (Tenancies) (Scotland) Bill.

Poverty (Government Action)

7. George Adam (Paisley) (SNP): To ask the Scottish Government what action it is taking to tackle poverty. (S4O-05190)

The Minister for Housing and Welfare (Margaret Burgess): Our commitment to tackling the long-term drivers of poverty through early intervention and prevention is articulated in the document "Child Poverty Strategy for Scotland—Our Approach 2014-2017". The strategy focuses on maximising household resources, improving children's wellbeing and life chances, and providing well-designed, sustainable places. It includes a full measurement framework against which the progress on the key outcomes will be measured. We have also appointed an

independent adviser on poverty and inequality, and we will publish a social justice action plan early in the new year.

The Scottish Government is committed to building a fairer Scotland and reducing inequalities, but we are aware that the United Kingdom Government's welfare cuts and austerity agenda will have a significant and detrimental impact in Scotland and will do nothing to tackle the scourge of child poverty.

George Adam: Does the minister agree that it is unacceptable for the Westminster Government to spend billions of pounds renewing Trident at the same time as spending hundreds of thousands of pounds every time it drops a bomb on Syria? Is it right that it is doing all that while there is unprecedented use of food banks in Scotland?

Margaret Burgess: I certainly agree that that is not right. The Scottish Government is firmly opposed to the UK Government's plans to retain and renew its Trident nuclear weapons. It is indefensible that the UK Government proposes wasting £167 billion on renewing Trident nuclear weapons, and it is doubly galling that it is doing so while people are being hit so hard by the Treasury's damaging austerity cuts that are forcing people into food banks.

The decision of the UK Parliament to expand air strikes against Daesh is potentially counterproductive unless supported by a comprehensive strategy to bring a peaceful end to the wider conflict and build a fair, just and stable future for the people of Syria. We urge the United Kingdom Government and international community to work towards that end as a matter of utmost urgency.

Planning Review Panel

8. Kevin Stewart (Aberdeen Central) (SNP): To ask the Scottish Government when it expects the planning review panel to complete its work. (S4O-05191)

The Cabinet Secretary for Social Justice, Communities and Pensioners' Rights (Alex Neil): The review panel is expected to submit its recommendations to the Scottish ministers in May 2016.

Kevin Stewart: The cabinet secretary is well aware of the controversial Marischal Square development in Aberdeen. Will he consider any proposal from the review panel or others to require developers of major projects to provide 3D video visualisations of their schemes at the pre-application stage to better inform the public about their proposals?

Alex Neil: I agree that 3D visualisations can be useful. We have no plans at present to require

them for all major projects, but we encourage authorities and developers to make use of them as a matter of good practice. It could be particularly helpful when there is significant community interest in a major development.

Fuel Poverty

9. Jackie Baillie (Dumbarton) (Lab): To ask the Scottish Government whether it considers that it will end fuel poverty by November 2016. (S4O-05192)

The Minister for Housing and Welfare (Margaret Burgess): The Scottish Government is committed to eradicating fuel poverty, as far as is reasonably practicable, by November 2016. The Scottish Government is doing everything it can to tackle the issue, and the latest statistics show that fuel poverty levels have been contained despite fuel prices rising.

Jackie Baillie: I question the minister's response while thanking her for it. Is it not the case that the method by which the Government counts the fuel-poor in Scotland has changed? It is a simple manipulation of the figures that has accounted for the fall, not any action on the part of the Scottish Government. Is it not therefore the truth that the SNP will not end fuel poverty by November 2016?

Margaret Burgess: We are not manipulating the figures. The methodology that is used in the Scottish house condition survey to estimate fuel poverty was recently changed to reflect the current industry standard for assessing home energy performance.

The methodology also changed last year, as the member is well aware, and we did not get the same criticisms when the level of fuel poverty rose because of that change. For the first time, the survey also includes the contribution of the warm home discount scheme and a more accurate reflection of the prices that households are paying for fuel in Scotland.

International Covenant on Economic, Social and Cultural Rights

10. Rob Gibson (Caithness, Sutherland and Ross) (SNP): To ask the Scottish Government what consideration the Cabinet Secretary for Social Justice, Communities and Pensioners' Rights has given to implementing the International Covenant on Economic, Social and Cultural Rights. (S4O-05193)

The Minister for Local Government and Community Empowerment (Marco Biagi): Action that gives effect to rights identified in the International Covenant on Economic, Social and Cultural Rights is central to the work of the Scottish Government. Equality and social justice

are at the heart of our programme for government, and we are committed to sustainable and inclusive economic growth.

We have taken specific actions to reflect a human rights approach, including promoting gender equality, fair work and the living wage, championing access to higher education, delivering high-quality health and social care services, building affordable homes, working to empower communities and legislating for land reform.

Those actions contribute directly to the shared vision in Scotland's national action plan for human rights of a Scotland where everyone can live a life of human dignity through the realisation of internationally recognised human rights.

Rob Gibson: Can the minister offer any other examples of obligations under the United Nations charter, with regard to how they influence policy drafting in planning and in housing law?

Marco Biagi: The international obligations are mirrored in Scotland's approach to homelessness legislation, which ensures that all those who are assessed as being homeless through no fault of their own are legally entitled to settled accommodation, and the work that we are doing to provide a ready supply of affordable housing, with 50,000 units being built in the next session of Parliament.

Draft Budget 2016-17

The Presiding Officer (Tricia Marwick): The next item of business is a statement by John Swinney on the draft budget 2016-17. The Deputy First Minister will take questions at the end of his statement and there should therefore be no questions or interruptions.

14:40

The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney): The Scottish Government's purpose is to deliver sustainable economic growth and to create the opportunity for all of our citizens to flourish. We believe that, with a relentless focus on tackling inequality and boosting productivity, we can create the foundations for a stronger and more inclusive economy.

However, that aim has to be delivered within a significantly constrained public spending environment. As a consequence of United Kingdom Government austerity, the Scottish budget will continue to fall in real terms, as it has done since 2010, until the end of this decade. The realities of the public finances are such that, if we want to improve our services, we must be prepared to continually reform the way in which we deliver them.

Therefore, this budget is driven by two themes: supporting inclusive growth, and protecting and reforming public services. We will deliver inclusive growth by focusing on investment in innovation, infrastructure, education and skills, and by maintaining a competitive business environment. We will protect and reform public services by delivering on the Christie commission approach of service integration at local level, with a shift to prevention and improving outcomes for individuals.

The tax and spending plans that I am announcing today will equip the country for the future and will lay the foundations for the reforms that will define the next Parliament—reforms that will reshape our health and social care services, deliver a step change in educational attainment, provide greater focus in the innovation system, deliver a fairer system of local taxation and use new powers over tax and welfare in a way that supports our central purpose.

The current financial landscape presents us with a challenge and a choice. Scotland can accept the Tory cuts, or we can rise to the challenge and choose a Scottish alternative to austerity. We choose to rise to the challenge. We choose the Scottish alternative. We choose to put reform and growth at the heart of this budget.

We will build on the Scottish Government's record of delivering for the people of this country. Our economy has now grown in each and every quarter of the last three years. Over the latest period, employment has risen and unemployment has fallen. We have invested heavily in infrastructure, modernising services and boosting construction. We have invested in Scotland's national health service and staff numbers are at record levels. We have worked to mitigate the most damaging effects of the UK Government's welfare cuts. We have delivered curriculum for excellence and a record number of higher and advanced higher passes were achieved in 2015. We have delivered 600 hours of free high-quality early learning and childcare. Our country is safer, with crime at a 41-year low. Further, we are on track to reach our 2020 interim climate change targets. That is a record that we are confident about taking to the people of this country.

This year's programme for government reaffirmed our commitment to build on those strong foundations. However, our aims are made more difficult to achieve by the UK Government's continued austerity agenda. By 2020, our budget will be 12.5 per cent lower in real terms than when the Conservatives came to power. That is the equivalent of one pound in every eight that we spend being cut by Westminster by 2020. Even our capital budget will still be more than £0.5 billion a year lower in real terms in 2020-21 than it was in 2010-11.

Although we all recognise that the public finances need to be sustainable, the scale of the cuts is unnecessary even to meet the chancellor's own fiscal mandate. We laid out clear, detailed plans that reduced the deficit and the debt while allowing public investment in the economy. The Conservatives rejected those plans. Their ideological obsession with austerity is born out of choice rather than necessity. We will not make that same choice. We will not make the poorest in society bear the burden.

That vision—and our commitment to fairness—underpins our approach to taxation. We recognise that, to support the public services that we all rely on, we must ensure that our tax policies are built on the principle that the tax burden should be proportionate to the ability to pay.

Today's draft budget marks the first time that a Scottish Government will propose a Scottish rate of income tax. From April 2016, the UK Government will reduce the block grant by £4.9 billion with the partial devolution of income tax powers and, at the same time, switch off 10 pence in every £1 of income tax in Scotland. I am now required to set a rate in Scotland.

The current power allows for a single rate to be set in Scotland and applied equally to all three

income tax bands: the basic, higher and additional rates. That means that any rate set above 10 pence would increase the tax paid by all Scottish taxpayers. By its nature, exercising that power would have a disproportionate effect on the amount of tax paid by the taxpayers on the lowest incomes. Likewise, although any rate below 10 pence would cut the tax bill paid by all taxpayers, those on the highest incomes would see the greatest benefit.

The simple fact is that the tax power does not enable me to target help to people on the lowest incomes. However, I have the power to ensure that that tax does not inflict an additional burden on people on low incomes. Therefore, I confirm that there will be no change in income tax rates next year. I propose that the Scottish rate of income tax be set at 10 pence in the pound. The rate that people pay this year will be the same rate that they will pay next year.

I hope that, from 2017-18, the Parliament will have more flexibility in setting income tax rates. However, that will depend on reaching agreement on a new fiscal framework and final passage of the Scotland Bill. I confirm that, subject to achieving those outcomes, the Government will set out its longer-term intentions with regard to income tax ahead of the dissolution of Parliament at the end of March.

The setting of the Scottish rate marks the latest tax power to be transferred to Scotland. Since April this year, Revenue Scotland has been responsible for the administration and collection of Scottish landfill tax and land and buildings transaction tax, and we are on track to meet our forecast revenues for the year. Scottish landfill tax returns covering the first six months of this financial year amounted to more than £74 million against a forecast of £117 million for the year as a whole. Land and buildings transaction tax revenues exceeded £218 million for the first seven months of this financial year, which also compares favourably with our forecast revenues of £381 million for 2015-16.

In setting the rates for 2016-17, we have listened to the views of the property industry and other key stakeholders. I plan to maintain the existing rates and thresholds for land and buildings transaction tax for residential, non-residential and lease transactions, thereby ensuring that the system remains progressive. That means that more than 10,000 additional purchases will be taken out of tax compared to the UK-wide stamp duty system that LBTT replaced last year. That will result in a reduced tax charge for more than 36,000 house purchases at or below £330,000. Overall, 93 per cent of house buyers pay no tax or less tax than under stamp duty.

I am conscious of the issue of second homes. We need to ensure that the opportunities for first-time buyers to enter the market in Scotland are as strong as they possibly can be and we need to make certain that tax changes elsewhere in the United Kingdom do not make it harder for people to get on the property ladder. That is why I announce my intention to introduce a supplement to land and buildings transaction tax for people who purchase an additional home for £40,000 or more. Such properties will be subject to a supplement of 3 per cent of the total purchase price, payable in addition to the existing LBTT charge. We will shortly introduce legislation to seek the Parliament's approval to introduce that supplement to ensure that it takes effect from 1 April 2016. In keeping with the Scottish approach to taxation, we will work closely with stakeholders in developing the specific policy and legislative proposals that will underpin that.

For the Scottish landfill tax, I plan to increase the lower rate of tax to £2.65 per tonne and the standard rate of tax to £84.40 per tonne with effect from 1 April 2016. Last year, I announced my intention to set the credit rate for the Scottish landfill communities fund 10 per cent higher than the UK equivalent for the first three years. However, the UK Government recently announced plans to drop its equivalent credit rate to 4.2 per cent. I believe that that is the wrong decision for our environment. Therefore, we will maintain the existing credit rate of 5.6 per cent, ensuring that landfill site operators contribute more to community and environmental projects than is the case elsewhere in the United Kingdom.

Early this week we received the report of the cross-party commission on local taxation. We welcome the fact that four of the five parties in the Parliament took part and reached agreement on a set of crucial principles: that local tax should be more progressive, broader and more empowering to local government. The Government will now consider the report carefully. In the new year, we will set out plans to reform the council tax in a way that will deliver sustainable council finances and greater fairness for local taxpayers.

I can also announce today that I intend to enter into a consultation with local government about the possible future assignation of a proportion of income tax receipts, thereby giving local authorities an incentive to boost economic growth in their areas.

Taken together, we expect to raise £671 million from the wholly devolved taxes in 2016-17. The forecasts have been assessed as reasonable by the independent Scottish Fiscal Commission, which will publish its own report setting out that assessment today. I am grateful to the commission for its work and for the scrutiny that it

has applied over the past 12 months. As it should, the commission's report challenges us to improve the robustness of our forecasting methodologies and the Government will do exactly that.

For the first time, we are publishing five-year forecasts for the devolved taxes. Those forecasts will aid transparency around the medium-term assessment of Scotland's devolved public finances.

A strong and sustainable economy lies at the heart of a successful Scotland. Our economic strategy sets out our approach to deliver the dual and complementary objectives of tackling inequality and boosting competitiveness. Let me be clear: economic growth gives us the revenues needed to tackle inequality. We also believe that tackling economic inequality in turn boosts growth, removing a drag on the economy and boosting prosperity.

The draft budget provides the resources to deliver that by supporting innovation, investment, internationalisation and inclusive growth. We will work in partnership with employers, employees and trade unions, through the Scottish business pledge and the fair work convention, to deliver fair work and inclusive growth.

One of our most significant investments in the future of Scotland's economy is the delivery of 600 hours of free high-quality early learning and childcare for all three and four-year-olds and vulnerable two-year-olds. We are going further. We are committed to the ambitious plan to almost double free nursery provision during the next parliamentary session to 1,140 hours.

In the programme for government, the First Minister set out the priority that we place on educational attainment. Just yesterday the Organisation for Economic Co-operation and Development report examining curriculum for excellence provided real encouragement that Scotland is on the right track in our schools. Just this morning, new figures were published showing record numbers of school leavers in positive destinations: work, education or training.

We have a good education system and we are committed to making it better. We must raise attainment for all and close the gap that has existed for decades between children in our most and least deprived areas. This budget makes provision for that commitment, with £33 million of investment in attainment programmes in 2016-17, which will support the four-year £100 million Scottish attainment challenge. We also intend to maintain teacher numbers this year. That reaffirms our commitment to improving the wider education system.

We will continue to invest in high-quality schools and community health facilities through our new

hub programme of revenue-financed infrastructure investment.

In this difficult financial context I have protected college funding, delivering the budget stability that the further education system needs. We will deliver on our promise to expand the education maintenance allowance and modern apprenticeship programmes to help more young people fulfil their potential and enter positive, rewarding employment.

The Scottish Government has placed the principle of higher education based on the ability to learn, not the ability to pay, at the heart of what we believe. I confirm today that we will continue to fund our commitment to free tuition. We have backed up our commitment to keeping our universities world class by investing more than £4 billion in the higher education sector over the past four years. Now we will renew that commitment by investing a further £1 billion in 2016-17 to support the continued success of our world-class universities in delivering high-quality learning and research excellence.

However, we want to go further. We want a new relationship with higher education: a long-term partnership that is underpinned by on-going significant investment to support the delivery of key shared priorities. That is our ambition and we welcome the constructive approach that the universities have taken as we discuss with them how to make that a reality. Critical to that long-term approach is our investment in higher education research. The budget settlement will enable the core research budget for higher education to be protected as a key investment for the future of Scotland.

The Government has always prioritised investment in infrastructure to stimulate the economy. We are on track to build 30,000 affordable homes over the course of the current session of Parliament. We recognize the importance of extending our commitment on housing to create the quality accommodation that people require and to provide continued stimulus to the construction industry. We are committed to building 50,000 new affordable homes during the next session of Parliament, and I am delighted to announce that, as the first step towards that, we will increase the budget for affordable housing next year by £90 million, enabling us to invest around £690 million in housing supply.

On fuel poverty, we will continue to invest to help people have warm, affordable homes, building on our achievements to date through our home energy efficiency programme for Scotland. In total, we will make available more than £100 million to tackle fuel poverty and climate change and to help to improve the condition of Scotland's homes. The development of energy

efficiency as a national infrastructure priority will create transformational change in improving the energy efficiency and heating of homes, businesses and public buildings in Scotland, reducing fuel bills and greenhouse gas emissions.

Our investment in digital connectivity is central to our ambition of harnessing the opportunities for growth and improving public services across all aspects of Scottish life. We will invest £130 million in Scotland's digital infrastructure next year to help to meet our 2017 target that 95 per cent of premises in Scotland will have access to next-generation broadband, alongside our investment through the emergency services project, which will enhance mobile coverage into the bargain.

We will invest almost £1 billion in transport projects. On rail, that will include the completion of the electrification of the Edinburgh to Glasgow rail line. On our roads, we are making progress on dualling the A9, including the construction of the first section between Kincaig and Dalraddy.

I can announce today that new projects are now also able to proceed. I am authorising the commencement of works in 2016-17 on the Dalry bypass in Ayrshire. In light of the excellent progress on the Aberdeen western peripheral route, I confirm that work will begin in 2016-17 on the improvements to the Haudagain roundabout in the city of Aberdeen. In addition, the Forth replacement crossing is on track to be completed by the end of 2016.

Alongside those major new projects, we will invest in the maintenance and operation of Scotland's trunk roads and motorways. Significant investment will also be made to support ferry services, with two new 100m vessels earmarked for the Skye and Western Isles connection and the Ardrossan to Arran route. We will continue to support Highlands and islands air travel through the air discount scheme, which offers a 50 per cent discount on core air fares.

We are committed to a significant programme of investment in Scotland's water and sewerage infrastructure for 2015 to 2021, which is worth £3.5 billion and includes £250 million to upgrade Glasgow's waste-water infrastructure to improve the environment of the River Clyde and to tackle flooding.

On flooding specifically, there have been a number of incidents this year that have caused enormous distress to members of the public. I can announce that in this financial year we will provide £4 million to the local authority areas that have been most affected by the recent flooding in Hawick, Newcastleton, Dumfries, Alyth and other localities to help with recovery and to help households and businesses to access the support that they require.

Scotland's businesses are the key to creating jobs and boosting prosperity. The draft budget therefore maintains the small business bonus scheme. Nearly 100,000 firms across Scotland will benefit from reduced or zero business rates. The draft budget again matches the English poundage rate.

In looking forward, I am mindful of the views and representations of many in the business community about the future of business rates in Scotland. I share with Scottish business a recognition that our system of business rates must minimise barriers to investment, be responsive to economic conditions and support long-term economic growth and investment. I can therefore announce that we will launch a review of the non-domestic rates system in Scotland.

Over the past two years, inflation levels, coupled with below-inflation increases in poundage, have generated lower non-domestic rates income than anticipated. Income projections have not kept pace with the benefits to business from the small business bonus scheme. That is why I am today proposing to increase the large business supplement on non-domestic rates and make changes to some other reliefs. Taken together, that will raise around £130 million to fund investment in the economy.

The draft budget also recognises the importance of the third sector and the key role that it plays in supporting communities and social enterprise. I have protected the core budget for the third sector.

Our economy is now in a sustained period of growth and employment is above pre-recession levels. The future health of our economy, however, lies in improving our productivity through greater innovation. We are committing funding of around £345 million to support research and innovation through our enterprise agencies and the Scottish Further and Higher Education Funding Council. The Scottish funding council has committed £124 million of funding over six years to its network of innovation centres, but we believe that our approach to innovation needs greater focus to achieve greater economic impact. The Scottish Government therefore intends to work with our partners, including the enterprise agencies, the Scottish funding council and the universities, to align our approach to innovation, to pool funding and to simplify the innovation landscape. That ambitious reform—the next on our agenda of reform—will help us to create an innovation environment that drives the development of new products, processes and services through improved collaboration.

Those measures capture the agenda of the Government in working to create inclusive growth, which is one of the two key elements of the budget

today. The other element is the reform of our public services.

Our public services play a vital role in shaping both our economy and our society by making a major contribution to the wellbeing of our communities, promoting prosperity and enabling people to participate more fully in society.

Having removed the ring fencing of local authority budgets in our first term of office, we have encouraged a greater degree of joint working at local level between public bodies, with a strong focus on meeting the needs of individual citizens. The Christie commission in 2011 reinforced that approach, with its emphasis on integration of public services and a decisive shift towards preventative spending. Since then, we have reformed the delivery of college education and the police and fire services with greater efficiency as a result.

The budget underscores our commitment to continue on that journey of reform. We will take steps to extend digital applications in public services, increase the use of shared services, secure further value from procurement, make more effective use of our public assets and reduce overlap between public services.

Our police service plays a critical role in protecting our communities. In the past few years, our police service has undergone difficult but necessary reform. It is now time to build on that. I am pleased to confirm today that we will provide real-terms protection to the front-line policing resource budget next year and, if we are re-elected in May, for every year of the next Parliament, which is a boost of £100 million over that period.

When the Parliament passed the legislation for a single police force, it agreed that this current financial year would effectively mark the end of the time-limited police reform budget. However, given the challenges facing our police, particularly those arising from the current security situation, I am announcing further support today. Instead of removing the reform budget as Parliament intended, in order to consolidate the reforms and to support the work of the police, I am committing a further £55 million next year to the important task of community safety.

In all of those reforms, our objective is to provide coherent public services underpinned by an approach that is based on partnership. From our earliest reform of removing ring fencing, the Government has invested significant importance in our partnership with local government.

In the period 2012 to 2016, local government funding settlements have been maintained on a like-for-like basis, with extra resources allocated to deal with additional responsibilities. Compare that

with local government in England, which faced a real-terms cut in funding of 27.4 per cent over 2011-15 and further reductions this financial year, and faces further reductions in the next financial year.

Local government has been a founding partner with the Government in the reform of health and social care services. Today, the Government is radically reforming the way that social care is paid for. The Government intends to allocate £250 million of new funding support from the health service into social care in 2016-17. That fundamental realignment of resources will build the capacity of community-based services and enact the most significant reform in health and care since the creation of the national health service in Scotland in 1948. It will mean that fewer people need to go to hospital, but it will also ensure that where hospital is necessary, people will return home more quickly. It addresses the underlying reality of social care and health integration. The old boundary between NHS and local government spending—the boundary that has stymied so many attempts to improve care over decades—ceases to exist. [*Applause.*]

Although this budget delivers a strong but challenging financial settlement for local government, we must recognise that the substantial investment and reform in social care will support the delivery of that essential service. We will now engage in consultation with local government on the terms and implementation of the local government finance settlement in advance of stage 3 consideration in February. The key to those discussions is the focus on reform. Local government is an essential partner in ensuring that the reform agenda leads to the creation of sustainable public services. It is our partner and we will agree with it how best to deliver the realignment of resources.

That brings me to the overall health budget. This Government is absolutely committed to a well-funded national health service. I announce today that I am allocating more than £500 million to NHS budgets, which will result in total planned spending of nearly £13 billion next year—an increase of 6.5 per cent on comparable figures for 2015-16.

Let me make this clear. The nature and scale of the challenges that our NHS faces—in particular the challenge of an ageing population—mean that additional money alone will not equip it properly for the future. To be blunt, if all we do is fund our NHS to deliver more of the same, it will not cope with the pressures that it faces. To really protect our NHS, we need to do more than just give it extra money. We need to use that money to deliver fundamental reform and change the way that our NHS delivers care. That is why the reforms that

the additional investment will support are just as important as the scale of it—perhaps more so.

In addition to the fundamental realignment of social care, the new investment will support two further reforms that will reshape our NHS and equip it for the future. First, we intend to transform primary care with an extra £45 million next year to fund improvements and develop new models of care, with multidisciplinary teams working together to meet the needs of their communities. Secondly, we will build additional elective capacity to meet the growing needs of an older population. We will invest £200 million over the next five years in six new treatment centres, which will equip the NHS to carry out increased numbers of hip and knee replacements and cataract operations in a way that does not add pressure to our emergency hospitals.

Investment for reform is how we protect our NHS for the long term and this is a budget that shows, yet again, that our precious NHS is safe in the hands of this Government now and in the future. [*Applause.*] We are committed to real-terms increases in the NHS budget not just in 2016-17 but for the duration of the next parliamentary session, should we be re-elected in May.

As the UK spending review was delivered much later than normal, forcing the Scottish Parliament to implement a truncated process for review and scrutiny, it is not practical to undertake a full multiyear spending review in the time available. Furthermore, Scottish ministers continue to discuss, as part of the Scotland Bill, the fiscal framework that will underpin future Scottish block grants from the UK. Any agreement will have a material impact on the powers and resources that are available to Scotland.

It is, however, possible to set out our vision and key priorities for future years. We will continue to reject austerity, we will continue to prioritise investment in the public services that people value the most, and we will undertake ambitious reforms to ensure that those services remain sustainable and deliver improved outcomes.

We will invest in our schools, to ensure that every child in Scotland has the opportunity to fulfil their potential. We will support the Scottish attainment challenge and implement the recommendations of the Commission for Developing Scotland's Young Workforce.

We will create a stronger, more inclusive economy, by investing in innovation, internationalisation and our infrastructure. We will support job creation, encourage employers to move to the living wage and improve the productivity of Scotland's workforce.

We will tackle inequalities and make Scotland a fairer, more equal country. That will include using

our new welfare powers to create a more coherent and responsive package of intervention.

What we will not do is follow in the UK Government's footsteps and implement austerity and target the poorest and most vulnerable people in our society.

That brings me to the final theme of this budget statement. The UK Government's welfare reform agenda is presenting real difficulties for hard-pressed families in Scotland and is impacting on some of the most vulnerable people in our communities.

In contrast, the Scottish Government will continue to do whatever it can to protect family incomes. I confirm today that we maintain our commitment to support people in Scotland who are affected by the UK Government's welfare cuts, through measures that include the allocation of £38 million to the Scottish welfare fund, up to £343 million for the council tax reduction scheme and £35 million to ensure that nobody pays the bedroom tax.

We will continue to help family budgets, through initiatives such as free prescriptions, regular eye checks and free concessionary travel for older, disabled and young people, and we will ensure that free school meals continue for children in primary 1 to P3.

Our public sector pay policy for 2016-17 targets support for people on low incomes, requiring all employers to pay the Scottish living wage, raising to £22,000 the low-pay threshold beneath which employees receive a minimum pay increase of more than 1 per cent, and maintaining the Government's no compulsory redundancy policy.

Free personal and nursing care, which is a key achievement of the Scottish Parliament, will also be maintained, as a vital part of the reformed community-based health and social care service.

I turn to the council tax. The Commission on Local Tax Reform said in its report this week that the current council tax system is unfair. The commission is right. It also said that many people pay too much. Again, it is right.

This Government is committed to protecting household budgets. In this budget I have already frozen income tax rates. In 2011, we promised to freeze the council tax in every budget of this parliamentary session. I confirm today that we will keep that promise and freeze the council tax next year. That means that council tax will have been frozen for nine consecutive years, saving the average household £1,500 in total on a band D bill.

That means that there is a dual tax freeze, on income tax and on the council tax, which will help

families week in and week out, the length and breadth of Scotland.

In this draft budget, the Scottish Government is acting to promote our economy, deliver opportunities for all and protect and reform our public services for the future. In challenging times, it is a budget for growth and reform. It is a budget for Scotland and I commend it to Parliament. *[Applause.]*

The Presiding Officer: Order. The Deputy First Minister will now take questions on the issues raised in his statement. I intend to allow around 60 minutes for questions, after which we will move on to the next item of business.

Jackie Baillie (Dumbarton) (Lab): I thank the finance secretary for advance sight of his statement—well, at least part of it. So much is hidden, and I am not just talking about the redacted statement. I express my disappointment that—certainly in my memory—this is the first time in the history of this Parliament that budget announcements have been redacted in such a way. That is genuinely disappointing.

This is a historic budget. It is probably the most significant budget since the Scottish Parliament opened in 1999. Major new tax and welfare powers are coming to Scotland, and the finance secretary could have used today to outline detailed plans to end austerity and close the gap between the richest and the rest in Scotland.

The finance secretary claims to have delivered on that in his statement, but he is not rejecting austerity—he is simply managing it. Scottish Labour is calling for a genuine anti-austerity budget and a long-term plan for Scotland. *[Interruption.]*

The Presiding Officer: Order. Let us hear Ms Baillie.

Jackie Baillie: Instead, what we have from the SNP is a budget for an election only. It is short term, with all the cuts hidden away, but we know that the cuts are still to come. The finance minister should today have laid out plans across his whole budget for at least three years. We should have seen a Scottish spending review. He has selected the good news to tell us but hidden away the bad. Austerity hidden is not austerity avoided, and people deserve to know the truth.

The SNP's credibility on the economy is being questioned by experts. Growth is down. We are lagging behind the rest of the United Kingdom. Oil prices are at their lowest level for decades, and the employment statistics published this morning are down and still below pre-recession levels. After nine years, the finance secretary has only just discovered that he can do something about productivity, and I say to him as gently as I can

that a freeze is not progressive. A freeze actually does not help the poorest people against austerity. *[Interruption.]*

The Presiding Officer: Order.

Jackie Baillie: The Scottish Government has given us recycled announcements. It has told us which budgets it is increasing but not which budgets are being cut. The finance secretary says that he is protecting schools, but the headline education budget is cut. He says that he is increasing health and in particular social care, but at the same time he is slashing the budgets of councils that deliver for local people.

The experts at IPPR Scotland have said that the cuts are most significant in 2017-18 and 2018-19. Those are the hidden cuts or hidden tax rises that the SNP is not telling us about before May. Here we are, with the most significant budget in Scotland's history being delivered by a party that promised to stand up for Scotland against Tory austerity. *[Interruption.]*

The Presiding Officer: Order.

Jackie Baillie: Does it deliver fairer taxes? No. Does it deliver a longer term plan for Scotland? No. Does it deliver an anti-austerity alternative? The answer is no.

The SNP has been in power for nine years and it has a majority in this Parliament and more powers than ever before, but is it not the case that, in substantial areas of the budget, John Swinney is simply copying George Osborne? That is not anti-austerity. *[Interruption.]*

The Presiding Officer: Order.

Jackie Baillie: Surely Scotland deserves better than that.

John Swinney: The first point that Jackie Baillie raised highlights the atrocious lack of communication within the Labour Party, because this is not the first time that a financial statement has been redacted. It was redacted last year by agreement among the business managers of Parliament so that I was able to announce straight to the Parliament the tax rates that were being put forward.

I cannot actually remember who Labour's finance spokesperson was last year—I have gone through so many over the years—but if Jackie Baillie had talked to whoever it was last year, she would have found out that the information was redacted last year. That is just a basic illustration of how lacking in detail Jackie Baillie is on the handling of these issues.

In the several minutes of her contribution to Parliament, there was not a single alternative proposition from Jackie Baillie. Of course, that is a character trait of Jackie Baillie. All that she and the

Labour Party deliver is abuse and hectoring of other people. They do not produce an alternative to show what they would do differently.

The budget process is Jackie Baillie's opportunity to redeem herself. Now that I have published hundreds of pages of financial information on the choices that we have made, she can look through that and decide what she would do differently, what taxes she would put up, what budgets she would change and what other alterations she would make to my financial plans.

I have submitted a budget that protects the incomes of the lowest-income households. That is the most effective way that we can use the powers available to us today to secure the best interests of the people who we are elected to serve in this Parliament.

Murdo Fraser (Mid Scotland and Fife) (Con): I thank the finance secretary for an advance copy of his statement. This is a historic budget for the Scottish Government. For the first time since devolution, the Scottish Government's finance secretary is not simply concerned with the distribution of the resources available to him; for the first time, he has a substantial power to vary the total resource in his budget by amending the rate of income tax.

The finance secretary has chosen to set the Scottish rate of income tax at the same rate payable elsewhere in the United Kingdom. We applaud that decision. We do not believe that hard-pressed families in Scotland should pay higher taxes than those elsewhere in the United Kingdom. [*Interruption.*]

The Presiding Officer: Order. Let us hear Mr Fraser.

Murdo Fraser: It cannot be forgotten that the finance secretary had a choice in the matter, and he chose not to increase the resource available to him by levying additional taxes.

For all that we have heard about austerity and swingeing cuts, we must remember that the Scottish Government's total budget for the coming year is, in cash terms, nearly £400 million higher than in the current year. In real terms, there is a small decrease, but that decrease is substantially less than the finance secretary's most recent underspend. In that context, any talk of swingeing cuts simply looks ridiculous.

If it is still the position of SNP members that the Scottish budget is too low, then the solution is in their own hands. The finance secretary could have chosen to raise the rate of income tax, and he decided not to do so. For years he has portrayed himself as a prisoner of Westminster austerity, but now that he has been given the key to door of his cell, he has chosen not to use it. I trust that we will

hear no more from SNP members about austerity and Westminster cuts, when they have made the choice not to increase the size of the budget available. They had their chance, and they flunked it.

The Scottish Conservatives will carefully scrutinise the detail of the budget that has been presented and will, as ever, suggest constructive changes when we have done so. For the moment, we welcome the extra cash for housing, and the promised review of non-domestic rates—a straight lift from the Conservative general election manifesto. Where the Conservatives lead it seems that the SNP follow. However, it is disappointing that there is no restoration of the SNP's swingeing cuts to college budgets.

I am disappointed that the finance secretary has not introduced greater changes to land and buildings transactions tax, given that the existing scheme is having a detrimental impact on the market, particularly for larger houses in many parts of Scotland, and we are looking at a significant shortfall in the sums previously predicted to be raised from residential property. I ask that the cabinet secretary looks again at that, although I welcome his following George Osborne's lead in increasing by 3 per cent the supplement for second homes. That shows, once again, that where the Conservatives lead the SNP follow.

John Swinney: I know that it is early days in the scrutiny of the budget, but there was a fundamental problem and flaw in Mr Fraser deploying the argument that I have not taken any steps to increase the amount of money available to me—I have.

I have taken the step to increase our expected take through the levy on business rates by £130 million. That was not sneaked in on page 150 of the document—I expressed those words directly to Parliament. All that preamble of total inflated nonsense from Mr Fraser is punctured by that one little fact that I have used the opportunity to increase the money available to me. Therefore, we can ignore the first part of Mr Fraser's rant.

We will not ignore the last part of Mr Fraser's rant; rather, we will dismantle it. Mr Fraser might have wanted me to use the Scottish rate of income tax to increase the level of tax that is levied on individuals.

Murdo Fraser: No. [*Interruption.*]

The Presiding Officer: Order.

John Swinney: Mr Fraser argued that I should have taken that step, and I can see why that would have suited him, but if I had done that, it would have led to an increase of 2.6 per cent in the income tax of high earners, but it would have

increased the tax take from low-income households by 5 per cent. In other words, Mr Fraser was protecting the rich and punishing the poor, just as the Tories always do.

As for land and buildings transaction tax, when I stood here last year I was lectured ad infinitum by Gavin Brown about the fact that we had not raised the taxes that we said that we would raise. I have just put on record the performance in the first six and seven months of this financial year, which demonstrates that the tax take is on course to be delivered.

As for the suggestion that we have distorted the market, I will share with Parliament a quote by Christine Campbell, who is the managing director in Scotland of Your Move. She said that LBTT has given

“middle and ... lower tiers of the market ... a new lease of life ... This rapid ... growth in Scotland is grounded in the new LBTT rates, which are stimulating demand at the bottom and middle rungs of the property ladder.”

That is what I was determined to do. Here we again see the fault line between us and the Tories. I am pleased that the bottom and the middle of the market are doing so well; the Tories are only concerned about the top.

I look forward to the detailed scrutiny of the budget, because this Government has put forward a budget that is on the side of fairness in our society and improving opportunities in the economy, and we will defend that to Parliament and the people of Scotland.

Mark McDonald (Aberdeen Donside) (SNP):

As the MSP for the Haudagain roundabout, I welcome the Deputy First Minister's announcement that works will begin in 2016-17.

The Deputy First Minister mentioned the requirement to protect public services through reform. How will the Government continue to build on the Christie commission agenda that has been pursued via reforms to police, fire, health and social care services, which were introduced by the Scottish Government and supported by the Labour Party?

John Swinney: I am pleased that we have managed to signal the start of the work at the Haudagain roundabout. I can never hear mention of the Haudagain roundabout without hearing the voice of our dear late colleague Brian Adam, who championed that cause.

As regards Mr McDonald's substantive question on public service reform, the Christie commission provided Parliament with an excellent agenda, which was structured around the integration of services at local level, the breaking down of boundaries in public services and ensuring that we had a focus on the needs of individuals. That

approach is at the heart of the reform agenda that we have progressed on police and fire services and health and social care, and I will be delighted to see what progress can be made in taking forward such fundamental reform to benefit individuals in Scotland.

Willie Rennie (Mid Scotland and Fife) (LD): I thank the Deputy First Minister for advance sight of his statement. I am sure that there are many things in the budget that Liberal Democrats can support. As always, we will make a very positive and constructive case for investment in key areas such as mental health, childcare, and infrastructure for the north-east and the Highlands and Islands. We will continue to be constructive.

However, it is quite clear that, since the last time the Deputy First Minister delivered his budget, employment in Scotland has gone down—fewer people are now in work. That clearly shows that we cannot trust the SNP on the economy. I do not think that we can rely on the SNP on mental health, either, because it has cut the share of the NHS budget that is spent on mental health. On childcare, the SNP's record is pretty woeful—it cannot even deliver on the commitments on childcare that it made in previous budgets—and the police reforms have not saved the money that they were intended to save, so John Swinney is having to patch up the police budget to cover up the mistakes of the past.

I listened very carefully to what the Deputy First Minister said about increasing taxes. He made it quite clear that business rates have not raised the income that he expected would be raised; as a result, all that he is doing is plugging the hole that was already there. The Deputy First Minister has spent his entire political life campaigning for more tax powers, but what does he do when he gets them? Nothing—he makes no change. He leaves the rate exactly the same as in England. How can he tell the chamber that he is rejecting austerity when he is not raising a single penny more, even though he has the tax powers to do something about it?

John Swinney: Let me work my way through the different issues that Willie Rennie has raised. First of all, on mental health, there is an additional £50 million in the budget for mental health, bringing the total to £150 million. I hope that Mr Rennie will welcome that.

On the point about employment, perhaps Mr Rennie was not looking at this morning's data, but employment in Scotland is at 74.3 per cent, or 10,000 higher than a year ago. That is higher than the employment rate in the rest of the United Kingdom, and I would have thought that Mr Rennie would welcome that.

Moreover, I point out that, despite all that Mr Rennie has said about the police and his demands that we take action, we have protected the police budget with a real-terms increase, and I have put in resources to ensure that the police can deal with some of the challenges that are facing them. Is Mr Rennie so grudging that he cannot applaud the decisions that the Government has taken? We could have spent the money on something else, and Mr Rennie would have been here, demanding more money for the police. His approach, I think, lacks a bit of credibility.

Finally, I took care and a substantial amount of time in my statement to explain the rationale behind the decision on tax. The SRIT powers are so constrained that we cannot increase tax on people earning high levels of income without increasing it for people on low incomes. I have sat in this Parliament for years, being lectured by the Liberal Democrats on the importance of protecting people on low incomes. I have just done that, and I had thought that in doing so I might have got a bit of encouragement from Mr Rennie.

I have said to Parliament that, subject to our getting a satisfactory agreement on the fiscal framework that will give us greater clarity on the size of the budget in the years to come—after all, a material point that we all have to wrestle with is that the fiscal framework could vary the amount of money that we have available at our hand and under our control in this Parliament—I will come back to Parliament before the end of the parliamentary session and set out our longer-term intentions on the exercise of the tax powers. We will do all those things, and I hope that, if Mr Rennie is feeling more charitable when the day comes, he will give them a better welcome.

The Presiding Officer: As members will imagine, a large number of members wish to ask questions. I therefore ask for brief questions and brief answers so that we can get through them.

Kenneth Gibson (Cunninghame North) (SNP): I warmly welcome the cabinet secretary's very positive statement, particularly the excellent news for my constituents of a new Ardrossan to Brodick ferry and of work on the Dalry bypass and Den realignment, construction of which was held up by a public local inquiry, beginning on-site in the next financial year. I understand that the road orders were laid on 2 December and come into force today, but numerous constituents have asked when the work on the bypass will begin on-site. Can the cabinet secretary please advise the chamber on that?

John Swinney: I cannot give Mr Gibson a definitive date for the commencement of that work, but it will be during the 2016-17 financial year. As he has said, all the authorisation processes have been completed; we will be able to start

construction during 2016-17, and the resources are in the budget to enable that to happen.

Iain Gray (East Lothian) (Lab): The Deputy First Minister talked about investment in education, but we know that since 2011 this Government has cut education spending even as it was increased elsewhere in the UK. In this budget, colleges and universities again face real-terms cuts, and local authorities responsible for schools face significant reductions in budgets. Has the Deputy First Minister not failed yet again to protect education?

John Swinney: I thought that Iain Gray would have welcomed the fact that the Government has put in place protection for the colleges budget, that we have protected the higher education budget, and that we have put extra resources into the attainment activities and ensuring that we work relentlessly to close the gap in attainment between children from more deprived areas and those from less deprived areas.

I simply put the challenge back to Iain Gray that I put to Jackie Baillie. Iain Gray has some experience of the question, of course—he knows the way it works. Choices have to be made, and I have set out a balanced package that enables us to invest in key areas of activity, including educational services in Scotland. If Iain Gray wants to recommend and argue for an alternative to be taken, the opportunity is open to him to do exactly that.

Clare Adamson (Central Scotland) (SNP): I warmly welcome the increase in the budget for affordable homes by £90 million to £690 million. How many of the 50,000 new affordable homes that have been promised in the next session will be for social rent?

John Swinney: The estimates are still estimates, but we expect the figure to be around 35,000 houses for social rent. That will be a 75 per cent increase on our previous target in the previous programme.

Bruce Crawford (Stirling) (SNP): The Deputy First Minister has rightly made the protection of health spending in Scotland a key priority of his Government, but can he please put that into context for members, given the scale of real-terms reductions to the Scottish budget that the UK Government has imposed? What has been the real-terms increase in health spending under the SNP Government?

John Swinney: The budget for the health service has increased in real terms throughout the SNP Government's period in office since 2011. We have committed ourselves in this settlement to do exactly that, and we have committed ourselves to continue that performance if we are re-elected in May. It is important that the health service is

able to rely on a strong financial settlement, but equally—I laboured this point in my statement—that it is able to undertake a programme of reform to ensure that it has the capacity and the service design to meet the needs of a changing population and the changing requirements of the people of our country.

Gavin Brown (Lothian) (Con): A few moments ago, the cabinet secretary said that he is protecting the higher education budget, but according to page 55 of the draft budget, it is falling by £35 million in cash terms for resource. Can he explain what he means by protecting the higher education budget? He also said that he is protecting policing with a boost of over £100 million, but the Scottish Police Authority budget appears to have a real-terms cut of £12 million. Can he explain how there is a boost of £100 million?

John Swinney: There are two points. First, I said in my statement that we had protected the higher education research budget, which is exactly what he have done. [*Interruption.*]

The Presiding Officer: Order.

John Swinney: We will check the record. If I did not use those precise words and have given an incorrect answer, I apologise. In my statement, I said that we had protected the higher education research budget. I will check the record and see whether it is correct, but that is exactly the point that I was making.

Secondly, our commitment was to protect the policing resource budget in real terms. If Mr Brown looks at the document, he will see that the Scottish Police Authority's resource budget has increased in real terms by 1.7 per cent. In addition to that, the Government has put £55 million into policing this year that the police service could not reasonably have expected, because the financial memorandum that I am sure Mr Brown must have scrutinised in the Finance Committee and voted on in the Parliament envisaged the removal of that reform budget by the next financial year. We have given a very strong financial settlement to the police service by increasing the resource budget in real terms and ensuring the extra injection of £55 million, which the police service could not have expected to receive.

Ken Macintosh (Eastwood) (Lab): A few moments ago, the cabinet secretary was rather boastful about the clarity of his statement on business rates, but I noticed that he studiously avoided giving a figure for the local government settlement. Instead, he has relied on euphemistic terms such as “strong” and “challenging”. The reason for that is clear: those who rely on the public services that are delivered by our local authority colleagues are clearly the biggest losers.

The cabinet secretary knows that those services are relied on by some of

“the poorest and most vulnerable people in our society”,

to use his own words. We are talking about day centres for people with learning difficulties, care homes for the elderly, library services and learning support for our children.

A cursory glance at the figures suggests that there is a 6.1 per cent real-terms cut for local authorities. Does the cabinet secretary agree that that is the figure? If so, why is he insisting on imposing grossly disproportionate cuts on our poorest communities?

John Swinney: For him to understand the figures, I will go through some of the detail with Mr Macintosh. Local government resource support from the Government will reduce by £350 million. The capital budget will be reduced by £150 million, but that is a temporary factor. Local government has a current guarantee that it will have access to 26 per cent of the capital resources that are available to the Scottish Government in capital departmental expenditure limit allocations from the UK Government. I have told local government that I will not only assure that to 2018-19, which is what we previously agreed, but will extend it for another year to 2019-20. Although the budget is lower this year, it will be replaced in later years as part of the capital programme. The 2015-16 capital budget for local government is inflated because of exactly the same reprofiling of budgets that took place, so the 2015-16 budget is much higher than the trend budget would be. Some of that accounts for the difference in the figures that we have in front of us.

The key point, in answering Mr Macintosh's question, is around reform of public services. With the financial arrangements that we have available to us, we have to be able to secure greater impact from the resources that are available to us. That is why we are reforming health and social care to improve outcomes for individuals, to give people access to integrated services and to ensure that the resources that are available can have a greater impact and deliver a much greater range of services. That is why the Government has put in £250 million of new resources through the health service to create stronger health and social care budgets, which we will discuss with local authorities, and which is in addition to the local government settlement as set out in the budget document.

Of course, finally, I say that the opportunity is available to Mr Macintosh to say how things should be different. Again, Mr Macintosh has been one of my Labour counterparts, so he knows the form here; he can come forward with alternatives to the choices that we have made. However, at the

heart of our approach to local government is our working in partnership with local government to deliver reform and integrated health and social care services.

John Mason (Glasgow Shettleston) (SNP): The Finance Committee has heard a number of witnesses on the Scottish rate of income tax. I am sure that the cabinet secretary is happy to know that the Scottish Trades Union Congress agrees with him that the 10p rate should stay the same. However, we have heard other witnesses say that the SRIT would be a bit progressive if we were to increase that. How does the cabinet secretary respond to that?

John Swinney: The analysis that I have available to me—which I shared with Parliament just a moment or two ago in my answer to Murdo Fraser—is that an increase in the Scottish rate of income tax would be a greater burden on, and relate to a greater proportion of the tax payment of, individuals on low incomes than those on higher incomes. To me, that rather makes the case that the current Scottish rate of income tax power is a blunt instrument for us to deploy and that what we should do is provide clarity as I have done today and then consider, once we see the financial arrangements for the wider tax powers that will come as a consequence of the Scotland Bill and the fiscal framework, how we can most effectively exercise those to ensure that the Government's principal position of supporting progressive taxation can be deployed as effectively as possible.

Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): We recently had a debate in the chamber on the 16 days of activism campaign that marked international day for the elimination of violence against women. We have seen record funding from the Scottish Government for tackling violence against women and girls, and a clear commitment from the Government that it will do as much as it can on that. Can the Deputy First Minister give us some insight into what funding will be available to continue that very valuable work?

John Swinney: The Government has maintained spend on the equalities budget at £20.3 million—the same as in 2015-16. That budget will support front-line provision, particularly in relation to violence against women and girls.

In the current year, the justice portfolio will make funding available, in addition to core baselines, towards the First Minister's commitment to provide £20 million over the period 2015-2018 to tackle violence against women. It is a central priority of the Government's equalities agenda.

Paul Martin (Glasgow Provan) (Lab): The cabinet secretary advises us that he wants to create a fair and equal society in Scotland. I ask

him to start in Glasgow, where more than 197,000 people live in poverty. Despite that, it is estimated that Glasgow City Council will see a funding cut of more than £120 million—short-changed once again. Does the cabinet secretary agree that we should get a fair, proportionate and protected budget in Glasgow in order really to tackle poverty and create in Glasgow the fair and equal society to which we aspire?

John Swinney: I have taken the decision to set the funding floor for the local government settlement such that it will protect Glasgow City Council from reductions in its budget that would have occurred had I not intervened to secure that support for the city of Glasgow. The First Minister and I have been determined to ensure that the work that can be undertaken in Glasgow to tackle the persistent inequalities that have existed is taken forward by the city council and other public authorities. That will be made a great deal more practicable and possible by the intervention that I have made on the establishment of the funding floor for local government.

Roderick Campbell (North East Fife) (SNP): I welcome the additional £50 million for mental health spending over the next five years. Will the cabinet secretary tell Parliament a bit more about what that is targeted to achieve?

John Swinney: The primary focus of that activity will be on supporting a variety of different interventions, on child and adolescent mental health services and on improvements in primary care, with a particular focus on removing or reducing the waiting times that individuals experience. We all recognise that that has been a particular challenge and a difficulty for many individuals in different parts of the country.

Patrick Harvie (Glasgow) (Green): The Deputy First Minister flags up a review of non-domestic rates as well as the idea of assigning a share of income tax to local government just days after the Commission on Local Tax Reform has reported. That seems to be not in keeping with the cross-party approach to local government finance.

I note that the small increase in the energy efficiency budget is better than a small decrease would have been, but the cabinet secretary described it as a “transformational” approach. Does he not acknowledge that, in the wake of the Paris agreement, some of us were expecting something rather more dramatic than that?

John Swinney: Throughout the budget, there is consistent and strong support for a range of measures to deliver on our climate change agenda and to tackle carbon emissions. That approach runs through a range of policy priorities and choices that have been made.

On cross-party agreement on taxation, we value very much the work that is being undertaken by the commission. Marco Biagi, the Minister for Local Government and Community Empowerment, and Councillor David O'Neill, who were the joint chairs of the commission, are to be applauded for producing a thoughtful and comprehensive piece of work that informs the debate and the choices that must be made. Ultimately, it is up to political parties to look at the material in that report and to consider what propositions they wish to put to the people, which is what I am signalling that the Scottish Government will do.

Patrick Harvie will find that there is willingness on the part of the Government to engage constructively—as was evidenced during the deliberations of the Commission on Local Tax Reform—to design a system that is fairer and related to the ability to pay. That is exactly what the Government will do in the analysis that we are undertaking of that work.

Kevin Stewart (Aberdeen Central) (SNP): Many of our constituents are suffering because of swingeing Tory social security cuts. Can the Deputy First Minister assure me that his budget will continue to protect people from the worst excesses of the Tory Government's social security cuts and austerity agenda through welfare mitigation measures?

John Swinney: I set out in my statement a number of areas in which we are essentially operating in welfare mitigation territory, whether it be the council tax reduction scheme, the bedroom tax or the establishment of the Scottish welfare fund. I set out to Parliament a challenging financial settlement because of the pressures with which we are wrestling and the reductions in our budget. We have made our choices to protect individuals who are affected by the welfare cuts to the best of our ability, and will continue to do so. A range of further powers will come to the Scottish Government in due course, and we will find the most effective and appropriate ways to take decisions to exercise those powers to support vulnerable individuals.

Alex Johnstone (North East Scotland) (Con): In his statement, the cabinet secretary said that he will increase

“the budget for affordable housing next year by £90 million, enabling us to invest around £690 million in housing supply.”

On page 85 of the budget document, the figure projected for the next year is £695.4 million, which is just £1 million more than the budget figure for last year. Has the cabinet secretary got his sums wrong or is a £90 million skelp coming to some budget sub-heading?

John Swinney: Other priorities in the housing budget were prevalent in 2015-16. For 2016-17, we have chosen to allocate the additional £90 million in the budget to support affordable housing to enable us to deliver the improvements and growth in affordable housing that so many people in Scotland are looking for.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): In recognising the importance of colleges to our economy, can the Deputy First Minister outline what funding his budget provides for the further education sector?

John Swinney: We have secured £530 million of resource budget to support expenditure at 2015-16 levels. We have also provided £24.4 million of resource budget to support long-term investment in the capital sector of the college sector, as well as £27 million for further education capital spending.

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): Is the cabinet secretary aware of the Audit Scotland report on health and social care integration from earlier this month, which highlighted the failure of the health service and local government to make progress on pooled budgets for the integration bodies? How does he know that the £250 million, which we welcome, for the integration bodies will be additional rather than just deducted from any planned contributions by the health service and local government, especially since local government revenue budgets are being hammered today? Does he not need to do more to support social care, including through the national guarantee of a living wage for care workers, as proposed by the Labour Party?

John Swinney: First, I challenge Mr Chisholm's rather gloomy presentation of the Audit Scotland report. That was quite unlike him. The report highlighted that substantial progress is being made on a significant reform that we have waited a long time to deliver. It recognised that we need to give the process greater impetus. I do not think that anybody could look at my budget statement and say that the Government has done anything other than that through the choices that we have made. The substantial investment that will be made in health and social care will be warmly welcomed around the country.

I hear Mr Chisholm. He has been a member of Parliament for many years, so he knows how things work. If there are choices to be made, I would like to hear from the Labour Party what choices it would make. *[Interruption.]* I hope that Johann Lamont is going to ask a question. I have heard her shouting at me all the way through my budget statement, so I hope that we will get to hear what she has to say, because I have not quite been able to make it out. The choice is there for the Labour Party to decide how it would

reallocate the resources that I have allocated today and what different choices it would make.

Stuart McMillan (West Scotland) (SNP): I welcome the statement. Will the Deputy First Minister inform members of the expected benefits to Scotland's elderly of the £200 million investment in six diagnostic and treatment centres?

John Swinney: The challenges that we face in relation to the ageing population mean that there is increased demand for certain hospital procedures that are generally of relatively low risk. However, if they are undertaken in an emergency hospital environment, there is a great risk that they will be cancelled and that we will not have the necessary throughput of cases and associated efficiencies that we can have in the elective centres. The concept of elective centres has delivered much greater effectiveness in the delivery of such services, which is why the Government has given a commitment to open up that area of activity to more substantial investment and substantial capability in order to create the capacity for individuals to receive the treatment that they require in a timely fashion, without disruption to emergency care.

Chic Brodie (South Scotland) (SNP): We acknowledge the year-on-year increase in the latest proposal from the comprehensive spending review on capital expenditure. However, capital expenditure will still be £600 million, or 17 per cent, lower in real terms than it was in 2010-11. We also welcome today's announcement of a reduction of 8,000 in the unemployment figures and of the higher rate of employment. Given the strong link between capital expenditure and long-term employment, what sectors of the economy will the Government prioritise in capital terms to maximise further long-term employment opportunities?

John Swinney: The capital programme takes forward a range of priorities. A number are focused on strengthening the transport infrastructure, which is essential to the country's connectivity. There is also a significant investment in digital connectivity, which we realise can, if it is used properly and effectively, be an enormous economic asset and resource for people in Scotland.

We are struck by the economic data that shows that, in the recent economic downturn, areas of the country that suffered severe economic hardship as a result of economic downturns in the past have managed to overcome that. I ascribe that principally to the effectiveness of digital connectivity and the related improvement in opportunities for people. Those are some of the key priorities that will form part of the Government's capital investment programme.

Claudia Beamish (South Scotland) (Lab): In light of the global agreement in Paris that commits all countries to reducing emissions to meet the 1.5°C target, what specific new measures does the cabinet secretary have as part of this budget process—or what measures would he consider—to address that worldwide recognition of the imperative need for a fast change to the low-carbon economy? Such measures could include a low-carbon focus for the innovation centres and specific support for research and innovation.

John Swinney: I agree entirely with Claudia Beamish's point. One thing that disappointed me in the United Kingdom Government's comprehensive spending review in November was the cancellation of the Peterhead investment, which was an excellent example of long-term investment that would create technology of global potential and capability for Scotland. That represents a missed opportunity.

Claudia Beamish raises the importance of targeting some of the investment that we make in the research process on achieving such gains. I warmly welcome the point that she made, which illustrates the way in which we have to ensure that, in different areas of policy, we absorb the necessity to respond constructively to the Paris challenge that has been placed in front of all of us.

Rob Gibson (Caithness, Sutherland and Ross) (SNP): Later today, Parliament will debate stage 1 of the Land Reform (Scotland) Bill. A key ambition of the Scottish Government's radical plans is to have a dramatic increase in the amount of land that is in community ownership. What provision has the Deputy First Minister made to increase the funds that are available to support community ownership and reach the Government's 1 million-acre target?

John Swinney: In the budget, we make provision for increasing the Scottish land fund from £3 million to £10 million to enable more of the successful instances of land acquisition by communities to take their course. That will lead to the flourishing of the wider economic activity that I know that Mr Gibson has championed in taking forward his constituents' interests and his political interests in the parliamentary session.

Fiona McLeod (Strathkelvin and Bearsden) (SNP): Will the Deputy First Minister elaborate on how the budget will ensure that we continue to make progress on closing the gap in educational attainment between children from the most deprived areas and those from the least deprived areas?

John Swinney: The learning budget is being set at £33 million and will contain the resources that will enable us to deliver some of the priorities of the Scottish attainment challenge. That is the

key budget through which we will drive the reforms that are necessary to close the gap that has caused concern for many years and to create better opportunities for young people.

Patricia Ferguson (Glasgow Maryhill and Springburn) (Lab): Last week, I asked the Deputy First Minister whether he felt that the funding allocation to Glasgow City Council for kinship care was appropriate, given that Glasgow has 32 per cent of kinship carers and only 15 per cent of the funding. He explained to me that that was because of an agreement with the Convention of Scottish Local Authorities. From the cursory consideration that I have been able to give the draft budget since receiving it this afternoon, I see nothing to suggest that that situation will change. The funding might involve an agreement with COSLA, but will the Deputy First Minister indicate whether it is fair to Glasgow and its kinship carers?

John Swinney: I was struck by the point that Patricia Ferguson made last week and I considered it carefully because, at face value, the arrangement that she cited to me did not strike me as being fair. I had two options—I could reject the recommendation from the settlement and distribution group or take the decision that I have taken, which I explained to Mr Martin, to set the funding floor at a level that gives Glasgow much greater protection than it would have if I just remedied the issue that Patricia Ferguson raised with me last week.

The decision that I took, which I recounted in answer to Mr Martin's question, was to set the local government funding floor in a fashion that protects the city of Glasgow from a substantial reduction in its budget of a much greater magnitude than the figure involved in the issue that Patricia Ferguson raised with me. I am happy to explain my thinking to her in more detail, but I reassure her that I was concerned when I heard what she said to me last week and that I have looked into the details and put in place a solution that is substantially better for Glasgow than just remedying the issue that she raised with me.

Land Reform (Scotland) Bill: Stage 1

16:02

The Presiding Officer (Tricia Marwick): The next item of business is a debate on motion S4M-15181, in the name of Aileen McLeod, on the Land Reform (Scotland) Bill.

Sarah Boyack (Lothian) (Lab): On a point of order, Presiding Officer. I return to the point of order that I made yesterday, which was to register the fact that, 23 hours before the debate that we are about to have, we had not seen the Scottish Government's response to the Rural Affairs, Climate Change and Environment Committee's stage 1 report.

After you asked the Minister for Parliamentary Business to speak to the relevant ministers, I was genuinely shocked when, at 6.45 pm last night, we received information from the clerks to the committee that the Scottish Government had changed its mind and would no longer give us its response in advance of our debate.

That is unsatisfactory. It is not just a matter for the committee members. We have a break for recess, and it is an issue of transparency and accountability for the stakeholders and members of the public who have a huge interest in the bill.

I hope, Presiding Officer, that you will be able to reflect on that and communicate with the Government that it is not helping the transparency and accountability of the bill.

The Presiding Officer: I thank Sarah Boyack for advance notice of that point of order.

As the member is aware, there is an agreed protocol between the Scottish Parliament and the Scottish Government in relation to the handling of committee business that covers how the Government should respond to stage 1 reports by parliamentary committees. Although there is no requirement that a response be made in advance of the stage 1 debate, I understand that in this case, as Sarah Boyack says, the committee was given assurances by the Government that it would have a response on most issues in advance of the debate. The committee was informed only last night, via an email to the clerks, that that would not happen.

The committee's report has been available to the Government since 4 December. The Government will have been aware of the timetable for stage 1 that was agreed to by the Parliament. The minister may wish to reflect on the handling of this situation, which is disappointing and is not very helpful.

I now call on Aileen McLeod to speak to and move the motion.

16:05

The Minister for Environment, Climate Change and Land Reform (Aileen McLeod): I begin by expressing my gratitude to Rob Gibson and the other members of the Rural Affairs, Climate Change and Environment Committee for their scrutiny of a wide range of land reform issues over the course of this session.

The committee's scrutiny of the Land Reform (Scotland) Bill has benefited significantly from its already extensive knowledge of many of the issues at its heart, and it builds on the evidence provided by groups, by individuals, by the more than 1,000 respondents to the Scottish Government's "Consultation on the Future of Land Reform in Scotland" and by those who contributed to the extensive work of the land reform and agricultural holdings review groups—noting, not least, the tireless work of the review group members themselves. It has been a massive task, which is reflected in the detailed stage 1 report that the committee published just over a week ago.

On that, let me respond directly to the point that has been raised by Sarah Boyack in the chamber just now and yesterday. At more than 140 pages, the committee's report provides substantial comment and recommendations, and we are now giving very serious and careful consideration to the committee's recommendations in relation to all parts of the bill.

I very much look forward to debating the issues, and I intend to submit our response to the committee shortly, in line with the protocols agreed with the Parliament. It is a job that we want to get right rather than rush. I am keen for us to take the opportunity to listen to all the views from across the Parliament and to reflect members' views in our response.

This is a debate on the committee's stage 1 report, and we want to ensure that we have the right provisions in the bill, which have not been rushed, so it is important to take this opportunity to listen to all the views that are expressed in the Parliament.

Alex Fergusson (Galloway and West Dumfries) (Con): I hear what the minister says, but would she accept that it sets us at a bit of a disadvantage when we have no clue as to the Government's response to the stage 1 report? I am disappointed that the minister shows no sign of remorse whatsoever.

Aileen McLeod: This is a debate on the committee's stage 1 report, and I am keen to

ensure that we give members across the chamber an opportunity to reflect their views, so that we can use them in our response to the committee's report.

This is a very complex bill, with complex provisions, and we very much want to take careful consideration of all the views that are represented.

Murdo Fraser (Mid Scotland and Fife) (Con): The minister will appreciate that we are being asked to vote this evening on the general principles of the bill, a bill that the committee report has exhaustively scrutinised while suggesting a whole range of potential changes. It would be very interesting, before we vote this evening, to know whether the Government accepts all or any of the proposals in the committee report. We do not have that information.

Aileen McLeod: That will be a matter for committee consideration at stage 2.

Members: Oh!

Aileen McLeod: But we will also be giving an indication. It is the committee's stage 1 report that we are discussing.

We started this process with a good bill, and I know that we can make it an excellent bill. As the First Minister said last week at the human rights innovation forum, we in the Government

"welcome the growing interest in the role that human rights ... can play in achieving

a

"wealthier and fairer society".

Land reform is a vital part of the Government's aspirations for a fairer, more equal and socially just Scotland. Underpinning the Land Reform (Scotland) Bill is an ambition to fundamentally change the framework of legal and social rights and responsibilities that determine how our land is used and governed, to address inequalities and to ensure that our land delivers the greatest benefits to our economy and all our communities.

I am strongly encouraged by the committee's support for many of the general principles of the bill and the measures within it. The creation of a land rights and responsibilities statement under part 1 of the bill and the establishment of a dedicated Scottish land commission under part 2 underline the Government's commitment to considered, long-term reform, putting an end to the ad hoc, stop-start nature of land reform that has limited progress in Scotland to date.

We must recognise the contribution of landowners and managers across the public, private, third and community sectors, and the positive relationships that already exist between

landowners, tenants and communities. In doing so, we must recognise the need to take steps to ensure that good practice is extended throughout Scotland.

Part 4 of the bill has a vital role to play in encouraging and improving engagement between landowners and communities, and I am pleased to see the committee's welcome in its report for the principles behind that part of the bill. It is important to ensure, as well as co-operation and engagement, a fair balance of rights between those who own the land and those who work, live and depend on the land.

At times, what can be achieved through voluntary and co-operative approaches may be limited. Although the committee and the Scottish Government have agreed that a voluntary approach to deer management should be given the chance to deliver, and substantial support has been provided for that, it is becoming clear that more may need to be done in that area.

Sarah Boyack: I ask the minister to read the sections of the committee's report in which we discuss in great detail the fact that the committee is deeply unhappy about where deer management has ended up. There was a sense among members across the parties that we need urgent action and more provisions in the bill, and that the voluntary approach is absolutely not working everywhere.

Aileen McLeod: I accept Sarah Boyack's point on the need to have an urgent review, and we will consider that carefully in our response to the committee's report.

I welcome the committee's support for further powers for Scottish Natural Heritage. Part 8 of the bill will deliver additional powers to intervene where it is shown that deer management is not delivering in the public interest. I look forward to the on-going involvement of the committee and Parliament as we focus on the 2016 review and take the necessary actions to address the outcomes from it.

Part 10 of the bill is also about promoting positive relationships while ensuring a fair balance of rights between those who own the land and those who work, live and depend on the land. It is encouraging to see that there is support from the committee for many of the measures in part 10 and for the principles behind those measures.

I very much welcome the committee's support for the need to enable and empower communities throughout Scotland to have the confidence, opportunity and resources to own land for the benefit of the community. The committee's support of the principles behind the provisions in part 5 of the bill to introduce a community right to buy land

to further sustainable development is important in helping to achieve that aim.

I hope that the committee and colleagues in the chamber will recognise the Deputy First Minister's confirmation today that the Scottish land fund will be extended to £10 million for 2016 and support the work of the Government's short-life working group on the 1 million acre target. The group's report, which was published just last week, sets out a detailed action plan to ensure that communities and landowners across Scotland have the necessary support and resources that enable them to understand and realise the benefits of community ownership.

The report of the short-life working group on community land ownership is just one example of the fact that the bill is not the end point in Scotland's land reform journey. I am very encouraged by the breadth of discussion on, and support for, the bill and the Scottish Government's wider land reform agenda.

Throughout the consultation and the drafting processes, we have worked extremely hard to consider the wide range of—often conflicting—views and ideas around how we own, use and manage land in Scotland. Some of these conflicting views are evident even in the committee's report. There are no easy answers to those complex and important issues. However, it is important that we continue to strive for better solutions, and there is always potentially room for improvement. I acknowledge that there is more work to do in that regard.

As part of the stage 1 process, the scrutiny of the bill by the Rural Affairs, Climate Change and Environment Committee and the Delegated Powers and Law Reform Committee has been highly valuable in highlighting potential areas in which improvements can be made.

We will seek to respond fully to all concerns and recommendations in our response to the stage 1 report. In fact, we have already confirmed our intention to replace the regulation-making power in section 79 in part 10 with substantive provisions at stage 2 that will support Agricultural Holdings (Scotland) Act 1991 tenant farmers to leave their holdings with dignity and security, thereby increasing opportunities for newer farmers. We have written to the RACCE Committee outlining details of the intended proposal, and we will continue to work with the committee and stakeholders as the provisions are developed ahead of stage 2.

We also intend to confirm our intention to bring forward amendments to strengthen the level of scrutiny for a number of the delegated powers in the bill. Further consideration is on-going on how best to provide Parliament with more information

on the intended use of the delegated powers, and to provide more detail and clarity at stage 2 about the provisions that are causing concern, as requested by the committee.

I appreciate that that will be of specific importance for further detailing of why the reintroduction of business rates for shootings and deer forests in part 6 not only is fair but will have a proportionate and reasonable impact on our rural economies while raising additional revenue that will help us to support community land ownership through the Scottish land fund.

As the development and scrutiny of the provisions in the bill have highlighted, the issues are complex and require detailed consideration and thoughtful development. Therefore, although we are keen to bring forward additional measures where possible, we must be realistic about what is possible in the time available.

There is a lot to be considered in the committee's specific recommendations on how to go further on part 3 to ensure the transparency and accountability of land ownership in Scotland. I am confident that the current provisions in part 3, along with our wider commitments to complete the land register and develop a new land and property information system for Scotland, will go a long way to delivering increased transparency.

The area is complex. To date, specific proposals to go further have struggled to provide effective solutions, and we are certain that some suggestions would be outwith the competence of the Parliament. However, more needs to be done, and we are committed to continuing to consider what measures can be taken forward to achieve the aim.

Sarah Boyack: Will the minister take an intervention?

Aileen McLeod: I am just about to finish.

We cannot roll back hundreds of years of history overnight and nor can we fix all problems in one easy step. However, we can and must focus on taking the next step in our journey. The bill will make a series of key changes to the way in which land is governed to ensure that responsible and diverse land ownership is encouraged and supported; that transparency of land ownership in Scotland is increased; that communities are helped to have a say in how land in their area is used; that a thriving tenant farming sector in Scotland is supported; and that issues of fairness, equality and social justice that are connected to the ownership of, access to and use of land in Scotland are addressed.

I am confident that the majority of members will support the principles behind those most fundamental of our land reform objectives. I look

forward to continuing to work with committee members, all other members of the Parliament and with the people of Scotland as the bill progresses to ensure that we get the detail right and achieve our radical ambitions for the bill.

I move,

That the Parliament agrees to the general principles of the Land Reform (Scotland) Bill.

The Deputy Presiding Officer (John Scott): I call Rob Gibson to speak on behalf of the Rural Affairs, Climate Change and Environment Committee.

16:17

Rob Gibson (Caithness, Sutherland and Ross) (SNP): The Land Reform (Scotland) Bill has generated a huge debate across Scotland about the very land that we stand on. The RACCE Committee's extensive programme of engagement ensured that the report that we are debating today was informed by as many views and experiences as possible. The huge response to that engagement is testament to how much the bill means to so many people.

The committee received 200 written submissions, held formal external meetings in Orkney, Skye and Dumfries and travelled to Islay, Jura, the Borders and Fife to hold public meetings to hear people's views. Following that wide consultation, we have produced a constructive report that clearly sets out how to ensure that the bill fulfils its radical potential in practice. Supportive comments included those of Dr Calum Macleod at the University of Edinburgh, who wrote that the committee's scrutiny and report

"have provided a valuable public service in anchoring the Bill to land reform as 'the art of the possible'."

The bill is bold in its ambition and must be made clear in its detail. We share the Government's vision for land reform in Scotland and support many of the measures in the bill and the principles behind them, but the bill needs to be strengthened and clarified to fully deliver the ambitious and radical change that many people want.

Before I go into details, I ask members to note that Alex Fergusson dissented from our conclusions on part 10, relating to agricultural holdings, and on some specific issues in part 5, on a new community right to buy, and that Jim Hume dissented from our conclusions on a right to buy for 1991 act tenants. Those members will no doubt speak for themselves.

Many parts of the bill have our full support, subject to recommended improvements, including part 1 on the establishment of a land rights and responsibilities statement and part 2 on the establishment of a Scottish land commission.

Those are the most radical departures from previous land reform bills.

A land rights and responsibilities statement must focus on land as a national asset for the benefit of all Scotland's people. It must underpin the process by clearly setting out a fundamental vision for land reform that is rooted in international human rights obligations. The statement will underpin the land commission's work on guiding Scotland forward on the land reform journey, year by year. However, the bill must be amended to ensure that the statement and the commission's strategic plan and work programme are debated in and endorsed by this Parliament.

We want at least one of the commissioners to be a Gaelic speaker, as is the case with organisations such as the Crofting Commission and the Scottish Land Court.

We strongly support in principle, subject to recommended amendments, those parts of the bill on engaging with communities and giving them a right to buy land to further sustainable development.

To improve engagement between communities and landowners, which the bill seeks to do in part 4, much more than guidance is required. Local people need to know who a person of significant control on behalf of landowners is. In addition, the consequences of non-adherence to the guidance must be spelled out.

Part 5 will introduce a right to buy to further sustainable development, but the Government must clarify whether that is intended to empower communities or to deter landowners. The proposed tests for communities are set at such a high level that amendments are needed to sections, such as section 47, to replace "the only practicable way" with "the only or most practicable way". In addition, the definition of harm must be broadened to include potential impacts on the community's sustainable development objectives.

All committee members agreed that access to information is essential.

Liz Smith (Mid Scotland and Fife) (Con): Rob Gibson said that access to information is important. Does the committee agree with the point that Sarah Boyack raised about just how late some information has been given to the Parliament?

Rob Gibson: With due respect, that has nothing to do with the issues in the report that I am talking about. We will see the Government's response in due course, and Liz Smith's remarks should be addressed to the Government.

For many people, access to information is at the heart of our land problem. Evidence shows us that the proposals in part 3 will fail unless they improve

transparency and unmask some of the murky ownership models that exist in the world of shell companies, tax havens and trusts. Knowing who owns, controls and benefits from Scotland's land is a basic human right.

The evidence underlined the fact that the bill does not go far enough to solve the problem. The bill must be strengthened so that information can be required rather than requested, and so that anyone in Scotland can ask for that information, as people in other European countries can. However, we need to go even further. We have asked the Government to consider several options, including requiring those who want to buy land to be entities registered in the European Union, requiring them to provide a Scottish contact point and requiring them to name those who will benefit from the ownership of the land.

Part 6, which seeks to reintroduce sporting rates, needs far more work. It is fair in principle to tax sporting estates and enterprises but, as the detail of the provision emerged, the Government's case to see this as a money-raising exercise to boost the land fund was unclear. To convince us, the Government must provide a thorough, robust and evidence-based analysis before the start of stage 2.

The deer management practices in part 8 are deficient in many areas. It is in the public interest for the bill to strengthen SNH's powers to ensure that it can take early action, if found necessary by mid-2016 review, without it having to wait for further legislation to be passed.

Claudia Beamish (South Scotland) (Lab): Will the member take an intervention?

Rob Gibson: Briefly.

Claudia Beamish: I thank the member. Would he agree that, in view of SNH's 2014 report on deer management, the issue is even more significant?

Rob Gibson: The report showed a lack of progress, but deer counts by SNH have also been lacking. The bill must be amended in that regard.

Provisions on agricultural holdings account for around half the bill and try to address hotly-debated issues and tenancy disputes that have existed in many communities for many years. Everyone agrees that we want a thriving tenant farming sector in Scotland, the big question is how we get there.

We support the bill's aims of: removing barriers to 1991 act tenants buying farms; providing for forced sale of a farm if a landlord is in breach of the lease; introducing an amnesty for tenants, to note improvements that they have made; and tightening rules in cases in which landlords are seeking to make improvements to a farm.

However, other proposals are too often left to secondary legislation, such as changes to the way in which rent is set and measures to allow tenants to retire with dignity and to enable new entrants and young blood to come into the sector. We must have more detail on those provisions before stage 2, because the annual drain on secure 1991 act tenants and the move towards limited duration tenancies fail to ensure tenancy security and sustainable agriculture.

The majority of RACCE committee members support giving 1991 act tenants a conditional right to buy their holdings, so that we can finally resolve a recurrent problem and move on. As ever, European convention on human rights issues need to be applied proportionately, because the long-term reduction in tenancy security is detrimental to human rights.

Other issues, which are not in the bill, should be considered at the amending stages, such as the future for small landholders, the often poor condition of tenant farmers' houses and the lack of affordable rural housing more widely. We must resolve such issues, which are intrinsic to a sustainable rural Scotland in which people can live and work.

Many eyes are on this Parliament. People want to see whether we can deliver the land reform that they want. I hope that we can match the ambition of the Scottish people and change our relationship with land, so that everyone can feel connected to it, be involved in how it is managed, and benefit from its use.

The bill is a good start and we hope that it passes stage 1 today. However, members of all parties should realise the scale of the work that lies ahead and the role of international human rights in underpinning land reform.

The Deputy Presiding Officer: You must close, please.

Rob Gibson: We cannot ignore the warning by Scottish Land & Estates of huge financial penalties should land reform laws interfere with entrenched property rights. Is that landowner view legitimate? One witness, Kirsteen Shields, a human rights lecturer, thinks that it is not legitimate. The thrust of this radical bill and the temper of the committee's report champion the interests of a fairer Scotland.

The Deputy Presiding Officer: You must finish, please.

Rob Gibson: Ms Shields put it succinctly when she said:

"the question should not be 'Is it legitimate to disturb property rights?' but 'Is it legitimate not to?'"

16:27

Sarah Boyack (Lothian) (Lab): I thank the fantastic team that supported the RACCE committee throughout its work and the many communities, members of the public and organisations who gave written and oral evidence, which helped us immeasurably in putting together our report.

The report is long, but this is a long and complex bill. It is also a crucial bill, which will have ramifications throughout Scotland. The bill aims to deliver a more equal country, tackle concentrated patterns of land ownership in Scotland, give communities a say in and influence over the use of the land on which they depend and provide for a fairer balance of power between landlords and tenants. Those are worthy aims and objectives and Scottish Labour supports them.

The bill follows on from the Land Reform (Scotland) Act 2003 and the Community Empowerment (Scotland) Act 2015, and it draws on the work of the land reform review group and the agricultural holdings legislation review group.

However, there is so much more that we need to do to ensure that the bill is fit for purpose and delivers on the ambitions that we share. That is why I am deeply disappointed that we do not yet have the Scottish Government's response to our stage 1 report. We had expected to have the report, and our not having it will impact on our capacity to draft amendments over the recess. I had assumed that today's debate would give the Government a fantastic opportunity to tell Scottish National Party members how it intends to strengthen the bill in light of the revolt at the SNP conference in October.

Today, our job is at least to get to the headlines. The bill must be strengthened in relation to human rights. We need recognition of the International Covenant on Economic, Social and Cultural Rights and the "Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security" to underpin the objectives of the bill—that needs to be in the bill. That will help to bolster the purpose of the bill and put it in the context of human rights in a way that we can debate and reflect on.

The land rights and responsibilities statement is an important start, but it needs to be subject to consultation and it needs to integrate with biodiversity and climate change issues and be consistent with the land use strategy and the national planning framework.

We particularly welcome the proposal that there be a Scottish land commission, but we highlight that the commissioners should have relevant skills and experience and not just a range of knowledge but a grounding in the equalities and

empowerment challenges that are at the heart of the aspirations for the bill.

Information and knowledge about who owns and controls land will be crucial to whether the bill delivers. We need transparency and accountability, and that is why we need to know who the request authority will be. Ministers need to clarify that for us.

The land reform review group made an important recommendation when it suggested that restricting registration to EU-registered entities would deliver transparency of ownership and the capacity to ensure that any taxes that are due will be paid. However, that is not provided for in the bill. I do not think that ministers, under questioning, gave us convincing answers on the matter and we have certainly not had convincing answers in the chamber today about how the bill might change. I am sure that I am not the only member who has had dozens of emails this week from constituents who want the bill to provide that clarity. In framing our amendments over the next couple of weeks, we need to think about that in order to ensure that the bill does not fail the test of transparency.

The recommendations on page 54 of the committee's report make it clear that we need clarity about ownership and who controls it and benefits from it, with a named person that communities can consult and a transparent and effective registration process. Those are the building blocks that we need to have in place. If ownership is clear and known, it will be so much easier for communities to be engaged in the crucial decisions relative to the land that they are interested in. I am talking not about every day-to-day decision, but about the really big decisions. The bill needs to make that clearer.

We need to learn the lessons from the 2003 act. The guidance from the Scottish Government will be crucial, because communities will not be able to read the bill. It took the committee 141 pages to come up with our conclusions, and the bill will be even more difficult for communities. We picked up on our visit to Fife that the bill needs to be made fit for purpose for communities and we need penalties for lack of engagement.

We strongly support the new principle in part 5 of a community right to buy land to further sustainable development. We hoped to see that in the Community Empowerment (Scotland) Act 2015, but we welcome its inclusion in this bill. "Sustainable development" is a well-used and well-established term and it has featured in several pieces of legislation since the Parliament was established. However, more detail could be put into the bill, particularly in relation to how ministers will judge "significant harm" and "significant benefit".

We will need to clarify the land that is registered under the community empowerment legislation and under the land reform legislation and ensure that it is all brought together so that communities and landowners have clarity.

The committee has rightly asked for consideration of how we deliver good-quality land and buildings for housing. The land reform review group raised not just the idea of a compulsory purchase order but the possibility of a compulsory sale order where, for example, an empty building or vacant or derelict land could be used to deliver sustainable development but that is not being realised. I hope that ministers will consider such a provision and lodge amendments on it at stage 2. We are certainly considering the matter. Such a provision would definitely help to strengthen the bill. It would be helpful if the minister could work on that over the next couple of weeks. The idea is supported by Community Land Scotland and Shelter Scotland.

Aileen McLeod: Will the member take an intervention?

Sarah Boyack: If the minister can give me a good answer, I will be delighted to take an intervention.

Aileen McLeod: I make the point to Sarah Boyack that work on compulsory sale orders is being taken forward through our housing and land reform team. It is part and parcel of the nine recommendations that were made by the land reform review group. A lot of consultation took place around that over the summer, and ministers are considering the report that was produced.

Sarah Boyack: That was a helpful intervention, minister. I hope that, in the light of that report, she will now come to the right conclusion. We would certainly be keen to push the matter in the amendment stage.

The Scottish Labour Party supports the inclusion of shootings and deer forests on the valuation roll, but there was an awful lot of opposition to part 6 of the bill, and more evidence, particularly in the business regulatory impact assessment, could be provided. Crucially, we need to know that local authorities and assessors will have the necessary resources to carry out that work. It is hugely important that that is done fairly and, given that there are particular concerns about very small holdings, we need clarification on that.

We support the measures on common good land. They tidy up existing legislation. The accurate mapping of common good land will increase transparency. That, by definition, is a good thing.

We very much support the comments on deer management made by the committee convener,

Rob Gibson. Clearly, there are areas where the system does not work. Although the proposals provide some help, the bill does not go far enough. We need to see biodiversity problems properly addressed with urgent action and SNH given stronger powers to act. We would want to see that in the final version of the bill.

We accept that access rights are important and the new provisions should lead to more—and more effective—access.

I will not be able to do justice to the agricultural holdings part of the bill. It has been extremely difficult to scrutinise that area, because the Scottish Government told us at the outset that it had not finished working on the provisions. We are getting—not quite weekly, but almost—more information about that from the Scottish Government.

We support the aim of a vibrant tenanted sector, with support for new farmers and a capacity for longstanding farmers to leave their tenancies with fairness and to have access to good housing. However, that will require a great deal of work.

We welcome the tenant farming commissioner, but the codes of practice will need to be enforced on a statutory basis to deliver fairness across the whole country.

We are being drip-fed the Government's responses. That makes it not only difficult for the committee to consider all the potential amendments, but difficult for people who are not in the Parliament to see the full picture. The bill is complex and hugely important, and we support it, but that approach will emerge as a major challenge for us.

The Government amendments are due on 13 January and our amendments are due on 15 January and we have a recess between now and then. We must ensure that the bill is the best that it can be in order to deliver for the people of Scotland and that it stands the test of time. We need to deliver that together. If the Scottish Government can tell us when it will give a response to the stage 1 debate, that will help us immeasurably.

16:36

Alex Fergusson (Galloway and West Dumfries) (Con): I, too, thank the clerking team for the extraordinarily good job that it did in drawing together the report.

Timing is tight, so I must come straight to business. As I look at parts 1 to 9 and 11 of the bill, I see that there is a great deal that we agree with, although it has been extraordinarily difficult to be certain of the full consequences of much of it, due to the amount of detail that has been deferred

to a future session of Parliament through secondary legislation.

We do not have any great difficulties—colleagues will mention those that we do have later—with parts 1 to 9 of the bill, or at least with their general principles. Any concerns that we do have we will seek to remedy at stage 2 by amendment. By way of example, under communities' right to buy land in order to further sustainable development, the minister told us in Dumfries that, in a 50:50 situation, where the land manager's interests and the community's interest were deemed to be equal, the community's right to buy would override the land manager's interests. I do not agree with the provision, but we can and will seek to amend it.

My one exception is part 6, which is the reintroduction of sporting rates. My difficulty goes beyond the serious concerns that have been highlighted in the committee's report. It is quite clear that the Government has not thought through the proposal, that it has no idea how much the proposal will raise or cost and that it has no idea how much it wants to raise or even, as became clear in our Dumfries meeting, why it wants to do it at all. The minister said then and again today that it is about fairness, but I struggle to think to whom the measure will be fair. It will certainly not be fair to the many field sports businesses across the south of Scotland, which put millions of pounds into the local economy while competing with similar businesses across the border. If sporting rates are imposed on those businesses, some of them will be put out of business. Therefore, I agree with the committee that

“the case for change has not yet been made.”

I hope that the Government heeds that comment.

Overall, there is nothing within what I call the land reform part of the bill that would have caused us to vote against the bill's general principles. It is with part 10, on agricultural holdings, that I have real difficulty, and I want to use my remaining time to explain why that is the case and why we will be voting against the bill at decision time.

I have always believed that the provisions in part 10 of the bill should have formed a stand-alone piece of legislation, and I still believe that to be the case. The subject of agricultural holdings is worthy of deep and meaningful debate, and there exists right now a willingness on all sides of the sector to continue that debate to achieve a long-term sustainable solution to the problems that beset the sector.

The twin aims of part 10—to further empower tenants while creating an environment that encourages those who have land to let it—are laudable. I have never agreed more with anything that this Government has put on paper but, as I

have said in dissenting on this part of the bill, the bill cannot achieve those twin aims, and I believe most of my colleagues on the committee would agree.

What is more, the Government's proposed stage 2 amendments that would replace the bill's intention to introduce conversion to modern limited duration tenancies for 1991 act tenants with an assignment for value model will guarantee the exact opposite of those aims, as indeed will the late addition to the committee's report, which raises once again the spectre of an absolute right to buy—a right that, coincidentally, was consigned to the legislative dustbin by the cabinet secretary exactly seven years ago tomorrow.

Something is wrong here. The agricultural holdings legislation review group, which was chaired by the cabinet secretary, looked at the assignment for value model and specifically rejected it. Now the cabinet secretary wants to reintroduce it, and that simply highlights a tragic dilemma that has emerged in this part of the bill. The AHLRG saw the sense of gradually allowing 1991 act tenancies to wither on the vine and be replaced over time with modern, vibrant, 21st century letting vehicles. The cabinet secretary, in what I can only suppose is a desperate search for his defining legacy, now seems intent on mothballing 1991 act tenancies in perpetuity, and that is exactly why the bill will not create an environment to encourage the letting of land. If he continues down this route, his legacy is more likely to be the killing off of the tenanted sector than its reinvigoration, and I genuinely do not believe that that is what he seeks.

As has been mentioned, the Rural Affairs, Climate Change and Environment Committee and the Delegated Powers and Law Reform Committee have urged the Government to be ultra-cautious with the ECHR aspects of the bill, and I want to issue a warning. We thought that we had passed a competent bill in 2003, yet all too recently we have seen the tragic consequences of the fact that we did not. I am sure that anyone involved will have noticed that it is the tenants who have borne the brunt of our mistake.

The dangers that are inherent in the proposals in the bill that is before us are far greater than those that were inherent in the bill that we considered in 2003, and I urge the Government to scrutinise microscopically the ECHR implications of every aspect of the bill to ensure that it is not the tenants who once again become the victims. That does not bear thinking about.

The cabinet secretary's legacy could be that he was the man who saved the tenanted sector rather than the man who destroyed it, but the only way for him to achieve that accolade is to withdraw this part of the bill, to accept that more time needs to

be given to working on a long-term sustainable solution and to take it up again in the next session of Parliament.

There is a glorious prize to be won—a renewal of trust between landowner and tenant; a truly reinvigorated tenanted sector; and a restoration of the tried, tested and traditional way into agriculture for young and new farmers alike—and the appetite to achieve that is out there. That prize cannot be achieved through the bill, but I firmly believe that it can be achieved and that the time for that is right. Surely that is worth more than any pre-election headline about landlords and tenants and the passing of an ill-thought-out bill that is more than likely to end up in the European courts.

16:43

Nigel Don (Angus North and Mearns) (SNP): I am grateful for the opportunity to speak in the debate in my capacity as the convener of the Delegated Powers and Law Reform Committee, which has continuing concerns about the bill.

First, I should note that the Government has latterly provided reassurances that amendments will be lodged at stage 2 that will address some of the issues that the committee has highlighted. In particular, the committee welcomes the commitment to develop the policy in respect of the power in section 79, on conversion of secure 1991 act tenancies, more fully on the face of the bill. We encourage the Government to share the proposed amendments with the Parliament as early as possible.

However, the committee remains concerned about two powers in the bill. With regard to section 35(1), which confers power on Scottish ministers to make regulations enabling persons who are affected by land to access information about persons in control of that land, the committee is concerned that the absence of policy development appears to have precluded the inclusion of more detail on the face of the bill and has prevented the committee from being in a position to scrutinise the power fully.

The committee recognises that regulations creating a scheme for disclosure of information about individuals are likely to be both substantial and significant, and it is not, in the committee's view, appropriate to delegate the development of such a significant policy to regulations. The committee therefore invites the Scottish Government to develop the policy on disclosure of information more fully on the face of the bill at stage 2, and it believes that, if the Government is not in a position to do so, an enhanced form of affirmative procedure should be attached to the power.

Similarly, the committee continues to be concerned about the power in proposed new section 38M of the Agricultural Holdings (Scotland) Act 2003, as inserted by section 81 of the bill. It provides that Scottish ministers may, by regulation, make further provision for the sale of an agricultural holding in relation to which the Scottish Land Court has, under new section 38L of the 2003 act, varied an order for sale to allow the holding to be offered for sale on the open market. That significant power will permit the process to be set out wholly in regulations, and the committee considers that the matters that this power will deal with should be set out more fully on the face of the bill.

That brings me to some general observations about the delegated powers in the bill. First, the committee found much of the information that was provided by the Government in the delegated powers memorandum, in oral evidence and in the initial response to the committee's report to be inadequate and insufficient to enable the committee to form a clear view about the purpose and effect of some of the powers.

Secondly, the committee remains concerned about the absence of policy development in relation to powers that could interact with individuals' ECHR rights. We, as a committee, think that that approach is wholly unacceptable and consider that policies that might interact significantly with individuals' ECHR rights should be developed in full on the face of the bill instead of being deferred to regulations.

Finally, the committee reiterates concerns that were most recently expressed in relation to the Community Empowerment (Scotland) Bill that powers are being taken as a substitute for thorough policy development in advance of the introduction of a bill, which leaves the committee with framework bills.

To conclude, the committee welcomes the intimation from the minister that amendments will be lodged at stage 2 to respond to some of the committee's concerns, but it would welcome further reflection on the powers in section 35 of the bill and proposed new section 38M of the 2003 act.

The Deputy Presiding Officer: We now move to the open debate. I invite members who have not yet pressed their request-to-speak buttons to do so.

16:47

Graeme Dey (Angus South) (SNP): The bill represents an opportunity to deliver bold and meaningful land reform, but we have to get the legislation right in the public interest and—just as important—right for the people who live and work

in our rural areas that will be particularly affected by it.

The draft bill was a good start, and the RACCE Committee's report, which was influenced by some very helpful contributions from stakeholders, offers worthwhile suggestions on how to build on that. However, as we are still in the relatively early stages of this process, we have ample opportunity to shape the bill better, and I want to focus my speech on a number of areas where there is just such scope.

There is a virtually unchallenged acceptance of the appropriateness of giving the people of Scotland the right to know who owns, controls and derives benefit from the land. Indeed, Doug McAdam of Scottish Land & Estates, commenting on circumstances in which land ownership is masked by companies or trusts, has said:

"It is crucial that a clear point of contact and 'face' of the trust or company is identified—ideally also the beneficial owner if there is one behind that."

Surely the only debate, then, is over how we secure the greatest and most effective degree of transparency, and the committee makes a number of recommendations in that regard. It would be a positive step forward if there was a power to require rather than request information, with sanctions imposed for non-compliance, and if there were a fit-for-purpose registration process that included a series of asks of those who wished to buy land and register titles in Scotland, requiring them to provide a named contact point in Scotland, detail on who would control the land and might benefit from that ownership and control and, frankly, any other information that could justifiably be required as part of a registration set-up to deliver transparency and accountability. We should and must push the envelope here.

As the report says, the bill could also do with being toughened up in the area of deer management. As it stands, the bill proposes a set of interim measures that could be deployed should a planned review at the end of 2016 indicate a need for a stringent statutory scheme to be introduced. It should be acknowledged that the plans for that review are in keeping with the recommendations of the RACCE Committee in its 2013 report. However, formal and anecdotal evidence left the committee unconvinced that the necessary changes in practice will, at least in some areas, be delivered by the end of 2016. With Scotland's 2020 biodiversity targets in mind, we cannot take further risks. That is why the committee has called on the Government to ensure that the review kicks off in 2016, and certainly within a timeframe that positions the Government to take action where it is required come the end of the year. I am therefore heartened by the minister's commitment to look at

that issue. The areas in which fully functioning deer management plans are in place will have nothing to fear. Areas in which heels are being dragged need to know that they have only months to get their act together. If nothing else, that will focus minds.

As Rob Gibson highlighted earlier, we also want the Government to amend the bill to arm itself with the powers that the land reform review group recommended, which could be deployed as necessary at the conclusion of the review.

The report calls on the Scottish Government to lodge an amendment to section 25(2) of the bill, which lists the codes of practice that may be prepared by the tenant farming commissioner and includes a statutory code of conduct for land agents as a priority. Other than transparency, if there is one aspect of the report that represents common ground for multiple stakeholders, that is it. There is not a member of the committee or, probably, an MSP who represents a rural area who has not heard horror stories about the actions of some land agents. I urge the minister not only to accept the committee's recommendation but to ensure that any amendment leads to the consultation on and implementation of such a code being delivered in timely fashion. If we are ever to improve relationships between landowners and tenants, getting a grip of land agents, whose approach to their work is hardly conducive to creating a harmonious environment, is essential.

The committee's report calls for a number of amendments to the bill but, just as important, it calls for greater clarity and information on the regulation-making powers that are contained in it. We know that any bill of such a size and complexity will contain a significant number of regulation-making powers. The issue with the Land Reform (Scotland) Bill is an absence, at least at this stage, of detail around a number of important provisions, which will be left to secondary legislation. I welcome the minister's commitment to look at that, and I look forward to receiving a positive response in so far as one can be provided.

Similarly, our and the DPLR Committee's calls for consideration of the nature of the scrutiny processes for those regulations should be heeded. By the time they come before Parliament, we will have had an election and a number of members who are intimately acquainted with the detail and evolution of the primary legislation will no longer be around to bring their expertise to bear. Just as we need to get the bill right, we need to ensure that the related guidance is as it should be.

I am conscious of the time and look forward to hearing other contributions, so I will draw my remarks to a close.

Like other members, I suspect, I am counting the hours until the Christmas recess. It has been a tough six months going through the Land Reform (Scotland) Bill in the Rural Affairs, Climate Change and Environment Committee but, in common with my committee colleagues, I am sure, I look forward to returning to the bill in the next year and helping to ensure that it realises its very obvious potential.

16:53

Johann Lamont (Glasgow Pollok) (Lab): I offer my congratulations to the Rural Affairs, Climate Change and Environment Committee on producing a very thoughtful and challenging report on an issue that is important to people across Scotland. We have only to look at the passion in the evidence to the committee to see that people really care about the issue. I also commend the convener of the committee, Rob Gibson, for a very powerful speech that outlined the committee's position.

Land reform is, of course, very dear to the heart of the Labour Party, and I am proud of the work that we did in government to make significant progress on it. I hope that the bill can build on that work.

It is important to recognise that addressing the significant imbalance in ownership of land in Scotland is simply an issue of justice. Our history is scarred by the experience of too many families who were cleared from their land or denied the opportunity to work the land by people who had little regard for the consequences for them. I learned only last night that my great-grandfather was cleared from his home and dumped on the shoreline on the island of Tiree. If we look at the census of that time, we can see that that had an immediate impact on his family. The current concentration of land ownership in the hands of a few graphically illustrates the reinforcing impact of inequality in our society. That is why it should matter.

However, every bit as important is that land reform is also about the economy. It is important that communities are able to tackle depopulation and the flow away from too many of our rural and island communities, which was the hallmark of my parents' generation and which led to my classroom in Glasgow being full of children from Tiree, Islay, Lewis, Skye and beyond. We have seen excellent examples of how economic activity has been stimulated through community ownership, with a focus on job creation and local enterprise, and through linking to the great opportunity that the internet gives us to allow business to thrive in remote communities.

With land ownership being concentrated in too few hands, some communities have suffered in the past from benign neglect, but lack of interest and indifference have led to paralysis in local development, while in other cases, there are people who would prefer that large swathes of land be left as playgrounds for the few, and whose interests are therefore in direct conflict with the local communities that want jobs and homes for their young people.

As I have said, it is evident that community ownership results, for example, in increased activity in innovation around renewables and community enterprises. What role does the Scottish Government perceive for Community Development Scotland in supporting that focus by communities? It would be significant to have a commitment on that.

It is essential, too, that accessing the right to buy is not overly bureaucratic and that there is a presumption in favour of local communities, given how significant the right to buy can be for them and for Scotland's diverse economy. To state the obvious, I say that it must not simply be a theoretical right, but one that can be exercised.

It is also essential that land ownership is transparent. The committee report states that the bill

"should be bold in its ambition and clear in its purpose".

That is particularly important with regard to land ownership. I regret that the proposals on transparency have not been followed through. For example, I cannot understand why there is to be an inhibition on who can seek information on who owns land. It is also a particular regret that the proposal to ensure that legal entities wishing to own land in Scotland should have a registered place of business in the European Union was not accepted. That proposal seems to me to be a logical step to take if we are going to be able to challenge those who own our land. It should be a fundamental right to know who owns, controls and benefits from the land, so I believe that that issue remains to be addressed. How can we encourage dialogue between a landowner and a community if we cannot even establish who the owner is?

I seek assurances from the minister about those aspects and I encourage the Scottish Government to reflect on the potential significance of community land reform on urban settings. I say that not simply because our cities are full of the descendants of migrants from the islands and Highlands, whose migration reflected in past times failures of the land-ownership system. We also know that in more populated areas—our towns and cities—there are problems with land ownership and land neglect, which can cause

blight, prevent development and result in lost potential.

I urge support for the bill, but I recognise that challenges still face the Scottish Government, given the strength of feeling about land issues. I also urge the Government to respond to the committee report and to recognise that there is energy and commitment in our urban communities as well as in our rural communities, which can be harnessed to ensure that land use is more productive for those communities and for the economy as a whole.

16:58

Angus MacDonald (Falkirk East) (SNP): It has certainly been quite a journey since June, as we have travelled the length and breadth of the country taking evidence during stage 1 and have taken well over 200 submissions of written and oral evidence, which has been extremely helpful in bringing our stage 1 report to a conclusion.

I will probably run out of time later in my speech, as I normally do, so I will join the convener and others now in paying tribute to the work of the Rural Affairs, Climate Change and Environment Committee clerking team and the Scottish Parliament information centre, whose help and assistance have been immense. As teams go they are, if not the best, up there with them. I look forward to continuing to work with them as we complete stages 2 and 3 in the coming months.

It is clear that the bill has helped to ensure an energising and exciting debate around land reform throughout the country, which will no doubt continue over the next few months and after the bill becomes an act. The bill is clearly radical, but there simply is not the time or capacity to address every issue that needs to be addressed, which is why the proposal to create a Scottish land commission will help to move forward any outstanding issues or unfinished business and ensure that they are not kicked into the long grass, but are dealt with in a timely manner.

On the proposal that the land commission have six commissioners, I am particularly pleased that the committee calls on the Scottish Government to ensure that there is a Gaelic speaker among them. Rob Gibson, the committee's convener, has already referred to that. If the Scottish Parliament and the Scottish Government are to show Gaelic the equal respect that has been legislated for in this chamber, through the Gaelic Language (Scotland) Act 2005, they should both put their money where their mouths are. There is already a legal requirement that there should be a Gaelic speaker on the Crofting Commission and the Land Court. I firmly believe that, to ensure that the new Scottish land commission has an understanding of

the complex history that has left land ownership in Scotland where it is today, it is imperative that the commissioners have available to them the knowledge that would come with a Gaelic speaker.

Aileen McLeod: I reassure Angus MacDonald that we agree that one of the land commissioners should be a Gaelic speaker. The Scottish Government recognises the cultural importance of the Gaelic language, which is why we have committed to lodging a stage 2 amendment on the matter. We hope that, in the public appointments process, we are able to appoint at least one commissioner with the required expertise who is also a Gaelic speaker, but that will be a matter for the Scottish land commission.

Angus MacDonald: I very warmly welcome that commitment from the minister. It gives the Scottish Parliament and the Scottish Government the opportunity to highlight that Gaelic is a living language and that we must show it equal respect.

The release of the committee's stage 1 report, a week ago last Friday at the Registers of Scotland offices at Meadowbank house, coincided with the news that the Pairc estate community buyout had reached a successful conclusion. I am sure that that was music to all our ears. It has been 12 long years since the Pairc Trust was formed and 11 long years since the community agreed to pursue buyout from a hostile absentee landlord. It is hoped that, when the bill completes stage 3, it will ensure that a saga such as the Pairc buyout can never happen again. The provisions in part 5—in particular, sections 38 to 65—will introduce a new right to buy land “to further sustainable development”. Those provisions are in addition to the community right to buy and the crofting community right to buy, which are already in place and were recently amended by the Community Empowerment (Scotland) Act 2015, and the new provisions relating to the extension of the community right to buy “abandoned or neglected” land.

The proposed new right to buy for communities “to further sustainable development” that is contained in the bill is very welcome, but the committee asks the Government to consider whether the test thresholds are too high and whether communities will be able to make full use of the provisions. The committee recommends that the Scottish Government consider the benefits of local authorities, other public bodies and/or Scottish ministers being able to buy land for present or future community use as a buyer of last resort, and that it consider whether the bill could be amended in that regard at stage 2. It is worth noting the NFU Scotland's concerns about that aspect of the bill until the community right to buy is properly defined.

I turn briefly to part 6 and the committee's significant concerns regarding the introduction of non-domestic business rates for shooting and deer forests. Through the stage 1 process, it became abundantly clear to the committee, which strongly supported the principle, that a great deal more detail in the policy is still required. That is why we are calling on the Scottish Government to provide, as soon as possible, a thorough, robust and evidence-based analysis of the potential economic, social and environmental impacts of ending the sporting rights exemption. That must certainly be provided before the start of stage 2 if the committee is to be in a position to support part 6, which it would clearly like to do. There is no doubt in my mind that, if the rates exemption were successfully removed, in addition to raising funds for the Scottish land fund and possibly for other options such as funding for modern apprenticeship training in rural areas, that would be another step towards creating a more balanced rural land market.

The committee wishes to see the bill strengthened—as, I am sure, the minister and the Scottish Government do—but it is clear that we must be realistic about what can be achieved in the given timescales. As land reform is an ongoing process, what is not achieved in this bill can be dealt with in the next session of Parliament and by the new land commissioners in the Scottish land commission. Nevertheless, it is a good bill and I am sure that we can, if we all work together with the Scottish Government in the run-up to stages 2 and 3, make it better.

17:04

Tavish Scott (Shetland Islands) (LD): In his final speech at a Scottish conference, Charles Kennedy made a Charles Kennedyesque contribution on land reform. He is missed throughout politics for many reasons, but he was certainly the passionate west Highlander when it came to land reform. I suspect that he would agree with much in the bill, as we Liberal Democrats do.

I was reflecting on Sarah Boyack's point of order at the start of the debate. In her opening remarks, the minister said that the bill is complex and she is entirely right about that. She also said that the bill is not being rushed, but the more I have heard today, the more concerned I am that we are rushing an extremely complex piece of legislation. Having heard the remarks of the conveners of the Delegated Powers and Law Reform Committee and the Rural Affairs, Climate Change and Environment Committee, it is clear that this is a complex bill. The Government has already said that it will lodge profoundly important amendments

at stage 2. We will also have to see what happens at stage 3.

What Angus MacDonald has just said is also absolutely right. The need to scrutinise a major piece of legislation at the tail-end of a parliamentary session, and to get it right, is a significant challenge for Parliament. I wonder whether today's debate should have been on a motion to take note in order to allow the debate that the minister said she wanted to have, and then for the Government to bring its stage 1 debate when it has provided its full response to the Rural Affairs, Climate Change and Environment Committee's very full deliberations, which—as Sarah Boyack pointed out—run into hundreds of pages and, no doubt, many tens of recommendations. I hope that the Government will reflect on that.

Sarah Boyack and Johann Lamont also mentioned the Land Reform (Scotland) Act 2003, which Jim Wallace, the then Deputy First Minister, took through Parliament. I remember well that the bill changed remarkably from its introduction to Parliament through the stage 1 debate, which reflected well on all those who at that time contributed to the debate making clear their wish to see aspects of the bill strengthened or changed. If I may say so, it also reflected well on a Government that was prepared to listen; I hope that the current Government will do the same with this complex and challenging bill.

Many measures in the bill are positive. As the minister and other members have said, it is profoundly right to have transparency about who owns land; that should be taken forward in all the right ways. I get a little bit concerned about the tired old debate that we tend to hear about landowners and who or what they might be. The other day, I came across an article about Glenfeshie in the Scottish Wildlife Trust's magazine. Glenfeshie, which is owned by a Dane, Anders Povlsen, is one of the most fantastic parts of Scotland. Since 2006, Povlsen has culled deer, regenerated the pine forest and made fundamental changes to habitat management and restoration. He is surely an exemplar for all that can be good about working with the community and people who live in the area and depend on the land, and for doing all the right things for a part of Scotland that is now better than it was before such a substantial part of our country came under his stewardship.

Sarah Boyack: It is a good point that there are many good landowners in the country, but the bill is about when we do not know who owns the land and it is not possible to have a conversation with them.

Tavish Scott: I agree with that point. It is the very point that I was making about transparency

and the measures that are in the bill that many of us would like to be strengthened. That is a fair observation.

I want to touch on the agricultural holdings aspects of the bill. As Rob Gibson made clear, those provisions make up half the bill. I share the view that the two issues should not be lumped together. We are talking about complex legislation. We got it wrong in 2003; all who were there will remember that we got it wrong on a cross-party basis. There was huge pressure on the Government of the day to make the legislative change, and it was supported by all parties. We are talking about a difficult area of law.

As Alex Fergusson put it, we can agree with the clear aspiration in the principles of the bill about the vibrancy of the tenanted sector and about encouraging and ensuring greater availability of land to let. That is as it should be. However, we must ensure that we do not put tenant farmers through years and years of complex legal mechanisms that will benefit only lawyers.

Whether the issue involves ECHR, which Graeme Dey mentioned, or other legal challenges, I cannot think of anything that would be worse with regard to encouraging the rented tenanted sector than Parliament passing rushed legislation that makes the situation worse than it was before. That will not be the intention of the minister or the Government, but it is important, because of the complexity of the issue, that we do not rush it and get it wrong.

I was taken with the group that the cabinet secretary chaired to review the tenanted sector, and I thought that the appointment of Andrew Thin as interim tenant commissioner was sensible. He is a substantial figure who has already worked with many groups to make substantial progress on rent reviews, tenants' improvements, limited partnerships and landlord-tenant obligations. All those issues need to be addressed in exactly the same spirit. I saw in the briefing that was provided by NFU Scotland for today's debate that it acknowledges the importance of the statutory powers being properly and proactively enforced.

There is great good will to make the proposals work and to make progress. However, I worry about some of the stage 2 amendments that the minister said the Government will lodge. I think that if we move into a discussion of the right to buy we will get bogged down in the courts and, again, the people who will benefit will be the lawyers—not tenants.

This bill is important and it needs to be properly scrutinised. The issues that have been raised by many members today mean that we need as much time as Parliament can give to ensure that proper scrutiny takes place.

17:11

Dave Thompson (Skye, Lochaber and Badenoch) (SNP): I, too, thank the clerks and others in SPICe and elsewhere for all the work that they have done over the past period in relation to the bill.

I will deal with some of the fundamental issues in the bill and the committee's report. Obviously, land is a national asset. It has to be used in the public interest and for the common good. Those are fundamental issues that we must take into account when we consider any land issues. I believe that land reform—in the form of this bill—is the most important issue that the Scottish Parliament has dealt with in this session and perhaps in its existence.

If we consider who owns the land, it is helpful to look at psalm 24, which says:

“The earth is the Lord's, and everything in it, the world, and all who live in it”.

Further, Leviticus says:

“The land shall not be sold forever: for the land is mine; for you are strangers and sojourners with me.”

That means that, fundamentally, nobody owns the land but God. Adam and Eve did not own the land; they were tenants. We are stewards and we must look after the land. Theologically and practically, land and community are inextricably linked, and each must benefit the other. Land and community are paramount, and all of society must benefit from the use of land.

Much land is used for hunting, shooting and fishing. Here is what Neil Gunn had to say about the rights of the people in that regard in his novel, “Butcher's Broom”:

“The men also went hunting the hill for deer and the river for salmon; and so ancient had been their gaming rights, that no new laws or restrictions in favour of landlord or lessee could ever convict them in their own minds of poaching. And if poaching it must be called, then so much the greater the zest in its pursuit.”

I quote these passages to put the issues that we are discussing into a historical context. Elsewhere in Neil Gunn's novel, the Duke of Sutherland says to his good lady wife:

“It really comes to this ... that what benefits the landlord benefits the nation ... I admit that what has been said by some of your Gaelic enthusiasts has sometimes irritated me. A landlord must have absolute power over tenancy arrangements on his own land. If you cannot, within the law, do what you like with your own, the whole basis of our state is dissolved. I simply will brook no interference, in the slightest degree, with my absolute ownership of my own lands.”

That goes right against the tenancy argument that related to Adam and Eve. Fortunately, most landowners do not think like that any more but, believe me, there are landowners who do. The law

that allowed clan chiefs to claim their people's land for themselves was made by the rich and powerful for the rich and powerful.

I accept that there are good landowners. However, the bill is not about good landowners; it is about dealing with the bad ones. Scottish Land & Estates is still flexing its muscles and threatening the Government with multimillion-pound legal challenges if we go ahead with the bill.

The ECHR is extremely important and the bill must comply with it. We also have to take account of other things, such as the International Covenant on Economic, Social and Cultural Rights and the United Nations “Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security”.

There is no doubt that the bill deals with a complex issue. The editor of one of my local papers, the *West Highland Free Press*, seemed to doubt that the Scottish Government was committed to any kind of radical land reform. Well, the bill is radical. Once the land commission is created, it will consider land issues day in, day out, week in, week out and month in, month out for evermore. The registration of land will ensure that we know who owns it.

I thank the minister for her comments about a Gaelic-speaking commissioner. I ask members to consider this: if the six land commissioners, including the tenant farming commissioner, were all Gaelic-speaking crofters from Sutherland, or were all merchant bankers from Edinburgh, which land commission would do the best job for the people of Scotland?

We need to deal with a conditional right to buy for 1991 act secure tenants. We need to give them the opportunity, because that is a boil that needs to be lanced. There could be conditions with a prescribed timeframe, the choice to sell the holding to the landlord if the tenant wished, the choice to accept a lower value with a lifetime tenancy to, say, the age of 65 and a right of pre-emption in favour of the landowner should the tenancy be sold on. We need to have that debate and deal with the issue. If we do not, that will sour the whole thing as we move forward.

17:17

John Lamont (Ettrick, Roxburgh and Berwickshire) (Con): I am pleased to speak on this significant bill that the Parliament has been considering. It introduces a range of new proposals, many of which are commendable in their aims, but some of which are ill thought out and potentially damaging to jobs, farming and the right to own property. Because of that, my party

will not support the bill at stage 1. The Scottish Government needs to go back and think again on land reform.

A number of provisions in the bill would not be in the interest of landowners or communities in my constituency in the Borders. Part 6, which will reintroduce business rates for shootings and deer forests, the vast majority of which run at a loss, will inevitably cost jobs in my constituency. Reintroducing rates could also have the perverse effect of ensuring that shooting was carried out only on large estates, which would result in poorer land maintenance and a rise in deer populations. Estates in the Borders will be put at a competitive disadvantage to those that are across the border in north Northumberland, which will mean that jobs will certainly be lost. Unusually in a Scottish National Party-dominated Parliament, the committee report notes that the case for changing that policy has not been made.

The Scottish Government appears too quick to stereotype landowners as wealthy individuals who do not work in the interests of local communities or of the land that they own. As the NFUS has put it, the them-and-us attitude is not an accurate portrait. The reality is that landowners are more often than not hard-working stewards of the land who contribute to tourism, employment and housing.

The most worrying example of the Scottish Government's view is in part 5, which allows the Government to force landowners to sell their land if ministers decide that they are not using it in the way that ministers wish them to. I accept that the bill allows that provision to be used only to further sustainable development, and only when significant harm to the community if the land was not transferred has been identified, coupled with a significant benefit to the community if the land was transferred. However, the bill defines neither sustainable development, nor significant benefit, nor significant harm. The problem with that is that the proposed right to buy is potentially very wide ranging, to a much greater extent than existing rights to buy. MSPs are being asked to approve the provisions in principle without knowing how they would work in practice.

The provisions clearly interact with the European convention on human rights—most notably the right to peaceful enjoyment of possessions. The Delegated Powers and Law Reform Committee has said that it was

“unable to confirm to Parliament whether these powers are to be exercised in a manner that is compatible with ECHR.”

The committee's report noted:

“This is a matter of concern to the Committee.”

It should be a matter of concern to all of us.

I am concerned that those provisions are rooted in the SNP ideology that the state knows best. At the very least, there are clearly questions to be answered over whether the provisions are proportionate and, therefore, legal. No one in the Parliament wants the eventual legislation to be challenged in the courts but, given how the bill is drafted, that is a real possibility.

Christian Allard (North East Scotland) (SNP):

The member referred to the rest of Europe. Does he know that in the Rural Affairs, Climate Change and Environment Committee—on which I am a substitute—we heard about the SAFER system in France, which very much controls the sale of any kind of land? That system is a lot stricter than what is proposed in the bill.

John Lamont: I am not familiar with that French legislation. We are considering the concerns that the Delegated Powers and Law Reform Committee raised, which we need to take on board. I suggest that the Scottish Government needs to reflect on the bill and to ensure that it is amended so that there is no issue about compatibility with ECHR.

There are other concerns about part 5—for example, it is unclear whether the intention is for the provisions to act as a deterrent to any landowners who are causing significant harm or to empower communities by providing realistic ownership opportunities.

As the stage 1 report points out, it would not be appropriate for Government officials to be providing advice to third parties that were seeking to exercise the new right to buy as well as processing and deciding on applications.

My party fully agrees with some of the intentions behind the bill, but the stage 1 report concludes that, in too many cases, the bill fails to achieve its aims. First, the provisions that are designed to improve the transparency of land ownership—something that I agree needs to be tackled—are, according to the Rural Affairs, Climate Change and Environment Committee,

“unlikely to deliver the improved transparency about those who not only own land, but control or benefit from land, that the Scottish Government is seeking”.

Not only will part 10—on which my colleague Alex Fergusson dissented from the committee's comments—fail to meet the stated aims of the bill, but it will make things worse. The bill seeks to reinforce the rights of tenants while encouraging people with land to let their property. There are defects in the current acts of Parliament that govern that, but the complex changes that the bill proposes will not diversify land tenure. Furthermore, concerns were raised by witnesses and by the Delegated Powers and Law Reform

Committee that too much in part 10 is being left to secondary legislation.

When the committee visited the Scottish Borders, part 10 dominated discussions. The Cabinet Secretary for Rural Affairs, Food and Environment has admitted that he is limited in producing amendments because of time constraints. I cannot support a bad piece of proposed legislation that will make an already complex area of the law even worse. At the very least, part 10 should be taken out and improved.

The bill is far from satisfactory. Perhaps because it tries to do too much, it fails to achieve many of its aims. Because of the damaging proposals over a new right to buy, the reintroduction of rates for sporting estates and the problems that surround the sections on agricultural holdings, my party cannot support the bill at stage 1.

17:24

Rhoda Grant (Highlands and Islands) (Lab):

Land reform is unfinished business, and the bill will not be the last word on the matter. It sometimes appears that we have come a long way since the Assynt crofters struggled to buy their land, but—as Angus MacDonald mentioned—the Pairc community in Lewis bought its estate earlier this month following a 13-year struggle, despite legislation that was supposed to make purchasing land easier for such communities. It was only due to the community's perseverance that it achieved that goal; many other communities would have given up years ago.

We need to ensure that, when we introduce new legislation, we are not putting new barriers in front of communities that seek to buy their land. There are many natural barriers already. For instance, a majority of the community needs to agree to the purchase, and anyone who works with communities will know that getting that level of agreement is difficult; indeed, it is almost impossible, and happens only when the current situation is untenable. Similarly, people do not want the responsibility of managing an estate. If the estate is currently being well run and managed, why would they want to take on that responsibility? There would be no community benefit and no advantage.

Finally, in order to carry forward such a plan, communities need strong community leaders with staying power. Many communities that would benefit from owning their own land simply do not have the leadership, and the idea never progresses. A community needs a number of people with knowledge and stamina to lead a buy-out, and those people need to keep their community with them every step of the way.

Therefore, there are natural checks and balances in the system without others being added. Obviously a buy-out must be in the public interest and must have the goal of promoting sustainable economic development. The bill that is before us today should not make that harder.

In the Highlands and Islands, the land reform movement is particularly important given what history tells us about the clearances and the land raids. The fight against poverty—the fight for equality—has always come down to who owns the land and who has the right to work it. That still resonates today, possibly because of our history, with people having been driven off the land or into poverty—as Johann Lamont said—by being moved to the poorer land on the shore because of others' lack of concern for their work and wellbeing.

Sadly, we still see that happening today, although less so in the crofting counties where people have rights to their crofts and a degree of security; but many of those scenarios are still played out in farming tenancies. Tenants desperately need security and the right to have a say over their own destiny, and that is true for all who work on the land.

We must right the wrongs of the past. The clearances appear to be ancient history until you look around and see that many communities are still struggling to survive because of the clearances. If you walk through many Highland glens, you will come across the ruins of villages that were once vibrant communities. We really need people to return to those glens. There are powers to create new crofts, but that process has stalled. How can we build our economy and improve our services without people?

The land reform issue goes much wider than land. The land is a driver for the wellbeing of our communities. It is an economic driver, and one of our prime resources, and where it is managed for the benefit of the community we see communities flourish and grow; where it is not, we see them wither and fail. Depopulation has haunted the Highlands and Islands since the clearances, and I hope that the bill will help. Giving the new land commission and Highlands and Islands Enterprise powers to address depopulation and repopulation might go a long way towards righting those past wrongs.

People living and working on the land should know to whom that land belongs. Far too often, estates are owned by faceless companies or a string of companies, and it is impossible for people to know to whom they should turn when they need to make improvements or changes. Offshore companies often hold sway, with no accountability at all. The bill addresses the issue of who should own land and how transparent that ownership

should be. People have a right to know who owns the land that they work.

Back when we considered the Land Registration etc (Scotland) Bill in Parliament, there was an opportunity to include a register of beneficial owners in the bill, but sadly the Government defeated that amendment. That said, I welcome the change of heart, which I suspect is in some way due to the minister's intervention. I very much welcome the fact that she has taken that stance. I cannot understand why such transparency would be a problem, and we need to strengthen that part of the bill.

When someone opens a bank account, they have to prove who they are and that they will not use it for fraudulent purposes and the like. Anyone who has opened an account recently will know about the hoops that one has to jump through. Land is an asset and is often the currency in which people hold their wealth, and they receive tax breaks and the like. Surely the same checks and balances should be required for those who are buying an estate.

Several members have spoken about the ECHR. An individual's human rights are always secondary to the human rights of wider society. I firmly believe that the ECHR is not a barrier to land reform; in fact, it is a driver of land reform if we take account of the wider human rights of our communities.

I welcome the bill and I hope that it will be greatly strengthened at stage 2. If it is, parts of the country that have been ignored for far too long will be empowered to build their own futures, which will be of benefit not only to them but to all of us.

17:30

Alison Johnstone (Lothian) (Green): I, too, agree with colleagues who would have liked to have seen the Government's response to the stage 1 report before the debate. Perhaps in future we can look at dates, have a bit more liaison and ensure that we have the Government's response.

Land is limited. It is also emotional and personal. Our homes are on land, we live off the land and nations are defined by their land. We all need land, but access to and ownership of it are unequal. The land inequity in Scotland today is vast and totally out of step with the situation for many of our European neighbours. Patterns of land ownership in our neighbouring nations are typically 1,000 times less concentrated than in Scotland. Not only do relatively few people own most of Scotland but around a quarter of all estates over 1,000 acres have been held by the same families for more than 400 years.

That is the history that we live with today and which the Parliament is slowly beginning to overcome. As we have heard, land reform is a broad topic that covers rural and urban areas as well as the marine environment. The issue is inextricably linked to local democracy, fiscal policy, land prices and human rights. Scottish Greens have always seen radical land reform as a vital element of the journey towards a more sustainable, equal and prosperous Scotland. I hope that the bill is the start of the Scottish Parliament taking a renewed and sustained interest in the issue, whether that is through greater devolution, empowering local authorities through tax reform or community empowerment.

The provisions on transparency are important. The question of who owns and benefits from land is a key one, and I believe that the electorate are entitled to full transparency about who really owns Scotland. There is no simple way to deliver complete transparency but, unfortunately, the Government's proposal is unworkable. Section 35 limits those who can make requests for information and section 36 contains no measures to compel any company in, for example, Grand Cayman to reveal anything at all about who is in control of it. The proposal is unenforceable and will continue to allow Scottish landowners to be involved in complex schemes of tax avoidance and evasion and secrecy. The best option on the table by far is to allow only EU-registered companies to own land. We welcome the committee's recommendations on that point.

Fiscal reform is also a core part of land reform. I fully support bringing shootings and deer forests back on to the valuation roll. Of course no one likes to pay tax, especially if it is a tax from which they have had an exemption, but there is more than enough evidence that that should happen. As the land reform expert Andy Wightman puts it,

"Why should caravan sites, pubs and local shops subsidise those who occupy shootings and deer forests?"

He says that

"the hair salon, village shop, pub and garage are subject to rating",

but

"deer forests and shootings pay nothing."

As the land reform review group made clear:

"there is no clear public interest case in maintaining the current universal exemption of agriculture, forestry and other land based businesses from non-domestic rates."

The conclusions of a House of Commons Scottish Affairs Committee report this year raised similar concerns that the exemptions are not having the desired impact, that they should be open to the same level of scrutiny as other Government spending and that they could in fact

be pushing up land prices and undermining the Scottish Government's commitment to increase the amount of land in community ownership.

Bold land reform is needed for Scotland, and it could help to deliver more affordable homes. Current rates exemptions for vacant and derelict land and for empty industrial buildings incentivise people to keep land in urban areas vacant. All of that land could be used for homes for people. There is almost 11,000 hectares of vacant or derelict urban land in Scotland and a massive demand for affordable homes.

Jamie McGrigor (Highlands and Islands) (Con): The point that Alison Johnstone makes about sporting rates in relation to garages is odd. Sporting rates will be levied in Scotland as an extra tax, but there is no extra tax on garages.

Alison Johnstone: I am sure that Jamie McGrigor will agree that when the King of Dubai, who is the Prime Minister of the United Arab Emirates, is paying absolutely nothing and a local caravan site is paying some £12,000 a year, there is a massive discrepancy. I do not see why some local businesses should be subject to non-domestic rates while shooting estates and the like are not.

Where was I? I was speaking about vacant land in Scotland. We have so much of it and it is untaxed. We also have massive problems with homelessness. We heard earlier today that 54,000 households in Scotland are homeless.

What about the appalling situation in which Andrew Stoddart and his family found themselves? It brought tenant farming rights up the agenda again, and rightly so. Poor housing issues jumped out during the RACCE Committee's evidence gathering, and I learned that homes under agricultural tenancies are exempt from the minimum standard. Clearly, there are improvements to be made in that area, and I support the calls for a tenant's right to buy in specific circumstances.

I will flag up a couple of things that Scottish Greens think should be included in the bill. There are numerous examples of common land that is not on the register passing quietly into public ownership. We should create a new protective order for land without an identifiable owner, which should require the keeper to conduct a public consultation, to help to ascertain the true legal status of the land well before any title is registered. Finally, we have left on the statute book a piece of legislation called the Division of Commonties Act 1695. It was one of the legal tools that were used to privatise vast tracts of common land. The 1695 act should be repealed to protect the few patches of common land that remain and to signal our break from the land grabs of the past.

We will support the bill today, but there is much to be done before stage 2.

17:37

Michael Russell (Argyll and Bute) (SNP): I am pleased to have the opportunity to contribute to the debate and, as a member of the Rural Affairs, Climate Change and Environment Committee, to help shape a good bill into an even better one. I assure the minister that she has strong support on SNP benches—and outside the chamber—in the task that she has said that she is undertaking to do that. It can be done.

The Land Reform (Scotland) Bill is complex and wide ranging. I do not have time to touch on every issue, but I associate myself with much that the convener said about the key issues. I will mention transparency. I am old enough to remember the groundbreaking work of John McEwen, who died in 1992 at the age of 104 and who devoted his life to asking the question of who owns Scotland. He and many others who have pursued that aim would be incredulous if the Scottish Parliament, which did not even exist when he lived, did not answer that question fully. That question must be answered.

The overriding intent of the bill is to redefine the relationship of the people of Scotland with their land, and that task must rest upon the four founding principles of this Parliament. Our approach to land must be accessible, accountable and based on equality, and it must further the sharing of power. It is vitally important that the Parliament accepts that the rights of property are not the only rights that can be exercised or are legally enforceable in 21st-century Scotland, and it is very important that the Parliament takes steps to make that acceptance real and effective.

The convener quoted Kirsteen Shields, who wrote in "The Spectator" some weeks ago. She pointed out the political and legal obligation on the Scottish Government to pursue land reform as a human rights measure. Human rights issues are not peripheral to the bill—they are the reason for it. They are the reason for moving forward, and they must be embedded in the work of the land commission.

Land is an asset for the whole of Scotland, not just those who are wealthy enough to buy it or lucky enough to inherit it. The people have a right to benefit from it. Communities and individuals must be able to enforce their rights, and those rights must include the right to be consulted.

My constituents in Carrick Castle, down in Loch Goil, know that only too well. Planning law has not in itself been able to protect them from an individual who has bought 12.5 square miles of land and is building what appears to be a hunting

lodge, without asking anyone for permission except the Loch Lomond and the Trossachs National Park Authority. The community has been ignored.

Parts 1 and 4 of the bill have to be strengthened to ensure that such abuse cannot and does not happen in 21st-century Scotland. As the minister knows, the language of the policy memorandum in relation to part 4 needs to be in the bill, to prevent state landlords, including local authorities, from refusing to ask and refusing to listen.

Secondly, communities must be able to obtain land from those who either do not wish to work with their fellow citizens or are not using land to benefit the greater good. I very much welcome the minister's response to Sarah Boyack on compulsory sale orders; I am glad that the approach is being considered. There are circumstances, albeit that they might be few in number, in which a minister should be able to order the sale of a property to a community.

Thirdly, deer management requires urgent action and part 8 needs to be imbued with a much greater sense of determination, as do the actions of SNH. I was the minister who started off the merger between the Deer Commission for Scotland and SNH—frankly, I expected better of that merger.

In reality, and by SNH's own admission, no one knows how many deer there are in Scotland, and in many places no proper counts have taken place for a decade or more. If a third of the population is not culled every year, the size of the herd will increase. That leads to environmental degradation; it is also cruel to the animals themselves.

It is unconscionable if that is happening as a deliberate policy; it is intolerable if it is merely the result of incompetence and a system that does not work. There is a need to take legislative action sooner rather than later. Tying the matter to environmental sustainability would be a good start, as the Scottish Wildlife Trust suggested.

Finally, although the tenancy proposals move in the right direction, they still give too much power to the landowner and too little to the tenant. I very much support the cabinet secretary in his desire for stability in the tenanted sector, but, as he knows, I am sceptical about the ability to secure in a single bill the means to increase tenants' rights while inculcating new confidence in those who let land.

This is not the view of the committee, but I believe that at some stage the state will have to intervene to make land available for tenantry, as indeed was the case with the Agriculture (Scotland) Act 1948. That is presently outwith the scope of the bill, but I am sure that it is something

that the Scottish land commission will ultimately have to consider.

It is necessary that we come to a conclusion now about the right to buy for 1991 act tenants. It is not good enough for the Law Society of Scotland to dismiss the issue as one that should never be raised again, as it did in its briefing for this debate. For many of my constituents in places such as Islay and Bute, the issue is a core matter, not one of lofty legal abstraction. It will not go away, and it has to be resolved.

The bill should also tackle the plight of the small landholders whose situation has not yet been rectified, despite attempts to use crofting law, and whose rents, in places such as Arran, are being raised again.

There are many other things that might and will be discussed in this debate, but there is an overriding imperative that we must all remember as the bill moves to its next stage, as I hope that it will do. The issues that the bill addresses are certainly emotive for some people, but they are emotive because they are about not only how people earn their living but how they live and have lived.

Scotland will be the richer if we engage more and more people in the issue of land and its relationship to our future. We will also be the stronger if we ensure that our legislation recognises that rights are about more than money and that equality and equity need to be embedded.

The Deputy Presiding Officer (Elaine Smith): I am afraid that you must close, please.

Michael Russell: The bill is a good attempt to take those matters further. With the help of many people outside this chamber and many people inside it, we can take steps to deliver something that is worthy of our country in the 21st century.

The Deputy Presiding Officer: If members keep to their six minutes, I might be able to call everyone who wants to speak.

17:43

Jamie McGrigor (Highlands and Islands) (Con): I refer members to my agricultural interests in the register of members' interests.

I thank the organisations who provided briefings in advance of the debate and I thank members of the RACCE Committee for their stage 1 report. I draw the Parliament's attention to the briefing from the National Farmers Union, which says:

"any land reform must focus on what is done with the land, rather than who owns it."

I also concur with Alex Fergusson on the need to revisit the agricultural holdings provisions

outwith the bill, because, as drafted, the bill cannot achieve the twin aims of reinvigorating the tenanted sector and increasing the availability of land if it creates an environment that discourages people from making land available.

There has been a lot of rhetoric from the Scottish Government, so I want to start by putting two basic facts on the record.

Fact 1 is that private landowners contribute significantly to the Scottish economy, as economic studies have shown. There are many examples of good practice and significant investments being made that are helping to sustain jobs, provide affordable rural housing and boost economic growth in often fragile and remote rural communities. We should all welcome that.

Fact 2 is that the costs of maintaining land and estates in good order are significant. Drainage, fencing, upkeep of agricultural and domestic buildings and cross-compliance, to name just a few things, are all practical costs. In many cases, those costs would fall to the public purse if ownership was transferred from individuals. That must be factored in to decisions on land tenure, and it is surely a serious consideration when there is already such pressure on public expenditure.

Rob Gibson: The member says that, if land is taken over by communities, the cost of support for it might fall to the public purse. Is it not the case that many private landowners rely on the public purse in order to maintain their land?

Jamie McGrigor: It is true that landowners receive EU subsidies to do with agriculture.

The Scottish Conservatives are clear that community ownership plays a positive part in land management—again, there are some good examples—but so, too, does private land ownership.

It was a Conservative Government that introduced the Land Tenure Reform (Scotland) Act 1974, and in the 1990s we introduced the Transfer of Crofting Estates (Scotland) Act 1997. At the highly successful future of crofting conference that I helped to convene with Jean Urquhart in Inverness last weekend, I saw the famous Scottish author and land reform expert Professor Jim Hunter, who told me that the record of Conservative Governments on land reform is better than that of any other party. I thought that it was good of a man who may not be a natural Conservative to speak so frankly and truthfully and to give credit where it is due.

We, too, support the proposals in part 4 of the bill to increase community engagement, which provides benefits for everyone concerned, and we look to the Scottish Government to produce appropriate guidance on that. However, I share

the concerns that have been expressed about aspects of part 5 and the community right to buy. It is to be regretted that the provisions risk stopping investment from estates and could impact on landowners who already manage their land well whether through agriculture, forestry, sporting or any other land-based activity. Ministers have said that good landowners have nothing to fear, but that is contradicted in relation to the sustainable development intervention powers. The Scottish Government needs to look hard at the problem and address the concerns.

I also support Alex Fergusson's comments on the potential impact on individuals' ECHR rights. We are all aware that, with the Salvesen-related claims, we are in the midst of the fallout from a previous breach of ECHR as a result of land reform legislation. How much does the Scottish Government think the compensation bill will be for settling those claims? What assessment have ministers made of the cost of future compensation claims if certain provisions in the bill are passed as they stand or, indeed, are taken further?

On part 6, which reintroduces non-domestic rates for shootings, I have serious concerns that the extra tax is a retrograde step that can only lessen the viability of enterprises by making them non-competitive with those across the border. They employ people in some of our rural communities that are most under pressure. By doing what it proposes, the Government might drive away what is an important land activity to the rural economy, resulting in unemployment and less money going to the Scottish Government. I welcome the RACCE Committee's call for the Scottish Government to provide a thorough analysis of the proposal.

On the deer management proposals in part 8, I flag up the concerns among deer managers about the suggestion that even greater powers should go to SNH to allow it to set cull targets. Deer management, by its nature, involves a ground-up approach. A top-down approach to it would run contrary to the nature of deer management, with its cross-sectoral collaboration.

I cannot leave the subject of land reform without mentioning the Scottish Gamekeepers Association's excellent document "A Future for Moorland in Scotland: The need for a locational strategy". I implore the Scottish Government to study that remarkable document in detail as it contains so much practical and scientific knowledge on Scotland's open moorland, which makes up such a huge area of our land—more than half of our country, in fact. That will help us to make the most of this unique asset, which Scotland is lucky enough to possess.

The Deputy Presiding Officer: You must draw to a close, please.

Jamie McGrigor: There is, after all, a Scottish forestry strategy. Surely the Scottish Government should also have a Scottish moorland strategy.

17:50

Hanzala Malik (Glasgow) (Lab): Good evening, Presiding Officer. It is a pleasure to talk about the Land Reform (Scotland) Bill. The Labour Party paved the way for radical reform of land ownership and delivered the first phase of reform. Scotland is getting ready for the next phase. It has been a shaky start by the Scottish Government, I must say, but I wish it well in getting to grips with the issue. I hope that the minister is hearing my good wishes, although she seems to be deep in conversation.

The Deputy Presiding Officer: I am afraid that I do not think that either minister is listening, given that they are chatting together. Please continue, Mr Malik.

Hanzala Malik: For the minister's benefit, I will repeat that I was wishing her well in getting to grips with land reform. I know that she is keen to do a good job on that.

Aileen McLeod: I thank the member for his comments. I was just clarifying a matter with the rural affairs secretary.

Hanzala Malik: That is fine. Thank you.

To build on what has been done in Scotland and other countries, we must look closely at both policy and practice in recent years. Since the first set of reforms in Scotland, the debate has developed and human rights, environment and transparency of ownership issues have become increasingly important—and why not? They are equally important.

Land reform is not just about the ownership of land but about how it is used. We must strive to get a balance between land rights and responsibilities and between the rights of tenants and their landlords.

The Rural Affairs, Climate Change and Environment Committee's report on the bill states that reforms should be

“explicitly set within the context of other international human rights obligations”.

That is important.

I agree with Scottish Environment LINK's suggestion that there should be full definitions of what is meant by terms such as “community”, “community assets”, “sustainable development” and “land reform”. That is important if the bill is to become a comprehensive and coherent statement of policy and be a meaningful change.

Another important point is that if the reforms are to be meaningful, the thresholds for the proposed new right to buy for communities must allow communities to have the opportunity to buy land to further sustainable development. I support the committee in asking the Government to consider whether the test thresholds are too high and whether communities will be able to make full use of the provisions. There is no point in having enabling legislation if it cannot be used in practice.

I have experienced land issues and land reform in different countries. It is a minefield, with so much confusion. In particular, land that has shareholders must be clearly defined in terms of ownership as well as value, because there is nothing worse than land disputes destroying families as well as businesses.

I know for a fact the Nicola Sturgeon was keen to see the bill introduced and delivered for the people of Scotland. However, the Government has been very slow to share information. In sharing information far too late, it has not only let itself and Nicola Sturgeon down; it has let the people of Scotland down. I understand that it is difficult and I am not criticising the minister, but I must say that the team has let her down. I know that the minister has been active in other committees and it is not like her whatsoever.

I just hope that we can get more information before the recess so that people are better able to study what is proposed. I think that that is very important, because many countries have grappled with land reform. I appreciate that it is not easy, but it is extremely important that information is shared at this early stage, because we need to get the bill right. There is nothing worse than rushing things at the last minute.

I wish the minister well, and I look forward to the information being provided as soon as possible so that we can all have a better look at what is proposed. Delivering the right policies for the people of Scotland is very important, and I am sure that the minister would want that to happen.

17:55

Jean Urquhart (Highlands and Islands) (Ind):

I would like to recommend a book that everybody should read in order to better understand the passion with which we should deal with land reform—“Our Scots Noble Families”, by Tom Johnston, who, famously, was possibly the best Secretary of State for Scotland we ever had. It explains how land was acquired by some of the landowners who are still there today.

There is no doubt that the Land Reform (Scotland) Act 2003 was welcome and that it has only fed the desire for more and better legislation on land reform. I will not go over all the issues that

have been covered by others, such as how the Highland estates that Rhoda Grant referred to came about, but I would like to challenge John Lamont's point that it is the people who own the land who know best how to work it. In defence of landowners, he said that the state does not know best. I suggest that nothing that we are talking about here is about the state knowing best; it is about the fact that the people who live on the land and the communities that are there know best.

The evidence is there for all of us to see. Less than two weeks ago, the Pairc estate community achieved ownership of its 28,000 acres, and I have no doubt that it will follow Eigg, Assynt and Stòras Uibhist in getting more and more people to live on the land and creating more and more jobs. Such an arrangement benefits the people who live there and their community far more than does ownership by an absentee landowner, which was the situation with the Pairc estate until two weeks ago. I think that we should celebrate the fact that the community has achieved ownership of the Pairc estate after 13 years—that is how long it has taken it to get ownership of the land. If the bill means that no other community has to go through that, bring it on.

Jamie McGrigor: I think that Jean Urquhart might agree that we have had two acts on crofting that have not delivered very much for the crofters. Will she try to ensure that the Government makes certain that the bill will deliver for tenant farmers?

Jean Urquhart: I thank Jamie McGrigor for raising that issue. We had the ludicrous situation in which somebody who owned 28,000 acres in Lewis was not required to meet any of the regulations that someone who owns 20 acres in Shetland or anywhere else has to meet. We must think about exactly what we are asking for. Of course we have argued for the crofting legislation to be changed, and of course the whole system needs to be reviewed, but that is not what we are arguing for in the bill.

I want to talk about tax havens and the link between corruption, offshore corporate property and land ownership. It is clearly established in a recent Transparency International report that

“Land owned in offshore jurisdictions such as the British Virgin Islands, Jersey and Guernsey is particularly common in London, and 75% of properties under investigation for corruption are using offshore ownership to hide their identities.”

The problem is not confined to south-east England; another recent investigation found that as much as 750,000 acres in Scotland, most of it on Highland estates, is owned in offshore tax havens. That is a disgrace, and it potentially makes it impossible to find the real owners, which could be a series of shell companies and trusts. If they are registered in offshore secrecy

jurisdictions, the legal means to reveal ownership is not available. Consequently, the land reform review group recommended strongly that the problem be tackled, saying that

“the Scottish Government should make it incompetent for any legal entity not registered in a member state of the European Union to register title to land in the Land Register of Scotland, to improve traceability and accountability in the public interest.”

That is what many would like to happen.

Of course, Andy Wightman has long campaigned on and highlighted these issues, and, like the Government, he is clearly having some success in raising land reform as an issue. There is interest out there; indeed, more than 200 people emailed me about this debate, and I know that the same has happened to other members. The mass of people who responded to the consultation shows that individuals are recognising the injustice in this situation.

As late as the mid-1980s, we were paying a feudal tax to our feudal landlord on a very small bit of land in Ullapool—I think that I am right in saying that England stopped being a feudal country something like 400 years before. This legislation is therefore long overdue, because change is desperately needed. People must be able to access the land. The Stoddart family have been mentioned already, and I know of a school in north-west Sutherland that sits in the middle of a loch, which I thought was quite romantic until I discovered that it is there because the then landowner refused to give the people land for the school. When he was pressed by the council and told that a compulsory purchase order could be made, he offered the loch, which the people had to take.

The Deputy Presiding Officer: I am afraid that you must close, or I will not be able to call Monsieur Allard.

Jean Urquhart: There are many wrongs to be righted, and this bill is to be welcomed as the first step on that long road.

The Deputy Presiding Officer: Many thanks. I call Christian Allard. You may have four minutes.

18:02

Christian Allard (North East Scotland) (SNP): Thank you very much, Presiding Officer. That is very much appreciated.

I want to comment on the Land Reform (Scotland) Bill and to repeat the themes of fairness, equality and social justice—the last of which has been mentioned in many contributions and which is what I think the bill is all about. Coming back to what I said to John Lamont, who was kind enough to take an intervention from me, I

think that we need such radical reform to update where we are and to bring us to where our European neighbours already are with land use and land reform. It is very important that the eventual legislation is seen as something that brings Scotland up to date and into the 21st century.

I encourage members to look at the SAFER rural land agency system in France, which I have already mentioned, because I think that they will be surprised to find that it is a lot stricter than the land arbitrator that is proposed in the bill. As I believe all parties do, I welcome the establishment of a tenant farming commissioner, which I think should create a level playing field for tenants and landowners. However, we are on a journey with the bill, and my plea to all who are involved in land ownership and tenancy is that we make it work.

As a substitute on the Rural Affairs, Climate Change and Environment Committee, I participated in some of the committee's deliberations and evidence gathering; however, I did not participate in writing the report, so I must thank the committee for a fantastic—and very big—piece of work. There are many pages to go through; I must admit that I have not gone through them all.

That said, I have to disagree with the report on one point: I could find no recommendation on updating the role of common good land, although the report would have provided a perfect opportunity in that respect. I know that in closing the debate the cabinet secretary will say that the Community Empowerment (Scotland) Bill deals with identification and disposal of common good land, but my point is that what is missing is how we acquire more such land. I have to say that I do not share the view that was expressed in evidence by one particular source—I will not say who it was—that common good land has no future in Scotland. Everyone else told us that it absolutely has a future.

The Community Empowerment (Scotland) Act 2015 did not deal with common good land in that way. It would be great if, at stage 2 or by another means, we try to identify how we could use common good land to be part of Scottish land reform. Why would that be good? Let us not forget that we will try over the next 10 years to identify all the land whose owners are unidentified. All that land should automatically become common good land; thereafter, communities could decide what they want to do with it. I repeat that it is not only about disposing of common good land; it is about acquiring more. Peter Peacock called for modernisation of the term and talked about how we can get more rather than less common good land. I agree with him. Another witness said that local authorities are mishandling and misusing

common good land in our communities. We need to pay attention to that.

We are on a journey. Stage 1 of the Land Reform (Scotland) Bill is very important. It is a step forward, and I look forward to the Government's response and to knowing how we can do things at stage 2. I would love to be able to participate in that process as a committee substitute.

18:06

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

The bill is a very serious and important one, and the debate has perhaps lacked a little colour. We think wistfully back to the comments of my former colleague Bill Aitken, who used to liven up such debates with rather colourful language. However, I will avoid going down that route.

I reiterate the point that I made in an intervention when the minister was speaking. It is a regret—this has been echoed by a number of members around the chamber—that we did not get the Scottish Government's response to the committee's report. In a short time, we will be asked to vote on the general principles of the bill, so it would have been very helpful to get a steer from the Scottish Government and more than we have heard from the minister so far on how it will address concerns and points that are raised in the committee's report. It is unfortunate that that is not happening.

The Scottish Government likes to present its Land Reform (Scotland) Bill as a radical programme, but it is more realistic to see it as something of a hotchpotch of unconnected provisions of various degrees of seriousness and complexity. Some of them are welcome, but we think that some will undoubtedly be damaging to the economy of rural Scotland.

My colleague Alex Fergusson has set out his concerns about the agricultural holdings part of the bill. I will not go over the detail, but one thing is abundantly clear from his and other speeches: there is no consensus in the chamber, there was no consensus in the committee and—even more important—there was no consensus among external stakeholders on the way forward in what is a very complex area of law.

Against that backdrop, the Scottish Government now has to come up with a final set of proposals in the new year. There will be less than 12 weeks of parliamentary time available before the bill completes its parliamentary process. It seems to me that that is in no way sufficient to allow proper consideration and proper consultation in a very complex area. On page 91 of the committee's report, there is reference to the need for significant amendment to what is currently proposed. If that is

the case, I question whether the appropriate time is available.

If the Scottish Government is, indeed, a listening Government, as it says it is, it needs to take those provisions out of the bill and instead bring back separate legislation on agricultural holdings in the next session of Parliament, if it is in a position to do that. It is not good enough to leave so much to secondary legislation, given the importance of the issues. In that context, I echo many of the concerns that Tavish Scott raised.

On the other provisions in the bill, we have made it clear that we support proposals to increase the transparency of land ownership. However, we are sceptical about the creation of the new Scottish land commission. I suspect that there are not many people in rural Scotland who believe that what the rural economy needs is yet another quango interfering in their activities.

We also have concerns about aspects of the extended right to buy to further sustainable development. As Alex Fergusson said, there is undoubtedly a conflict of rights in that area. It was identified in evidence to the committee that where a landowner is utilising land such that it is well and sustainably managed—for example, for productive agriculture—the land could still be forcibly transferred from the landowner to a community. We question whether that gets the balance right.

However, the biggest muddle in the bill is in relation to the proposed reintroduction of non-domestic rates for sporting rights. The Scottish Conservatives have been clear ever since the bill was proposed that we see that as a damaging proposal that will simply take money out of the rural economy and potentially adversely affect employment. We are also concerned that the bureaucracy that is involved in levying those rates would be disproportionate to any sums that were actually recovered.

It is gratifying to see that the committee shares some of the concerns. In particular, a great deal of evidence was heard by the committee about the difficulty in defining shootings and deer forests, and how they would be assessed for rates. When she gave evidence to the committee, the minister was far from convincing in her arguments in support of what is proposed; a reliable figure could not even be given for the predicted revenue, with the Scottish Government simply stating that the £4 million figure for what could be raised was taken from the £2 million revenue that was raised 20 years ago being projected.

Christian Allard: Was that kind of assessment made when the same people were suddenly not taxed any more for the same thing?

Murdo Fraser: I am happy to respond to that. First, the Government took the decision in 1994 to

remove the rates because they were not payable in England and Wales, and therefore had a distorting effect on sporting estates in Scotland—in particular, those in the south of Scotland and the Scottish Borders. Secondly, the cost of collection at that stage was becoming disproportionate to the amount that was being brought in, which seems to me to be still a very live issue.

I appreciate that the majority of the committee believed that the principle of non-domestic rates for large, profitable commercial shooting enterprises is justified. However, it is telling that the committee unanimously believed that the case has not yet been made for what the bill proposes, and was concerned about a lot of the detail. We strongly agree with the committee's conclusion that

“there is a lack of clarity about the purpose, delivery, impacts and likely outcome of these proposals.”

Conservatives feel that in many ways the bill is a missed opportunity. There is no overarching vision for the future of rural land in Scotland, and there is too much focus on who owns the land, rather than on the more pertinent question of how that land is used. The minister talked in her opening remarks about landowners and people who live and work on the land as if they are quite separate communities, when in fact in 99 per cent of cases they are exactly the same people.

At best, the bill will be a distraction from the real issues that face rural Scotland: depopulation, lack of connectivity, poor-quality jobs and the continuing loss of local services. Although there are some measures in the bill that we would support, overall we think that it is more likely to damage than to assist rural communities. For that reason, we will not support the bill in the stage 1 vote today.

18:12

Claudia Beamish (South Scotland) (Lab): Over 200 written submissions on the bill came in to the Rural Affairs, Climate Change and Environment Committee. We traversed Scotland in the quest for a real grasp of the complex issues involved and, importantly, took evidence outwith the Parliament in Orkney, Dumfries and Skye. I thank the committee clerks for their work, particular for their organisation of the committee's visits; and I thank SPICe for its work. I know what a big task there will be for both the committee clerks and SPICe in January and February, so I wish them a good Christmas break.

Tonight, I will speak strongly in favour of the bill and in support of the committee's stage 1 report. I acknowledge the earlier comments in that regard of our committee convener and deputy convener. I

also acknowledge, before I forget to do so, the comments of my committee colleague Graeme Dey in relation to land agents.

As others have outlined during the debate, the bill must be clearer in its detail and there must be as much as possible on the face of the bill. Although time is short, we will all continue to work hard to make the best possible bill. It is not acceptable to say that we can leave this or that to the new land commission to deal with. We must also ensure that the policy memorandum is crystal clear in expressing the bill's intentions. In the view of Scottish Labour, anything that is left to regulations must be dealt with under the affirmative procedure, which echoes the view of Nigel Don.

With Andrew Stoddart as a constituent, I have seen the stark realities of legal challenge and the confusion and suffering that the consequences can entail. Article 1 of protocol 1 of the European convention on human rights refers to the right to

“peaceful enjoyment of ... possessions.”

As our report states:

“It is significant, however, that the rights protected by A1P1 and Article 8”—

which is the right to respect for privacy and family life—

“are not absolute rights, and states may interfere with them in order to pursue public interest objectives, provided that—

- such interferences pursue a legitimate aim in the public interest; and
- do so in a proportionate manner.”

Let there not be a reason for the Scottish Government to run scared of the fairness that the bill will produce, but let us make it a clarion call to test and test and test the bill and its aims before and during the bill process so that we do not have problems with ECHR compliance afterwards. Let us not forget—as Mike Russell, Sarah Boyack and others have stressed—the other international human rights obligations that the committee examined in oral evidence. In the words of our report:

“It is vital that the Bill gives due prominence to other obligations”.

That is in the public interest.

It is also clear to me that sustainable development must be at the heart of the bill. In Scottish Labour's view, the Scottish Government did not quite get there with the Community Empowerment (Scotland) Act 2015, but we are pleased to see the direction in which the bill is going and that the fusing of economic, social and environmental imperatives are there for rural Scotland.

I commend Johann Lamont for looking at the principles behind the bill and stressing that we are dealing with a justice issue. As a previous convener of the Equal Opportunities Committee, I am also keenly aware of the equalities issues in the bill and how the legislation should be judged against the nine protected characteristics. I ask the Government to take great care in considering the committee's recommendations in that respect. The evidence from NHS Health Scotland encapsulates the health arguments succinctly, particularly with regard to part 5, which is on the community right to buy land to further sustainable development.

The land rights and responsibilities statement that is provided for in the bill will play a fundamental role in ensuring that we move forward together. Scottish Environment LINK recommends:

“Land use and land ownership are inextricably linked and there is a real opportunity for the LUS”—

the land use strategy—

“to help secure meaningful land reform if the two processes are adequately co-ordinated.”

I hope that the Scottish Government will take cognisance of that comment, which the committee has also highlighted. Will the cabinet secretary give some reassurance on those synergies in his closing remarks?

Rhoda Grant argued for righting the wrongs of the past in the Highlands, and I will be regional for a moment too. As I have emphasised in previous debates and in committee, there has not been enough support in South Scotland and other regions beyond the Highlands for capacity building and advice. I believe that the community land fund will be fundamental in that respect. Definitions of community are complex for a multitude of reasons. The jury is still out on communities of interest in relation to the bill, and I am still open-minded about the possible need for an amendment on that.

Turning to part 10, the tenant farming forum compromise always meant, in my view, the lowest common denominator and did not reflect the need to protect tenants. Confidence to let has always been a concern expressed by Scottish Land & Estates. Clarity must be achieved in part 10, as it is the culmination of much work within this and previous Parliaments. The Scottish Tenant Farmers Association rightly expects the establishment of

“a strong Tenant Farming Commissioner equipped with sufficient powers”

to create and enforce

“statutory codes of practice”.

In order to ensure a vibrant tenanted sector while sharply focusing on the needs of tenants, their rights and responsibilities and how those fit with the concerns of landowners, we must be sure that the new forms of tenancy work for a modern Scotland. The modern limited duration tenancies are still a concern and, in the committee's view, much work needs to be done on them. The modern repairing leases are an interesting possibility that needs further investigation.

Fundamental to a fair way forward for tenant farmers is the development of the rent review process. In that context, the work of the modelling group is essential and the group should be congratulated on carving out a clearer way forward. However, there are still outstanding issues that the committee will reflect on, not the least of which is productive capacity.

A clear process of waygo must also be in the bill to prevent further complications in the future. In relation to assignation and succession, I welcome section 79 suggestions for alternatives from the Scottish Government. If I understand it rightly, the flowchart seems to provide a more straightforward and fair series of steps for arrangements. The STFA has yet to respond on that, but Scottish Labour sees a way forward and a majority of the committee also supports some form of a limited right to buy. Dave Thompson is right to say that the bill must address that because it is a matter that will not go away and must be resolved.

We support the passage of the bill through stage 1 in the hope that it will be a resonant way forward for the whole of rural Scotland and that we can work together to make the bill clear, effective and unchallengeable.

18:20

The Cabinet Secretary for Rural Affairs, Food and Environment (Richard Lochhead): Many powerful contributions from members have featured in this important debate. I also add my thanks to the Rural Affairs, Climate Change and Environment Committee for its work on the bill. In his speech, Rob Gibson referred to the extensive work that members carried out. They essentially had a tour of Scotland, meeting people from all backgrounds and settings to discuss the implications of land ownership and all the issues around it for the future of Scotland.

The energy of the debate within and outwith Parliament underlines the extensive interest in land reform in this country and the ambition that people are expressing for a radical land reform bill.

The Conservative Party has said that it will vote against the bill, which is no surprise. Scotland needs the legislation badly and, unfortunately, the Conservatives do not want to support progress.

They have even suggested that the bill is illegal or not competent, so I have to politely remind them that the Presiding Officer has endorsed the bill as being within the competence of the Parliament, so they should not be scaremongering on those points.

I also want to make the point to Murdo Fraser and other Conservatives that this is not an urban versus rural issue. We are not talking about damaging the rural economy but about supporting it. In my experience—I am sure that I speak for many members—the demand for land reform has largely come from rural Scotland. It is something that people who live in our rural communities want to see happen.

Murdo Fraser: Can the cabinet secretary explain how taking £4 million out of rural businesses through rates will help the rural economy?

Richard Lochhead: Those who have looked into the issue will know that we suspect that the Conservative Government of the mid-1990s did not remove sporting rights from rates because of economic hardship but because it wanted to help out their landowning colleagues. That was the reason. There is no evidence whatsoever that estates suffered economic hardship because of rates before 1995.

I assure Parliament that the Government is listening to the views that members have expressed during the stage 1 debate and, more importantly, to the views of the Rural Affairs, Climate Change and Environment Committee, which has proposed that Parliament should support the bill at stage 1.

Many members have referred to the history of land reform in Scotland. Scotland's land has formed the backdrop to our tumultuous history, most notably the Highland clearances and other key moments in our nation's story, such as the industrial revolution and subsequent expansion of our towns and cities. Legislators have tackled land reform down the generations, but of course we could never rely on the House of Commons or the House of Lords—an institution that even Winston Churchill said was an obstacle to progress—to do enough.

The advent of the Scottish Parliament in 1999 provided the opportunity for land reform to be given the attention that it deserves. Since devolution, land reform has been the focus of achieving a number of ambitions around fairness, equality and social justice for the people of Scotland. The Land Reform (Scotland) Act 2003 was landmark legislation and we have been on a journey ever since.

Since 2007, the Scottish Government has updated and modernised land registration;

converted tenants' rights under very long leases into ownership; and, through the recent Community Empowerment (Scotland) Act 2015, improved community and crofting rights to buy and introduced new rights to buy abandoned and neglected land. We have also continued to support and promote community land ownership, reintroducing the Scottish land fund in 2012 to provide £9 million over four years. Of course, we also set a target for 1 million acres of land to be in community ownership by 2020.

Sarah Boyack: We are desperately keen to know the areas where the Scottish Government agrees with the committee and where it will be doing more work, so that we can form our amendments. Can the cabinet secretary tell us when he will respond to the committee paper? Will there be one report or a series of reports?

Richard Lochhead: We will respond to the committee shortly. However, many members have made the valid point that this is a complex issue and that we should not rush it. The committee's report came out only a week and a half ago. We are taking time to seriously consider the views that were expressed by the committee in its report, and we will reply to them.

Other measures that we have taken include the establishment of the independent land reform review group and the agricultural holdings legislation review group. It is the work and the recommendations of those groups that underpin the proposals in the bill.

We know that land reform cannot be obsessed with tackling the historical injustices. We cannot rewrite history or fight the battles of the 18th and 19th centuries. Today, land reform is just as much about council estates as it is about country estates. It is about the community that needs land for a five-a-side pitch or for affordable housing, or the tenant farmer who is looking for security to invest and diversify. The debate must be a contemporary one about how our land can help to realise our nation's potential and aspirations.

We are now writing the next chapter in land reform. In establishing the land commission, we are ending the stop-start nature of land reform and placing land reform across urban and rural Scotland on a permanent foundation.

In her opening remarks, Aileen McLeod articulated many of the aims of the bill, but the bill is also about supporting a thriving tenanted sector in Scotland—indeed, much of the bill makes changes to agricultural holdings legislation. Therefore, I regret that the Conservatives are saying that, because of that particular part of the bill, they will vote against it.

Michael Russell quite rightly made the point that the proposals are about sharing power in

Scotland. The reason why we have to have measures to create a vibrant tenanted sector is that, as many believe, the power lies with the landowner, and we need to ensure that we empower tenant farmers in Scotland.

Alex Fergusson: The cabinet secretary will also realise that Michael Russell shares my view that this bill cannot achieve its twin aims. Why, then, does he insist on persevering with it?

Richard Lochhead: The reason why we are bringing forward agricultural legislation is that there is a decline in the amount of let land in Scotland. The reason for that is not that we are bringing forward agriculture legislation; we need that legislation to try to halt the decline in the amount of let land in Scotland.

We all know that there has been a massive decline in the total area of let land in Scotland. The amount of let land—including crofts but excluding seasonal lets—fell by 44 per cent between 1982 and 2015. That is why the bill contains a number of ambitious measures to, for example, help older tenants move on and reassign their tenancies to new entrants or those who want to progress in the sector.

As many have said, we need to do a lot more to help new entrants, including ensuring that there is more publicly owned land for letting to new entrants. We are working with the Forestry Commission and have nine new units that are being let to new staff, and we will continue to take that forward.

Many members mentioned the tenant farming commissioner. I do not have much time left, but I can say that the interim tenant farming commissioner is doing a good job in building relationships between tenants and landlords. That is why a permanent commissioner is proposed in the bill.

We are in the midst of a momentous groundswell in support for action on land reform. Our proposals are about ensuring that one of our greatest assets benefits the many, not the few. The bill is not a one-off, and it is not a quick fix. It does not have all the answers, but it will implement effective and radical land reform. It will knock down some of the obstacles that communities and our citizens face in fulfilling their potential and controlling more of their own destiny.

Good landowners should have nothing to fear, but bad landowners—there are bad landowners in Scotland—will know that the law has empowered communities and individuals.

Of course, we need to know who the landowners are in the first place. We need to know who owns Scotland and people who own land need to know that they have not only rights but

responsibilities. People and communities need to be empowered to act when those responsibilities are not fulfilled.

The bill and the committee's report are milestones on Scotland's land reform journey—a journey that started with feudalism but will take us to fairness. Those milestones will help to make Scotland a better country.

I urge Parliament to support the Land Reform (Scotland) Bill at stage 1.

Points of Order

18:30

Lewis Macdonald (North East Scotland) (Lab): On a point of order, Presiding Officer. In his statement this afternoon, the Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy said:

"In light of the excellent progress on the Aberdeen western peripheral route, I confirm that work will begin in 2016-17 on the improvements to the Haudagain roundabout".

That statement appeared to represent a complete change in the Government's plans, which had previously been that work on the roundabout would not begin until after work on the Aberdeen western peripheral route was completed at the end of 2017. However, on closer examination—[*Interruption.*]

The Presiding Officer (Tricia Marwick): Order.

Lewis Macdonald: Page 127 of the budget document commits only to

"progress design and development work on the A90 Haudagain Roundabout",

design and development work that has already been under way for some time. [*Interruption.*]

The Presiding Officer: Order, let us hear the member.

Lewis Macdonald: The infrastructure investment plan, issued today, states explicitly at page 107 in reference to the project:

"Planned to begin construction following the completion of the AWPR"

Only a few minutes ago, Transport Scotland appeared to have no knowledge of any change in Government plans that would lead work on the improvements to the Haudagain roundabout to begin in 2016-17.

I am sorry that Mr Swinney is not in the chamber to listen to this point of order, but I am sure that he would not have wished to mislead Parliament by suggesting that there had been a change in Government plans or timetables for the project when there had not. Presiding Officer, I ask that you give the Deputy First Minister an early opportunity to clarify the meaning of his statement on the matter.

The Presiding Officer: Thank you, Mr Macdonald. As you know, and as I have said many times before, what a member or a minister says in the chamber is not a matter for me. As you rightly say, the Deputy First Minister is not here, but I am sure that he will reflect on what you said.

Gil Paterson (Clydebank and Milngavie) (SNP): On a point of order, Presiding Officer. To the people at the Haudagain roundabout, I say merry Christmas.

The Presiding Officer: That was not a point of order, Mr Paterson.

John Mason (Glasgow Shettleston) (SNP): On a point of order, Presiding Officer.

The Presiding Officer: Is this a point of order, Mr Mason?

John Mason: It is the same as the previous two.

The Presiding Officer: If you have a point of order, make it now, Mr Mason.

John Mason: Presiding Officer, we have raised this issue before. There has clearly been abuse of points of order over the past two days. I appeal to you again to consider restricting the use of points of order.

The Presiding Officer: Mr Mason, as I have told you in writing and in the chamber, points of order are for me to determine, not you.

Land Reform (Scotland) Bill: Financial Resolution

18:33

The Presiding Officer (Tricia Marwick): The next item of business is consideration of motion S4M-15109, in the name of John Swinney, on the financial resolution for the Land Reform (Scotland) Bill.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Land Reform (Scotland) Bill, agrees to—

- (a) any expenditure of a kind referred to in Rule 9.12.3(b) of the Parliament's Standing Orders arising in consequence of the Act, and
- (b) any charge or payment in relation to which Rule 9.12.4 of the Standing Orders applies arising in consequence of the Act.—[*Richard Lochhead.*]

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

Business Motion

18:33

The Presiding Officer (Tricia Marwick): The next item of business is consideration of business motion S4M-15189, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees the following programme of business—

Tuesday 5 January 2016

2.00 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Topical Questions (if selected)
followed by Scottish Government Debate: Supporting Public Services, Tackling Inequality and Growing Scotland's Economy
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 6 January 2016

2.00 pm Parliamentary Bureau Motions
 2.00 pm Portfolio Questions
 Justice and the Law Officers;
 Rural Affairs, Food and Environment
followed by Equal Opportunities Committee Debate: Inquiry into Age and Social Isolation
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 7 January 2016

11.40 am Parliamentary Bureau Motions
 11.40 am General Questions
 12.00 pm First Minister's Questions
 12.30 pm Members' Business
 2.30 pm Parliamentary Bureau Motions
 2.30 pm Stage 1 Debate: Scottish Elections (Dates) Bill
followed by Stage 1 Debate: Lobbying (Scotland) Bill
followed by Financial Resolution: Lobbying (Scotland) Bill
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time

Tuesday 12 January 2016

2.00 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Topical Questions (if selected)
followed by Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business
 Wednesday 13 January 2016
 2.00 pm Parliamentary Bureau Motions
 2.00 pm Portfolio Questions
 Health, Wellbeing and Sport
followed by Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business
 Thursday 14 January 2016
 11.40 am Parliamentary Bureau Motions
 11.40 am General Questions
 12.00 pm First Minister's Questions
 12.30 pm Members' Business
 2.30 pm Parliamentary Bureau Motions
 2.30 pm Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time—[Joe FitzPatrick.]

Motion agreed to do.

Parliamentary Bureau Motions

18:34

The Presiding Officer (Tricia Marwick): The next item of business is consideration of three Parliamentary Bureau motions. I ask Joe FitzPatrick to move motions S4M-15190 to S4M-15192, on approval of Scottish statutory instruments, en bloc.

Motions moved,

That the Parliament agrees that the Adoption and Children (Scotland) Act 2007 (Amendment of the Children (Scotland) Act 1995) Order 2016 [draft] be approved.

That the Parliament agrees that the Justice of the Peace Courts (Special Measures) (Scotland) Order 2015 [draft] be approved.

That the Parliament agrees that the Victims' Rights (Scotland) Regulations 2015 [draft] be approved.—[Joe FitzPatrick.]

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

Decision Time

18:34

The Presiding Officer (Tricia Marwick): There are three questions to be put as a result of today's business.

The first question is, that motion S4M-15181, in the name of Aileen McLeod, on the Land Reform (Scotland) Bill, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Coffey, Willie (Kilmarnock and Irvine 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)
 Dugdale, Kezia (Lothian) (Lab)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 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)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lochhead, Richard (Moray) (SNP)

Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Malik, Hanzala (Glasgow) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McDougall, Margaret (West Scotland) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McMillan, Stuart (West Scotland) (SNP)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Scott, Tavish (Shetland Islands) (LD)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (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) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

Against

Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Davidson, Ruth (Glasgow) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 McGrigor, Jamie (Highlands and Islands) (Con)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)

The Presiding Officer: The result of the division is: For 100, Against 15, Abstentions 0.

Motion agreed to,

That the Parliament agrees to the general principles of the Land Reform (Scotland) Bill.

The Presiding Officer: The next question is, that motion S4M-15109, in the name of John Swinney, on the financial resolution for the Land Reform (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Land Reform (Scotland) Bill, agrees to—

(a) any expenditure of a kind referred to in Rule 9.12.3(b) of the Parliament's Standing Orders arising in consequence of the Act, and

(b) any charge or payment in relation to which Rule 9.12.4 of the Standing Orders applies arising in consequence of the Act.

The Presiding Officer: The next question is, that motions S4M-15190, S4M-15191 and S4M-15192, in the name of Joe FitzPatrick, on approval of Scottish statutory instruments, be agreed to.

Motions agreed to,

That the Parliament agrees that the Adoption and Children (Scotland) Act 2007 (Amendment of the Children (Scotland) Act 1995) Order 2016 [draft] be approved.

That the Parliament agrees that the Justice of the Peace Courts (Special Measures) (Scotland) Order 2015 [draft] be approved.

That the Parliament agrees that the Victims' Rights (Scotland) Regulations 2015 [draft] be approved.

The Presiding Officer: That concludes decision time.

Meeting closed at 18:36.

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