



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Meeting of the Parliament (Hybrid)

**Wednesday 7 October 2020**

**Session 5**



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Pàrlamaid na h-Alba

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**Wednesday 7 October 2020**

**CONTENTS**

	<b>Col.</b>
<b>PORTFOLIO QUESTION TIME</b> .....	1
<b>RURAL ECONOMY AND TOURISM</b> .....	1
Ayrshire Tourism Recovery Plan (Digital Technology) .....	1
Tourism (North East Scotland) .....	2
Crofting (New Entrants) .....	4
Sheep Farming (United Kingdom Trade Deals) .....	5
Kent Access Permit Scheme .....	6
Covid-19 (Impact on Arran Economy) .....	7
Sustainable Agriculture Capital Grant Scheme .....	8
Hospitality Restrictions (Impact on Supply Chain) .....	9
<b>TRANSPORT, INFRASTRUCTURE AND CONNECTIVITY</b> .....	10
Port of Cairnryan (Post-Brexit Improvements) .....	10
Superfast Broadband (Strathkelvin and Bearsden) .....	11
Sheriffhall Roundabout Upgrade (Review) .....	12
Face Coverings on Public Transport (Glasgow) .....	14
A90/M90 Traffic Levels .....	16
Pavement and Double Parking (Enforcement) .....	17
Road Connectivity (South Ayrshire) .....	18
Transport System (Affordability) .....	19
<b>COVID-19</b> .....	21
<i>Statement—[The First Minister].</i>	
The First Minister (Nicola Sturgeon) .....	21
<b>SCOTTISH QUALIFICATIONS AUTHORITY NATIONAL QUALIFICATIONS 2020-21</b> .....	49
<i>Statement—[John Swinney].</i>	
The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney) .....	49
<b>URGENT QUESTION</b> .....	61
Covid-19 Outbreaks in Lothian Care Homes .....	61
<b>UNITED KINGDOM INTERNAL MARKET BILL</b> .....	66
<i>Motion moved—[Michael Russell].</i>	
<i>Amendment moved—[Dean Lockhart].</i>	
The Cabinet Secretary for the Constitution, Europe and External Affairs (Michael Russell) .....	66
Bruce Crawford (Stirling) (SNP) .....	70
Dean Lockhart (Mid Scotland and Fife) (Con) .....	72
Alex Rowley (Mid Scotland and Fife) (Lab) .....	75
Patrick Harvie (Glasgow) (Green) .....	76
Willie Rennie (North East Fife) (LD) .....	78
Keith Brown (Clackmannanshire and Dunblane) (SNP) .....	79
Murdo Fraser (Mid Scotland and Fife) (Con) .....	81
Annabelle Ewing (Cowdenbeath) (SNP) .....	83
James Kelly (Glasgow) (Lab) .....	84
Kenneth Gibson (Cunninghame North) (SNP) .....	85
Liz Smith (Mid Scotland and Fife) (Con) .....	87
John Mason (Glasgow Shettleston) (SNP) .....	88
Tom Arthur (Renfrewshire South) (SNP) .....	90
Claudia Beamish (South Scotland) (Lab) .....	92
Maurice Golden (West Scotland) (Con) .....	94
Michael Russell .....	96
<b>BUSINESS MOTION</b> .....	100
<i>Motion moved—[Graeme Dey]—and agreed to.</i>	
<b>PARLIAMENTARY BUREAU MOTIONS</b> .....	102
<i>Motions moved—[Graeme Dey].</i>	
<b>DECISION TIME</b> .....	103

<b>SOUTH-WEST SCOTLAND TRANSPORT INFRASTRUCTURE</b> .....	109
<i>Motion debated—[Brian Whittle].</i>	
Brian Whittle (South Scotland) (Con) .....	109
Joan McAlpine (South Scotland) (SNP) .....	112
Graham Simpson (Central Scotland) (Con) .....	114
Emma Harper (South Scotland) (SNP) .....	115
Colin Smyth (South Scotland) (Lab) .....	117
Oliver Mundell (Dumfriesshire) (Con) .....	119
Willie Coffey (Kilmarnock and Irvine Valley) (SNP).....	122
John Scott (Ayr) (Con).....	123
The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse) .....	125

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# Scottish Parliament

Wednesday 7 October 2020

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

## Portfolio Question Time

### Rural Economy and Tourism

**The Deputy Presiding Officer (Linda Fabiani):** Good afternoon. Before we start business, I remind members that social distancing measures are in place in the chamber and across the Holyrood campus, so please take care to observe those measures during this afternoon's business, including when entering and exiting the chamber.

The first item of business is portfolio question time. If a member wishes to request a supplementary question, they should press their request-to-speak button or, if they are joining us remotely, they should indicate that in the chat function by entering the "R" during the relevant question.

#### Ayrshire Tourism Recovery Plan (Digital Technology)

1. **Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** To ask the Scottish Government how it will take forward a tourism recovery plan for Ayrshire, and what role it believes digital technology can play in assisting with this. (S5O-04657)

**The Cabinet Secretary for Rural Economy and Tourism (Fergus Ewing):** The Scottish tourism recovery task force will publish its recommendations imminently. In the context of those, we will consider what actions are required at national and regional levels. Any actions will build on our £103 million investment through the Ayrshire growth deal and our programme for government commitment to promote Ayrshire as a tourism destination. Through that, we are investing £1 million in tourism developments, including the establishment of the Còig, which is an industry body that is using digital marketing technologies to work more closely with the private and public sectors to encourage more visits to the area.

**Willie Coffey:** The cabinet secretary will be aware of some of the new ideas for using digital technology that have emerged out of necessity during the current health emergency, such as online ordering of food for delivery by restaurants and shops, online performances by musicians and even online broadcasting of and participation in the Parliament. Does the cabinet secretary

recognise that digital solutions can play a big part in helping to enhance the tourist experience, with more online content and interactions offering a high-quality experience for visitors to Scotland that might not be possible in person but is possible using digital technology?

**Fergus Ewing:** I agree that digital technology has come to the fore during Covid, perhaps through necessity—as we are using it, right now. It has enabled people who are adept in its use to develop different methods of entertainment, information and education, and of promotion of our tourism economy. I think that such use of technology will play a part in the future, as Mr Coffey advocates.

**John Scott (Ayr) (Con):** The cabinet secretary will be aware of the huge effect that Covid-19 has had on bed and breakfast numbers, hotel bookings and visitors to Ayrshire. What further measures can be taken to support the sector in Ayr, Prestwick and Troon, given that the proposed development of the Còig makes little difference to South Ayrshire?

**Fergus Ewing:** Mr Scott raises an important point. Bed and breakfasts are an important segment of accommodation provision in the tourism sector, and we value their work. In the earlier period of Covid lockdown, we endeavoured to ensure that there was reasonable access to financial support for people with bed and breakfast businesses who are dependent on the business for their livelihoods. That was part of an overall package of £2.3 billion. The support was intended to provide a lifeline to businesses to help them through Covid but, as Mr Scott perhaps implies, Covid has gone on for longer than any of us wished.

Therefore, it is now sensible for the UK Government to reconsider what more needs to be done to promote, protect and rescue tourism around these islands. I will not go into the details, because that would take too much time, but I advocate that the UK Government work in partnership with us to help businesses such as bed and breakfasts to survive Covid, which is going on longer than anyone would have expected or wished.

**The Deputy Presiding Officer:** I draw members' attention to the fact that question 1 has taken an overly long time. We will not come close to getting through the questions unless members bear in mind the need to be a bit more succinct.

#### Tourism (North East Scotland)

2. **Liam Kerr (North East Scotland) (Con):** To ask the Scottish Government what support is available for major projects in the north-east to drive the area's tourism sector. (S5O-04658)

**The Cabinet Secretary for Rural Economy and Tourism (Fergus Ewing):** The Scottish Government and its agencies continue to support projects to boost tourism in the north-east of Scotland through the Moray growth deal and Aberdeen city region growth deal, through the rural tourism infrastructure fund and, in the case of Lossiemouth east beach footbridge, directly.

**Liam Kerr:** The Aberdeen harbour project will be a key driver of tourism to the north-east, not least because of the intended cruise ship capacity. However, in July, we learned that its construction has been delayed until 2022. What discussions has the cabinet secretary had with the project to identify what it needs? What support will be made available to ensure that the project is completed by the new date?

**Fergus Ewing:** The member is correct to say that the Aberdeen harbour project is a major project. Some years ago, when I was energy minister, I had the pleasure of visiting the harbour, meeting the project sponsors and discussing the exciting project with them.

Aberdeen harbour is a trust port that is run by an independent board for the benefit of its stakeholders. The issue does not fall directly within the purview of my portfolio, but I know that the Scottish Government is in fairly close contact with the sponsors of the project. It is true that it has been delayed, but I am hopeful and confident that those delays will be overcome. I am told that the project might be completed as early as next year, which would bring substantial benefits to Aberdeen and the north-east economy generally.

**Shona Robison (Dundee City East) (SNP):** Given that the V&A Dundee has been a transforming investment for the north-east's attractiveness as a visitor destination, can the cabinet secretary confirm what investment the Scottish Government has made in the V&A? What role does the Scottish Government consider that museums will play in the recovery of our tourism economy?

**Fergus Ewing:** The Scottish Government has been substantially supportive of the project in financial terms, and a stalwart supporter of it from the beginning. Shona Robison has been an advocate for the benefits of the project since its inception and has seen it through. An excellent attraction has been delivered for the citizens of Dundee.

I think that the V&A has helped to embed further the reputation of Dundee as the city of discovery and much more—not just in the eyes of Scotland but further afield—and to highlight the key role that it plays in the areas of design and innovation. It has been an outstanding project, which the Scottish Government has supported handsomely.

### Crofting (New Entrants)

**3. Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP):** To ask the Scottish Government what action it is taking to encourage new entrants to crofting. (S5O-04659)

**The Cabinet Secretary for Rural Economy and Tourism (Fergus Ewing):** Last year, there were 458 new entrants into crofting. The Scottish Government has a range of support available to potential new entrants. Our croft house grant and the crofting agricultural grant scheme, which is known as CAGS, remain accessible, and our Farm Advisory Service continues to offer advice and mentoring services to crofters.

On 8 July this year, I announced £325,000 of additional funding for the Crofting Commission to expand crofting development activities and to create new commission jobs in the Western Isles, in Dr Allan's constituency, after substantial lobbying—not least by Dr Allan—for dispersal of such employment. In addition, as is mentioned in the programme for government, we have committed to extending the work of the Scottish Land Matching Service to increase crofting opportunities for new entrants.

**Dr Allan:** I thank the cabinet secretary for his reply. Does he share my concern about the rising asking prices for many croft tenancies? That is a particular issue in areas that are suffering from depopulation. For example, a croft tenancy in my constituency was advertised recently with the staggering asking price of £200,000. Although that is an extreme example, it illustrates how inflated the market sometimes is. If young families are priced out of crofting, that will threaten the islands' sustainability and culture. Is there more the Scottish Government feels that it can do to address that issue?

**Fergus Ewing:** Yes—and I know that my colleagues Aileen Campbell and Kevin Stewart are extremely active in considering with local authority and other local partners the provision of more housing. In addition to that, in my area, the Scottish Government has approved croft house grant payments of more than £21 million to help to build and improve over 1,000 croft homes.

Although that is welcome, it does not directly address the problems that Dr Allan has correctly identified, so the Crofting Commission is increasing its work to enforce crofters' adherence to duties, in some cases leading to assignation of a croft, on its sale, to a new entrant.

The wider problem of price inflation is an extremely serious one, and a wide variety of measures are required to tackle it. I am very pleased to say that the Scottish Government is dealing with and implementing a lot of those.

### Sheep Farming (United Kingdom Trade Deals)

**4. Joan McAlpine (South Scotland) (SNP):** To ask the Scottish Government what its position is on the reported concerns of the National Sheep Association that the future trade deals with Australia and New Zealand negotiated by the UK Government could negatively impact Scotland's sheep farmers. (S5O-04660)

**The Minister for Rural Affairs and the Natural Environment (Mairi Gougeon):** A trade agreement with both parties would create significant challenges for the UK agriculture sector, and specifically Scottish sheep farmers, as we and stakeholders regularly point out. At a time when the sheep sector stands to lose tariff-free access to the European market for a third of its product, there is a threat that additional Australian and New Zealand lamb being imported into the UK market will further undercut Scottish producers.

Even the UK Government expects the economic benefits to the UK from those deals to be minuscule. We need it to live up to its promises about maintaining standards for imports.

**Joan McAlpine:** *The Scottish Farmer* has reported Phil Stocker of the NSA warning that Antipodean free trade deals will result in our market being flooded with cheap meat that was produced at lower environmental and animal welfare standards. Does the minister agree that that is completely unacceptable, particularly as our hard-pressed sheep farmers could also lose the European market, which accounts for 30 to 40 per cent of their sales?

**Mairi Gougeon:** I absolutely agree with Joan McAlpine and the comments that she referenced from Phil Stocker. Our sheep farmers have very little to look forward to when we leave the European Union. They will face tariff as well as non-tariff barriers to trade, as well as an increasing pressure from the trade agreements with two of the largest sheep meat exporters: Australia and New Zealand.

It is important to remember that, in the event that no free trade agreement is reached between the UK and the EU, tariffs of around 40 to 50 per cent will be applied to Scottish sheep meat that is destined for EU consumers. Scottish sheep meat producers export around £400 million-worth of products each year, with 88 per cent of the exports destined for European consumers, so this has the potential to be catastrophic for the industry.

It is not just the Scottish Government that is raising how damaging this could be. The UK Government's own economic modelling suggests that the Scottish agriculture sector is likely to be adversely impacted by any free-trade agreement with Australia and New Zealand.

In addition to all of that, there has still been no confirmation of the Brexit costs from the Treasury, which Michael Gove previously promised.

### Kent Access Permit Scheme

**5. John Finnie (Highlands and Islands) (Green):** To ask the Scottish Government what impact it expects on Scotland's rural economy and Scottish producers' ability to export their goods of the proposed Kent access permit scheme. (S5O-04661)

**The Minister for Rural Affairs and the Natural Environment (Mairi Gougeon):** It is quite simply lamentable that we are now having to prepare to face Brexit's consequences, such as huge delays to exporting through Kent. We have continually raised concerns about the impact of operational barriers and the United Kingdom Government has only recently proposed that solution.

It has consulted on traffic management for the Kent area and proposed the system for hauliers to check that they are ready to cross the border, which would be mandatory for hauliers entering Kent. However, the UK Government has yet to publish the outcome of that consultation and it is not clear whether it intends to share those outcomes with us and the other devolved nations ahead of publication.

However, following sustained pressure from the Scottish Government, the new proposals envisage a system of prioritising hauliers carrying live and fresh produce such as Scottish seafood. Although it remains to be seen how such prioritisation will work in practice, it should help to ensure that our exporters have at least a chance of being able to reach European Union markets in time.

**John Finnie (Highlands and Islands) (Green):** The minister will be aware of the UK Cabinet Office scenario of 7,000 lorries held for up to two days, and delays. That is completely unacceptable for high-value, perishable goods such as seafood and live fish. Can the minister rigorously pursue clarity on the outcome of that consultation with what I readily accept is a non-co-operative UK Government and examine opportunities for the Scottish Government to assist and promote the speedy carriage of those time-sensitive goods by rail freight to reach continental markets?

**Mairi Gougeon:** Absolutely. I can assure John Finnie that that is something that the Scottish Government has continually pursued over the past three years, throughout the Brexit process, and, of course, it is something that we continue to pursue. We absolutely recognise that it is vital for the seafood industry in Scotland, and the transport secretary met the Road Haulage Association recently.

As much as the UK Government tells us that it is geared up and ready for the change, we are getting quite a different message from the industry. It has outlined its serious concerns that the processes and information technology systems will not be ready in time, by the end of the year. For our part, I can assure the member and members across the chamber that the Scottish Government will be doing absolutely everything in our power to support our industries.

### **Covid-19 (Impact on Arran Economy)**

**6. Kenneth Gibson (Cunninghame North) (SNP):** To ask the Scottish Government what its response is to the Fraser of Allander institute report, “The Impact of Covid-19 on the Arran economy”, including its comments on how this has affected tourism. (S5O-04662)

**The Cabinet Secretary for Rural Economy and Tourism (Fergus Ewing):** I agree that the situation is concerning. We know that Covid-19 continues to have a profound impact on our island communities. We are currently working closely with our partners, including North Ayrshire Council, Taste of Arran and the Arran economic group.

I do not underestimate the impacts and I understand that a tailored approach will be necessary. Our £30 million pledge to deliver the national islands plan and our new £2 million islands green recovery programme will be vital in stimulating new economic activity across our islands, helping businesses recover from the impacts of the pandemic and creating new high-quality jobs.

**Kenneth Gibson:** The report states that—

**The Deputy Presiding Officer:** Excuse me, Mr Gibson. We are finding it difficult to hear you, which is, of course, unusual. Could you put your microphone up, please?

**Kenneth Gibson:** I apologise for that, Presiding Officer.

The report states:

“on average, each day of ferry operation contributes just under £170,000”

to Arran’s economy. That is just more than £62 million a year. How can the Scottish ministers optimise the ferry service at this difficult time? Can the cabinet secretary go even further than he has already gone in supporting island businesses, to ensure that Arran’s economy survives and can ultimately thrive?

**Fergus Ewing:** I absolutely agree that the ferry is essential to Arran. It is a lifeline service and the gateway for everybody who visits the island. It is a marvellous tourism offering and there have been

real difficulties over the Covid period. Businesses have been facing constraints during lockdown and beyond. Mr Gibson is absolutely right to say that we need to ensure that the ferry service is reliable, and we need to look to the future to see what more we can do for the service. As the Fraser of Allander institute recognises, the Arran economy is extremely different from the North Ayrshire economy. I know that Mr Gibson, who has been a forthright advocate for Arran over the years, will continue to ensure that the arguments are kept to the fore.

### **Sustainable Agriculture Capital Grant Scheme**

**7. Jamie Greene (West Scotland) (Con):** To ask the Scottish Government how much of the sustainable agriculture capital grant scheme funding has been allocated. (S5O-04663)

**The Cabinet Secretary for Rural Economy and Tourism (Fergus Ewing):** The £10 million sustainable agriculture capital grant scheme opened for applications on 7 September this year, and the application window is due to run for a period of five weeks, closing on 11 October. The applications will then be assessed and grant award letters will be issued thereafter.

**Jamie Greene:** The cabinet secretary will, of course, be aware of the value and importance of that funding to those who have struggled as a result of rural crime. We know that the cost of rural crime to our farmers has risen to £2.3 million and that rural crime has more than doubled since 2017. I am sure that that is a concern to all of us. What conversations is the cabinet secretary having with his justice counterparts to ensure that we tackle rural crime and that his department is offering everything that it can—financially or otherwise—to farmers who have struggled as a result of rural crime?

**Fergus Ewing:** Jamie Greene has raised a very important point, which I have pursued rigorously as cabinet secretary alongside my colleagues in the Cabinet and in working with the police and others on despicable crimes that cause enormous difficulty to farmers. By the very nature of those crimes—they sometimes occur under dead of night in rural Scotland—evidence is very difficult to establish in many cases, given the lack of eyewitnesses. I have pursued that issue rigorously for a very long time.

I gently point out to Mr Greene that that issue is not relevant to the question that was asked, which was about the agricultural transformation programme, the purpose of which is primarily to assist farmers and crofters in respect of sustainable agriculture and which looks in particular to reduce greenhouse gas emissions. That programme has nothing to do directly with crime. However, I have no objection to answering



a question that is irrelevant to the primary question.

### **Hospitality Restrictions (Impact on Supply Chain)**

**8. Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** To ask the Scottish Government what financial analysis it has carried out of the impact that restrictions on the hospitality sector will have on the wider supply chain. (S5O-04664)

**The Cabinet Secretary for Rural Economy and Tourism (Fergus Ewing):** The measures that have been introduced for the hospitality sector have, like those in other sectors, been driven by the need to protect public health and drive down transmission of the virus. However, economic concerns are important, and they have, where possible, been balanced in the decision-making process through the four-harms approach that the Scottish Government has adopted, which takes account of direct and indirect health impacts, societal impacts and economic impacts.

**Rachael Hamilton:** I draw members' attention to my resignation—[*Laughter.*] I meant to say my register of members' interests entry.

As the cabinet secretary will be aware, restrictions have had a detrimental effect on the hospitality supply chain—especially breweries, merchants, laundry services and wholesalers. Businesses want answers and certainty. Will the cabinet secretary commit to publishing in full the data and scientific evidence behind decisions that have been made for the restrictions put in place today, which may be the death knell for the hospitality industry?

**Fergus Ewing:** I am very pleased to hear that Rachael Hamilton is not resigning. We can therefore continue to work together on tourism interests.

I am very happy to assure and inform Rachael Hamilton that I have worked very closely with the Scottish Wholesale Association, for example, to ensure that, in so far as possible, financial assistance has been available to some of its members. As Rachael Hamilton correctly said, they are a vital part of the jigsaw in the supply chain to many businesses in tourism and the wider rural economy.

The Scottish Government has provided £2.3 billion of assistance. Every day, I am involved, correctly, in calls, discussions, engagements and videolinks with the tourism industry. Every day, we do our best to assist it and work hard with it. I know how it is suffering. It is a shame that the United Kingdom Government refuses to extend the furlough, which has provided an absolute lifeline for many people in Scotland. It is not too

late for the Chancellor of the Exchequer to reconsider that imprudent decision, which is likely to cost so many people in Scotland their jobs.

**The Deputy Presiding Officer:** That concludes questions on the rural economy and tourism portfolio. I apologise to those members I was unable to call to ask supplementary questions because of the time that members are taking for questions and answers. I ask both members and ministers to bear that in mind in the next portfolio section, so that we can get through all the questions.

### **Transport, Infrastructure and Connectivity**

14:25

**The Deputy Presiding Officer:** The next item of business is portfolio questions on transport, infrastructure and connectivity. If members wish to ask a supplementary question, I ask them please to press their request-to-speak button or, if they are joining us remotely, the R button.

#### **Port of Cairnryan (Post-Brexit Improvements)**

**1. Emma Harper (South Scotland) (SNP):** To ask the Scottish Government what discussions it has had with the United Kingdom Government regarding changes to infrastructure and consequent improvements to the region's arterial routes that will be required for the port of Cairnryan after the Brexit transition period ends. (S5O-04665)

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** Scottish Government officials have been engaging with the UK Government on how the end of the transition period could impact on the ports, but plans are vague and, even now, many questions remain unanswered by the UK Government.

The lack of clarity about import and export processes under the Northern Ireland protocol is undermining our ability to meet infrastructure and operational readiness requirements. However, we are progressing our appraisal of the potential transport interventions that will contribute most to the national transport strategy, including the 23 recommendations from the South West Scotland transport study, some of which relate to A75 and A77 improvements.

**Emma Harper:** I raised the issue of Cairnryan at the Rural Economy and Connectivity Committee earlier today, and it is concerning that there is a lack of clarity around what is happening with that port. Given that the port is on a strategic route for Ireland and the south-west of Scotland, can the

cabinet secretary outline what impact he expects the lack of planning, combined with the need for checks at the border, to have on movement through Cairnryan and its surrounding arterial routes, the A75 and the A77?

**Michael Matheson:** Emma Harper raised that matter with me at the Rural Economy and Connectivity Committee meeting. I can say, and it is important for members to recognise, that, as yet, the UK Government has not confirmed—indeed, it has not agreed with the European Union—what checks will be required between Northern Ireland and Scotland. We do not want to introduce new controls, but we have a responsibility to inspect certain commodities and we are engaged with the UK Government to try to get the necessary preparations under way.

The port is adjacent to the strategic road network that provides access to the rest of the UK. Nonetheless, we are considering enhancements for the A75 and A77. We will continue to pursue the matter with the UK Government, but the lack of clarity over the arrangements that need be put in place at Cairnryan is a very serious concern. It is absolutely critical that we get clarity on that sooner rather than later.

**Brian Whittle (South Scotland) (Con):** Has the Scottish Government analysed the potential cost to the Scottish economy of the loss of business that is already happening on the port of Cairnryan to Belfast route as businesses migrate to the Dublin-Heysham-Liverpool route, due to the poor road and rail infrastructure in the south-west of Scotland?

**Michael Matheson:** It is clear that the Government is committed to looking at further infrastructure investment in the south-west of Scotland, as set out in the south-west Scotland transport study. I do not think that it befits anyone who is elected to represent the south-west of Scotland to talk down the existing infrastructure in that area. The member can be absolutely sure that our priority is not to have a six-lane M8, but to make sure that we get the right infrastructure in areas such as the south-west of Scotland, and that is what we are committed to doing.

### **Superfast Broadband (Strathkelvin and Bearsden)**

**2. Rona Mackay (Strathkelvin and Bearsden) (SNP):** To ask the Scottish Government whether it will provide an update on the provision of superfast broadband in the Strathkelvin and Bearsden constituency. (S5O-04666)

**The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse):** The latest figures produced by Ofcom show that 97 per cent of premises in Strathkelvin and Bearsden can

already access a superfast broadband connection. Our reaching 100 per cent programme will ensure that every home and business can access superfast broadband by the end of 2021. That commitment will be delivered through the R100 contracts for north, central and south Scotland; our Scottish broadband voucher scheme; and commercial deployment in the Strathkelvin and Bearsden area.

Ms Mackay's constituents will benefit either through commercial deployment or through our investment. Our online checker can show people when they might expect work to connect their premises to begin.

**Rona Mackay:** My constituents in Baldernock have been patiently waiting for a fibre broadband connection for many years and are finally on course to receive it. However, there have been delays due to incorrect data being collected, and data collection is crucial in the R100 procurement stages. Can the minister confirm, with some urgency, whether that issue has been looked at, in order to allow households to take advantage of the voucher scheme and finally get connected?

**Paul Wheelhouse:** Ms Mackay raises an important matter, and I know that emails have been exchanged about it during the past week. The status report in our online checker is informed by data that is sourced from commercial providers. That data is then cross-checked against other data sources to ensure consistency, before it is reflected in our online address checker.

There are agreed monitoring plans in place, and regular updates are received from broadband providers throughout the year. Any change is reflected in the online checker. In a dataset of more than 2.8 million premises, however, we can expect that there might be some discrepancies, as is the case in Baldernock.

I reassure Ms Mackay that the R100 team is speaking to the community council and broadband providers in the area to resolve the issue as quickly as possible. She should rest assured that any premises that find themselves outside the coverage of a commercial provider can get superfast broadband through the R100 Scottish broadband voucher scheme. I look forward to keeping in touch with Ms Mackay on the matter.

### **Sheriffhall Roundabout Upgrade (Review)**

**3. Michelle Ballantyne (South Scotland) (Con):** To ask the Scottish Government when the conclusion of the review of the upgrade to the Sheriffhall roundabout will be published. (S5O-04667)

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** The review work that is being

undertaken on Sheriffhall forms part of our statutory responsibility to fully consider objections and representations that are received on the proposed scheme. I understand that Transport Scotland recently held a productive workshop with officials from the various city region deal partners, and that the review work has developed sufficiently to progress the resolution of objections. The conclusion of the review will be shared in due course, as we continue to take forward the statutory process for the scheme.

**Michelle Ballantyne:** As the cabinet secretary will know, councils across the south-east of Scotland are dealing with rapidly rising populations. They are sticking to their end of the deal by building more affordable homes, but they are being let down when it comes to access to Edinburgh. We need development at Sheriffhall, and we need it urgently.

I understand that the funding for the upgrade is already in place. Can the cabinet secretary confirm whether any deal has been done to delay or stop the development? Can he say that there will not be a delay to the scheme once he gets the results of the review, and can he start to give a firm date for when the ground will be broken at Sheriffhall?

**Michael Matheson:** There are several different issues there. The first answer is no, there is no plan to stop the project. We are still very much committed to it. It represents £120 million of investment and forms part of the south-east Scotland city region deal, which we are progressing.

The review is looking at the feasibility and desirability of enhancing active travel and public transport infrastructure in the project—that is where there is a specific focus. The need to do that is reflected in the statutory process that has to be undertaken. Where objections are received—and there have been objections—we have to try to address them. If we cannot get the objections removed, the matter will go to a public local inquiry. All that determines the timescale for delivery of the project.

There is a statutory process that we have to undertake. Part of that process gives landowners, residents and businesses the opportunity to make objections, and those have to be taken seriously and considered. That is exactly what is happening at this point. Once that statutory process has concluded, the timeframe for the completion of the project can be set.

**The Deputy Presiding Officer:** Christine Grahame has a short supplementary.

**Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** The cabinet secretary's colleague, the finance secretary, told

Parliament yesterday that the delay to the United Kingdom Government's budget will of necessity mean that the Scottish Government's budget for next year will be provisional and that the uncertainty will run to billions of pounds. Will the UK budget delay and the knock-on effect for the Scottish Government's budget impact on the timetable for improvements to the Sheriffhall roundabout, which is otherwise known to cyclists as "the meat blender"?

**Michael Matheson:** There is serious concern about whether, if there are delays to setting the budget, that could have an impact on a range of projects that are being undertaken or are planned. That is why it is critical that the UK Government recognises the importance of giving clarity to the Scottish Government about its budgetary requirements.

Alongside that, during the past week, the union connectivity review was announced, which shows the UK Government's desire to start to set project priorities for transport in Scotland, with the apparent intention to almost cut part of our capital spending allocation so that it can be reprioritised to be spent in the areas that the UK Government sees as priorities. That is the type of power grab that we have become accustomed to from the UK Government, and it could have an effect on the very project that Christine Grahame has referred to, and that Michelle Ballantyne has said is critical to the Edinburgh economy. That is the type of short-sightedness that we have got used to from the UK Government on such matters.

**The Deputy Presiding Officer:** Question 4 is from Johann Lamont. [*Interruption.*] Excuse me. We are now on question 4. Question 3 is over, so can members please stop shouting across the chamber?

I call Johann Lamont.

#### **Face Coverings on Public Transport (Glasgow)**

4. **Johann Lamont (Glasgow) (Lab):** It is usually me who gets a row for shouting. It is nice to be on the other side, Presiding Officer.

To ask the Scottish Government what discussions it has had with transport operators in Glasgow regarding compliance with the wearing of face coverings on public transport. (S5O-04668)

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** Transport Scotland is in regular dialogue with transport operators who have been reminded, as per Scottish Government guidance, that they are expected to consider displaying prominent signage highlighting that face coverings must be worn and also that their staff may make inquiries of a passenger who is not wearing a face covering and remind them of their legal obligation

to do so, unless they are exempt. Transport Scotland officials continue to monitor levels of compliance with the legislation, in conjunction with operators. The guidance and the legislation remain under review.

**Johann Lamont:** In recent weeks, there have been several reports of a significant number of people not wearing masks on buses. Just last week, FirstBus contacted every school in Glasgow over concerns that a significant number of pupils were flouting the rules, a situation that is

“putting drivers’ lives at risk”.

Given that concern, will the minister make a commitment to engage with transport operators in Glasgow, Police Scotland, Glasgow City Council and all the relevant agencies to ensure both that enough support is in place to protect drivers and allow them to operate safely, and that all passengers are aware of and co-operate with the national guidance?

**Michael Matheson:** Johann Lamont raises an important issue. I recognise the concerns that she has expressed, which is why we have regular dialogue with transport operators to make sure that they are reinforcing the message that people need to wear face coverings.

Johann Lamont mentioned school pupils. That issue was identified a number of weeks ago when the schools returned after the summer holidays. At that point, we took proactive action by engaging directly with local authorities to make sure that they were communicating the need for school pupils to wear face coverings when they are on public transport and at particular locations. We also worked with the British Transport Police and Police Scotland to make sure that there are officers at key hubs, encouraging school pupils to make sure that they have a face covering.

I assure Johann Lamont that we will continue to engage with local authorities to make sure that they are getting that message across as effectively as possible to parents and school pupils. We will continue to look at what further measures we can take to make sure that we encourage people to wear face coverings when they are on public transport, for their own protection and for the protection of those who work on our public transport systems.

**The Deputy Presiding Officer:** There is a loud discussion going on at the back of the chamber. If members want to carry that on, could they go elsewhere?

**Edward Mountain (Highlands and Islands) (Con):** On a point of order, Presiding Officer. I am sorry; there is dubiety over the seating plan and I am being asked to vacate this seat. My understanding, from the maps that the

Parliamentary Bureau produced, is that this seat was allocated to the Conservatives and two others to the Liberal Democrats. If that is wrong, I am happy to move out of the chamber on your instruction, Presiding Officer.

**The Deputy Presiding Officer:** I am not going to tell people where to sit; I refer you to your business manager. If members of other groups have problems, they should also go to their business managers. I ask those in the chamber who are not asking questions to keep the noise down.

### A90/M90 Traffic Levels

**5. Alex Cole-Hamilton (Edinburgh Western) (LD):** To ask the Scottish Government what assessment it has made of the potential impact on traffic levels on the A90/M90 of planned housing developments. (S5O-04669)

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** Scottish planning policy sets out that planning authorities are expected to appraise the impact of their development plan spatial strategies, including planned housing developments, on the transport network. That should include the potential impact on trunk road traffic and identification of mitigation measures where appropriate.

Transport Scotland collects and processes land use allocation data, including data for planned housing development, from every planning authority in Scotland every two years. That data is used in relevant land use and transport models to appraise transport interventions as required.

**Alex Cole-Hamilton:** I am grateful to the cabinet secretary for that reply. Last week, a developer unveiled a new master plan for Echline in Queensferry, which involves 1,000 new homes, as well as new supermarkets, shops and restaurants; it is a massive development. However, without changes to the A90 access at Queensferry, the key road in and out of the town will have to run through the middle of that new estate and right past the new primary school. The Scottish Government has previously refused my requests to consider opening the old Forth road bridge A90 slip road, but that massive new plan makes the need for that change critical. Will he agree to meet me and local councillors to ensure that we can get a solution that works for that growing part of my constituency?

**Michael Matheson:** I reassure the member that, as it stands, before the application can be considered in detail, there will be a need for a full transport assessment to be undertaken as part of the planning process. My understanding is that, for that particular development, the planning

assessment is to consider several key areas, which would all have an impact on the existing local road network and on the M90 at the Queensferry crossing area. I assure the member that, once that transport assessment has been completed, it will be considered by Transport Scotland officials. Following that assessment, they will be in a position to identify the mitigation measures that would need to be put in place.

**The Deputy Presiding Officer:** Mark Ruskell has a quick supplementary question.

**Mark Ruskell (Mid Scotland and Fife) (Green):** One significant way to reduce traffic levels on the M90 would be to extend the Edinburgh tram line to Fife, but the regional spatial strategy identifies that councils and developers will not have the funds to put such a project forward and complete it successfully. What commitment can the Government give to funding projects that have been identified by the spatial strategy for the region?

**Michael Matheson:** The member correctly identifies that a project of that nature would be a matter for the local authorities to consider taking forward. At the moment, they have made no representation to me in relation to a project of that nature. If that was their intention, we would be happy to engage with them on that project, but they would have to fund it through their existing funding structure.

#### **Pavement and Double Parking (Enforcement)**

6. **Sandra White (Glasgow Kelvin) (SNP):** To ask the Scottish Government whether it will provide an update on the enforcement of the pavement and double parking provisions in the Transport (Scotland) Act 2019. (S5O-04670)

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** The Transport (Scotland) Act 2019 is a multi-topic act with an extensive number of statutory instruments needed to implement the various parts. Progress on each part of the act, including the parking prohibitions, is dependent on parliamentary timescales and priorities, which have been affected by the current Covid-19 outbreak and European Union exit preparations.

Given those factors, and the fact that work on the secondary legislation programme is at an early stage, we are currently unable to give a precise date for when the pavement and double parking prohibitions will come into force. However, I will ensure that the Parliament is kept up to date on those matters.

**Sandra White:** I thank the cabinet secretary for his reply, and for his detailed response to the letter that I sent him. I understand the situation with Covid-19 and legislation going through, and I

acknowledge that he says that he will update the Parliament. I know that he cannot give a definitive timescale, but can he indicate whether the guidance will be finalised before dissolution?

**Michael Matheson:** As I mentioned, implementation planning for the parking provisions in the 2019 act has been paused during the pandemic. That work has now restarted, and I reassure the member that it is a priority for us to make progress on it. Officials are currently developing an updated timeline for the secondary legislation and the consultation requirements for the implementation of the provisions, and I will ensure that the member is kept up to speed with that work.

Alongside that, my officials have engaged extensively with stakeholders, including local authorities, on the development of the parking standards guidance that will underpin the parking provisions. I will ensure that we make progress with that as quickly as we can, and I will certainly make sure that the member is kept up to date with the timelines around the provisions in the act.

#### **Road Connectivity (South Ayrshire)**

7. **John Scott (Ayr) (Con):** To ask the Scottish Government what plans it has to improve road connectivity in South Ayrshire. (S5O-04671)

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** The Government recognises the importance of a connected, safe, resilient and high-quality strategic transport network for South Ayrshire. Since 2007, we have invested £75 million in the maintenance of the A77 and £50 million in the A78, and we are spending £29 million on building the Maybole bypass.

Good progress is being made on the construction of the bypass, which will provide benefits for the residents of Maybole as well as improving connections to the ports at Loch Ryan. Any further enhancements to either the A77 or A78 will be a matter for consideration as part of the second strategic transport projects review process.

**John Scott:** I thank the cabinet secretary for his answer. However, he will be aware that both the Dutch House roundabout and the Whitletts roundabout were identified as pinch points in STPR 2. He will also be aware of the need for the dualling of the A77 between the Whitletts and Holmston roundabouts, which was identified in the first strategic transport projects review in 2008. To date, no action has been taken on upgrading those roundabouts or dualling the A77. Will the cabinet secretary give a commitment that those projects will now be taken forward?

**The Deputy Presiding Officer:** I would appreciate a quick answer, cabinet secretary.

**Michael Matheson:** I can certainly give the member a commitment that we will consider those issues as part of the STPR 2 process, as they were identified in an initial appraisal for the south-west of Scotland that was published a number of months ago.

### Transport System (Affordability)

8. **Colin Smyth (South Scotland) (Lab):** To ask the Scottish Government what action it is taking to make the transport system more affordable and accessible for people living in poverty. (S5O-04672)

**The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson):** The national transport strategy, which underpins our investment in those areas, sets reducing inequalities as a key priority and states:

“Everyone in Scotland will share in the benefits of a modern and accessible transport system.”

The first annual national transport strategy delivery plan, which will set out our actions to deliver the strategy’s priorities, will be published by the end of the year.

In 2019, there were 1.4 million people with national concessionary travel cards in Scotland. We are progressing our review of concessionary travel on all public transport to look at those under the age of 26, and we have begun the necessary preparatory work to deliver a national concessionary travel scheme for free bus travel for under-19s.

**Colin Smyth:** This year’s challenge poverty week takes place against the backdrop of Covid-19, but even before the pandemic we saw a rising tide of poverty. A key cause of that was the high cost of transport in particular, which is often unaffordable for people on low incomes.

Can the cabinet secretary tell us what the new timescale is for the introduction of free bus travel for people under the age of 19? Will he listen to the calls from the Poverty Alliance to urgently extend that scheme to all those under 25, who are currently the hardest hit by unemployment, and to those on universal credit in order to loosen the grip of poverty on their lives?

**Michael Matheson:** I can assure the member that, under the review that we are undertaking on the present concessionary schemes, tackling child poverty is a key element that is being considered as part of our assessment. I expect that work to be completed by the end of this year.

Work on preparations for concessionary travel for under-19s was paused during the course of the

pandemic, but that work has now restarted and we are looking to identify the timeframe for its delivery.

I assure the member that tackling poverty—in particular, the poverty associated with the transport costs that are experienced by young people and the difficulty that that can cause for them—is a central factor that we are considering as part of the review work that is already being undertaken.

**The Deputy Presiding Officer:** That concludes portfolio questions. My apologies to those whose supplementaries I was unable to take.

## Covid-19

**The Presiding Officer (Ken Macintosh):** Our next item of business is a statement by the First Minister, Nicola Sturgeon, on Covid-19.

14:51

**The First Minister (Nicola Sturgeon):** I will now update the Parliament on the current position in relation to Covid-19. I will give an assessment of the current course of the pandemic; I will propose difficult but important temporary measures to stem the increase in cases; I will set out how we will support businesses affected by those measures; and I will update the Parliament on the longer-term work that we are doing to further improve our ability to live with Covid.

In all of that, I will be very frank about the challenges that we face and the difficult balances that we must try to strike. None of this is easy. I am acutely aware that, in every decision that we take, lives and jobs are at stake, and I assure not just the Parliament but the country that none of these decisions is taken lightly.

First, let me give a summary of the daily statistics that were published a short time ago. Since yesterday, an additional 1,054 cases of Covid-19 have been confirmed. That represents 13 per cent of people who have been newly tested, and it takes the total number of cases to 34,760. A total of 319 patients are currently in hospital with confirmed Covid, which is an increase of 57 since yesterday, and 28 people are in intensive care, which is an increase of three since yesterday.

I regret also to report that one further death has been registered of a patient who had been confirmed as having the virus. The total number of deaths in Scotland under that measurement is now 2,533.

National Records of Scotland has also published its weekly update today, which includes cases where Covid was a suspected or contributory cause of death. Today's update shows that, by last Sunday, the total number of registered deaths linked to Covid was 4,276. Twenty of those deaths were registered last week, and that is the highest weekly number of deaths since late June. Every single one of those deaths represents the loss of an irreplaceable individual. Again, I send my condolences to all those who are currently grieving.

Those figures illustrate the rising challenge that we again face from the virus. That challenge is starkly set out in an evidence paper that was published today by the Scottish Government's senior clinical advisers—the chief medical officer,

the chief nursing officer and the national clinical director. The paper assesses our current situation in relation to Covid and it explains, as I will try to do in this statement, why we must introduce additional measures to control the virus, why it is urgent that we act now and why we have decided on the specific actions that I am setting out today.

Before I come on to that, I will emphasise some of the more positive elements of our current position. It is important for the morale of all of us that we do not forget that progress has been made. It might not feel that way, but the situation now is better than it was in March. We are benefiting from the sacrifices that were made over the summer. By driving the virus to very low levels then, we helped to ensure that, even after several weeks of increases, the estimated total number of cases is currently just 13 per cent of the peak level back in March. The number of cases is rising, but not as quickly as it was then.

In addition, and most importantly, we now have test and protect teams across the country, who are doing exceptional work. Test and protect is now bearing much of the strain of controlling the virus.

We understand more now about how to reduce the risk of transmission, by meeting outdoors rather than indoors if possible, wearing face coverings, cleaning hands thoroughly and keeping our distance from people in other households. Although significant restrictions are still in place, which are hard and painful, we are living much more freely now than we did in the spring and early summer. We are determined for that to continue if at all possible.

I want to be clear: we are not going back into lockdown today. We are not closing schools, colleges or universities; we are not halting the remobilisation of the national health service for non-Covid care; we are not asking people to stay at home.

Although the measures that I announce today will feel like a backward step—which I know them to be in many respects—they are in the interests of protecting our progress overall. It is by taking tough but necessary action now that we hope to avoid even tougher action in future.

Let me turn in more detail to the state of the virus. The daily figures that I reported a moment ago and, more fundamentally, the evidence paper that was published today highlight the need for action. It is worth remembering that, when I updated Parliament just over two weeks ago, the average number of new cases that was reported each day was 285, which was up from 102 three weeks previously. Now, we are reporting an average of 788 new cases each day.

In addition, I can report that, in the seven days up to Monday, the number of people in hospital

with Covid increased by almost 80 per cent and the number of people who died with Covid in the past week was the highest for 14 weeks. In fact, the number of deaths in the past week alone was the same as in the whole of the previous month.

The increase in the numbers of people in hospital with, and sadly dying from, Covid reflects the rise that we now see in new cases among older age groups. In the second half of September, cases rose most rapidly in the younger age groups but, in the past week, cases in people over 80 years old increased by 60 per cent, and cases in the 60 to 79-year-old age group more than doubled.

We are seeing geographic as well as demographic spread. Without a doubt, and by some distance, the highest levels of infection are across the central belt, and we are particularly concerned about Greater Glasgow and Clyde, Lanarkshire, Ayrshire and Arran, Lothian and Forth Valley, which will be reflected in what I say later.

However, that should not obscure the fact that numbers are rising across the country. The majority of our health board areas are now recording more than 50 new cases per 100,000 of their population each week, and virtually every health board area has a rising number of cases. The only exceptions are Orkney and Shetland, and even they have had cases in recent weeks. As we speak, a significant outbreak is taking place in the Western Isles.

The need to act, and to act across the country, is clear, as is the need to take additional action now. I mentioned earlier that the prevalence of the virus is currently around 13 per cent of its March peak. However, we estimate that the number of new Covid cases is currently growing by 7 per cent each day. The starkest warning in today's evidence paper is perhaps that, without action, we are likely to return to the peak level of infections that we had in the spring by the end of this month.

It is also instructive to consider the experience of other countries. Our modelling suggests that we are approximately four weeks behind France and six weeks behind Spain in the resurgence of the virus. Their resurgence, like ours, was initially concentrated among younger people, but it spread to other age groups and they now see significantly more hospital admissions, more people in intensive care and more deaths.

It is to interrupt that trajectory that we must act now. Of course, we have already taken perhaps the most important—certainly, the most painful—step that we can to reduce transmission. For the past 12 days, apart from certain limited exceptions, we have not been able to meet up in each other's homes. That measure should already

be making a difference to infection rates even if, because of the time lag between the introduction of new measures and their impact, we do not yet see it reflected in our figures.

Let me take the opportunity to emphasise again today how vital it is that we all stick to that rule. It is incredibly hard for all of us not to visit friends and family, and not to have them visit us, but it is the single most effective measure that we can take to stop Covid passing from one household to another. I ask people to please stick with it.

That measure is vital, but the clinical advice which I have now received says that it is not sufficient—we need to do more and we need to do it now. To those who might wonder and—understandably—ask whether the measures that I set out today go too far, let me be clear: if this were a purely one-dimensional decision and all that we had to consider was the immediate harm from Covid, it is likely that we would go further.

However, seven months into the pandemic, I am acutely aware that that decision is not, and cannot be, one dimensional. We have a duty to balance all the different harms that the pandemic causes. We must consider the direct harm to health from the virus, which must be reduced, alongside the harm that is done to jobs and the economy, which, in turn, has an impact on people's health and wellbeing. We also have to consider the wider harms to health and wellbeing that the virus and the restrictions that are deployed to control it are having on us all.

For all those reasons, we are applying a far more targeted approach than we did in March—one that reduces opportunities for the virus to spread while keeping businesses and other activities as open as possible. We are not recommending that people who shielded over the summer should return to staying completely indoors. We know how damaging that is to your wellbeing, but we recommend that you take extra care, especially if you live in the central belt. You can now access information about infection levels in your local neighbourhood on the Public Health Scotland website.

I will set out the additional measures that we are proposing. The measures on hospitality are intended to be in force for 16 days, from this Friday at 6 pm to Sunday 25 October inclusive—in other words, across the next two weeks and three weekends. First, with the exception of the five health board areas that I will talk about shortly, pubs, bars, restaurants and cafes will be able to operate indoors on the following very restricted basis only. They can operate during the day, from 6 am to 6 pm, for the service of food and non-alcoholic drinks only. Hotel restaurants will be able to operate beyond 6 pm, but only for residents and without alcohol.



The reason why we are not closing indoor hospitality completely is that we know the benefits in terms of reducing loneliness and isolation and of giving people, particularly those who live alone, somewhere that they can meet a friend for a coffee and a chat. However, the restrictions will be strictly applied, and all the current regulations and the limits on meeting a maximum of six people from two households in indoor public places will still apply.

Again with the exception of the central belt areas that I will mention shortly, bars, pubs, restaurants and cafes can continue to serve alcohol outdoors up to the existing curfew time of 10 pm, and subject to the 6 and 2 rule on group size. It is important to stress that there will be an exemption to those rules in all parts of Scotland for celebrations that are associated with specific life events, such as weddings that are already booked and funerals. The current rules for those will continue to apply.

Those are the new measures that will take effect nationwide. However, because of the significantly higher levels of infection in the central belt, we are introducing stricter restrictions in the following five health board areas: Greater Glasgow and Clyde, Lanarkshire, Ayrshire and Arran, Lothian and Forth Valley. In those areas, all licensed premises—with the exception of hotels, which will remain open for residents—will be required to close indoors and outdoors, though takeaways will be permitted. Cafes that do not have an alcohol licence will be able to stay open until 6 pm to prevent social isolation. In addition, snooker and pool halls, indoor bowling alleys, casinos and bingo halls will close in those areas for two weeks, from 10 October.

Contact sports for people aged 18 and over will be suspended for the next two weeks, with an exception for professional sports. Indoor group exercise activities will not be allowed, although the current rules will remain in place for under-18s. Gyms can remain open for individual exercise. Outdoor live events will not be permitted in those five regions for the next two weeks.

Finally, we are asking people who live in those five health board areas to avoid public transport unless it is absolutely necessary—for example, for going to school or to work, if homeworking is not an option. We are not imposing mandatory travel restrictions at this stage and, specifically, we are not insisting that people cancel any half-term breaks that they have planned. However, in general, we are advising people who live in Greater Glasgow and Clyde, Lanarkshire, Ayrshire and Arran, Lothian and Forth Valley not to travel outside the health board area that they live in if they do not need to. Likewise, people in other parts of Scotland should not travel to those areas

if they do not need to. More detail of all that I have just set out will be available on the Scottish Government website.

I want to set out some of the reasoning behind those decisions and, in particular, the focus on hospitality. I know that the vast majority of pubs, bars and restaurants have worked exceptionally hard over the past few months to ensure the safety of their staff and customers. I am deeply grateful to them for that, and I know how tough the albeit temporary restrictions are for the hospitality sector. However, the evidence paper that has been published today sets out why such settings present a particular risk.

The R number seems to have risen above 1 approximately three weeks after the hospitality sector opened up and, of those people contacted by test and protect, more than one fifth report having visited a hospitality setting. That does not absolutely mean that that is where those people got the virus, but it shows that such settings pose a particular risk of transmitting the virus.

That makes sense from what we know about how the virus is spread. Indoor environments, where different households from different age groups can mix, inevitably present a risk of transmission. That risk can be increased, in some hospitality premises, if good ventilation is difficult and if it is hard to control the movement of people. Of course, the presence of alcohol can affect people's willingness to physically distance.

For all those reasons, significantly restricting licensed premises for 16 days temporarily removes one of the key opportunities that the virus has to jump from household to household—we have already restricted the other key opportunity of transmission, which is within our homes. Restricting those opportunities is an essential part of our efforts to get the R number back below 1.

It is worth noting that many other countries are now introducing restrictions on hospitality, no doubt for the same reasons. Ireland, France, Germany and Belgium have announced a variety of measures over the past few days.

Earlier, I mentioned that one of the things that we are trying to do is balance the public health harm that is caused by Covid with wider economic and social harms. I know that although the measures that we are proposing are temporary, they will have a significant impact on many businesses, and I am sorry for that. Since the Government is placing an obligation on businesses, we have an obligation to help them financially. I can announce that we are immediately making available an additional £40 million to support businesses that will be affected by the measures over the next two weeks. We will work with the affected sectors, especially

hospitality, in the coming days to ensure that the money provides the most help to those who most need it and that it gets to them as quickly as possible.

For the rest of this month, businesses can still use the United Kingdom Government's job retention, or furlough, scheme. However, it now requires a significant contribution from employers, so one of the things that we will discuss with businesses in relation to our support package is how we can mitigate some or all of that contribution.

As I have indicated, our intention is that the additional measures will be in place for just over two weeks, incorporating three weekends, from 6 pm on Friday—for the hospitality sector—until Sunday 25 October. We will, of course, keep the situation under review between now and then, and we will keep the Parliament updated.

We hope that the restrictions that are already in place and those that I have announced today will stem the increase in the number of new cases, but I cannot stress enough that, fundamentally, that is down to us all. The more that we comply with all the restrictions and advice, the more effective they will be.

As we want the measures to be temporary, it is important that we use the next two weeks to prepare, protect and prevent in order to further strengthen our resilience and ability to live alongside the virus. Therefore, I confirm that, over the next period, we will also take the following steps. We will introduce regulations to extend the mandatory use of face coverings in indoor communal settings, which will include, for example, staff canteens and corridors in workplaces. We will take action to strengthen compliance with the different strands of the FACTS advice, particularly focusing on areas where, as we know from our research, compliance is not yet high enough, such as the need to self-isolate.

I confirm that, from this weekend, we are asking shops around Scotland to return to 2m physical distancing and to reintroduce the mitigations that they put in place earlier in the pandemic, such as one-way systems in supermarkets.

We will work across all other sectors to review and, where necessary, tighten the guidance on and regulation of their operating practices.

In addition, over the next two weeks, we will conduct a further review of our testing strategy, setting out the further steps that we will take to expand capacity—already well under way—to build resilience and to extend testing to more individuals and groups of people in our society who do not have symptoms.

Finally, we will finalise a strategic framework, setting out the different levels of intervention that can be adopted in future, either locally or around Scotland, depending on how the virus is spreading. We very much hope to align the broad framework with those that are being considered by other UK nations, although each nation will take its own decisions on implementation. Subject to the Parliament's agreement, we will put the strategic framework to a debate and vote in the Parliament in the week after the October recess.

I am well aware that the measures that I have outlined today are disruptive to many businesses—especially hospitality businesses—and will be unwelcome to many people across the country. However, although they are significant, as they need to be in order to make an impact, they do not represent a lockdown. In fact, they are designed to reduce the likelihood of a future lockdown.

We are not requiring people to stay inside all day, as we were earlier in the year. Schools will stay open. Learning will continue in our universities and colleges. Shops will continue to trade. Businesses such as manufacturing and construction will continue.

The new restrictions are intended to last for 16 days. They are intended to be short and sharp action to arrest a worrying increase in infection. However, although they are temporary, they are needed. Without them, there is a very real risk that the virus would run out of control by the end of this month. With them, we hope to slow down its spread. That will help to keep open schools and businesses, including hospitality businesses, over the winter. Fundamentally, it will also save lives.

I ask everybody across the country please to follow the new rules and continue to take the other basic steps—difficult, but basic—that we know will protect you and each other. Please do not visit each other's homes, for now. Work from home if you can. Download the Protect Scotland app if you can and have not already done so. Of course, also remember FACTS: face coverings; avoid crowded places; clean hands and hard surfaces; 2m distancing; and self-isolate and get tested if you have symptoms.

Sticking to all of that is not easy. After seven long months, it is harder than it has ever been. However, it is essential. It is the best way to look out for each other. Now, more than ever, we all need that spirit of love and solidarity that has served us so well.

Hard though it is to believe it right now, all the hard sacrifices that we are making will hasten the brighter days that lie ahead. The pandemic will pass, so let us do all that we can to help each

other through it. Let us stick with it and, above all, stick together.

My thanks again to everybody, across the country, for everything that you are doing.

**The Presiding Officer:** The First Minister will now take questions.

**Ruth Davidson (Edinburgh Central) (Con):** I thank the First Minister for advance sight of her statement.

Fifteen days ago, when the First Minister announced the reintroduction of national restrictions for the first time since lockdown had started to be lifted, I said that the Scottish public were steeling themselves for a long, hard winter.

In the past fortnight, people have not been allowed to visit friends or family in their homes; the number of households that they can meet in public spaces, both indoors and out, has been curtailed; businesses that were looking to reopen have remained closed, and those that had been allowed to trade again have seen their hours cut. For many, that has been a bitter pill to swallow, but they have done it, and have done it because they were told that, if they did, it would stop the rise in infections that we had started to see.

People are now being asked to give up even more. They can see that cases are rising, and they are willing to act, to stick by the rules and to do their bit. However, we need to acknowledge that the First Minister's announcement today is putting further massive restrictions on people's lives and livelihoods.

In the weeks ahead, the whole country will be in the firing line, perhaps no more so than in Scotland's hospitality sector. Like other small businesses, the sector is looking to the First Minister for a clear statement of what support it can expect. Yesterday, the Federation of Small Businesses in Scotland said:

"The bare minimum that those in business expect is for the Scottish Government to set out their new package of help at the same time as they detail any new restrictions."

Today, we have had the headline figure, but we do not have what small businesses really need: the details. They cannot afford to wait. Many are running on empty; all reserves are gone. They want to know today how much their business can apply for; how they apply; and how long it will take for any money to reach them.

**The First Minister:** Those points and questions are all perfectly legitimate.

I know how tough this is for people. I am aware of that, in every single decision that I take. They are horrendously difficult decisions to take, but that is as nothing compared with how difficult it is to live with their consequences. There is not a

moment of any day when that is not very much in my mind.

Before I come on to hospitality and businesses, I say that we are seeing a rising tide of infections across the UK and across Europe and the world. This is still an accelerating global pandemic. It is very difficult, and feels incredibly difficult for people right now. It is important not to underplay that. However, it is equally important not to underplay the progress that we have made, which allows us to have much more freedom now than we did in lockdown earlier in the year. It is important that we stick with the restrictions, in order to preserve that.

I pay tribute to and thank—I am sure that I do so on behalf of people across the country—the test and protect teams, which are doing so much work in every part of Scotland to bear as much as possible of the strain of controlling the virus. That is a significant step forward from the position earlier in the year.

I will make two points about hospitality. Ruth Davidson referred to small businesses, but hospitality businesses are particularly affected by my announcement. What I will say is not intended to criticise decisions that other Governments have taken, because we have taken such an approach to an extent with the 10 pm curfew, but the tendency in recent weeks has been to keep hospitality businesses open while restricting more and more what they can do. That might mean that they feel as if they are all but closed, but financial support is not being given to help them. We have decided today to take a more honest position; we are restricting hospitality further but offering significant additional financial help. That is a more honest and straightforward way of treating the sector.

The question about the package is important. I have made it clear that significant additional funding will be made available. Yesterday, I looked at options for allocating the money and decided to take a day or so after the announcement to consult the sector, so that we can hear how it thinks the money would be best allocated, what the priorities for it are and what package would best meet its needs. I do not want that process to take a long time but, given the impact on the sector, it is important to allow it to have such input. As was the case with Aberdeen, we then want the money to flow quickly to affected businesses.

We must recognise that the restrictions that have in recent weeks been placed on hospitality in all parts of the UK have not come with additional financial support. We are changing that today and ensuring that the burden that such businesses will bear in the next two weeks is reflected in the support that we provide.

**Richard Leonard (Central Scotland) (Lab):** I thank the First Minister for advance sight of her statement.

The hospitality sector is not Sodom and Gomorrah, and it should not be treated as such. Why does the First Minister not consider closing businesses that do not comply with guidance instead of shutting every business—businesses that serve 70 per cent of the population and include those that comply fully? Where is the evidence that Covid is spreading in all hospitality settings to warrant a blanket ban on all such establishments? What are the terms for the review after the initial 16 days? How will the Government distribute the £40 million for mitigation for hospitality businesses that are forced to shut? If the First Minister is having a consultation, will she speak to trade unions? Will she take it into account that every worker and every business should be covered for all their losses, including young workers, many of whom are on minimum hours or zero-hours contracts?

**The First Minister:** I will touch on Richard Leonard's questions about finances. I said in answer to Ruth Davidson that we are taking a day or two to talk to the sector so that we allocate the money in the way that it thinks will best help affected businesses. It is important to do that.

Let me stress that we are digging deep to provide support, because we think that that is the right and necessary thing to do, given the restrictions that are, inevitably, being announced today. We are also seeking to work with the UK Government for additional support to be made available across the four nations—the other devolved Administrations are pressing that point again—for any steps that we have to take in future, because our budget is finite and it is not possible for us to continue to take such compensatory steps beyond where we are right now.

Of course we will talk to the trade unions—we talk to the trade unions in everything that we do—but we want to ensure that the money gets to businesses as quickly and effectively as possible.

On the point about evidence, I do not know whether Richard Leonard has had the opportunity to see the evidence paper that the chief medical officer, the chief nursing officer and the national clinical director prepared and published today—he perhaps has not had the opportunity, because it was published shortly before my statement. The paper looks at the evidence that we are putting forward for the focus of these restrictions. This is not hospitality's fault; nobody is pointing the finger of blame.

Two things are important to point out. One is that, because genomic sequencing is required, we

cannot say—in any case of the virus, although test and protect interview people when they test positive to find out where they have been—that, because a person has been in a pub or restaurant, they caught the virus there. However, it shows that there has been an exposure and that they have been somewhere that they could have caught it, or transmitted it when they were positive.

The other is that because of some of the characteristics of hospitality—sometimes there is poor ventilation, or places in which people with alcohol are mixing more and not maintaining physical distancing, even in premises where a significant effort has been made to comply with all the regulations, as the vast majority have done—these are higher-risk settings for the virus to transmit.

If we want to make a big impact on arresting the rise in cases, there are two things that my advisers say we have to do. We have to limit interaction between households in domestic settings—that is what we have done—and limit interaction between different households and between people generally in other settings in which they are likely to come together. Obviously, that includes hospitality.

None of this is easy or straightforward, and there are no straightforward, easy solutions. However, we must arrest this increase to have and retain as much normality as we can for individuals and businesses as we get deeper into the winter.

On the review, it is our firm intention that these measures will be lifted at the end of two weeks. I am not saying that I will first come back to Parliament and say that; they will be lifted at the end of the two-week period. Obviously it stands to reason that we will monitor the virus between now and then, and if there are any changes to any of that, we will report to Parliament. However, our intention is that these are time-limited measures.

**Patrick Harvie (Glasgow) (Green):** Absolutely everyone will recognise that these new restrictions are regrettable, but, in the face of the rising number of infections, I believe they are necessary. However, the situation reinforces the need for continued support for people's incomes—workers' incomes, not just the incomes of business owners.

The job support scheme is clearly not a sufficiently flexible replacement for furlough, given the need for local and national measures to meet Scotland's particular circumstances. Therefore, I endorse the call on the First Minister to ensure that the £40 million that she has announced is not only available for business owners but supports the employees in hospitality businesses whose incomes will be affected.

I also note the success that people around the world have seen in New Zealand. By showing

strong leadership—leadership that I think we should follow—it has, for the second time, achieved elimination of community circulation of this virus. It is now able to lift restrictions because they were imposed quickly and clearly enough to drive down infections. That is a lesson that we and other countries should take seriously.

I also welcome the review of testing that the First Minister announced. As the First Minister knows, the Greens have persistently raised that issue with the Scottish Government.

We are all aware of the shortcomings of the UK testing system. Will the First Minister tell us more about the work that is being done to build capacity in NHS Scotland to conduct that testing, and does she agree that the review that she has just announced must look at a wider role for regular, routine testing of groups within the population?

**The First Minister:** Let me address each of those points. First, on the point about giving support to workers as opposed to only businesses, I absolutely agree. In my statement, I specifically said that one of the things that we want to talk to businesses about is ensuring that our financial package can help with the contribution that businesses now have to make to the job retention scheme, which is greater than it was in weeks gone by.

For the rest of this month, businesses can still make use of that scheme and re-furlough workers, but they have to pay a bigger contribution. Therefore, we hope that the package will help make a contribution to that, which will, by extension, help employees of those businesses.

It is absolutely imperative that we see further action from the UK Government on support for wages for businesses that will continue to be affected by Covid. It is also important that it gives further financial support, not only to Scotland but to Wales, Northern Ireland and parts of England, when restrictions have to be imposed.

This week, there have been positive four-nations discussions about that, and I hope that we will see progress in the not too distant future.

On one level, I very much agree about New Zealand—I think that there is a lot to admire about it generally and about its current leadership, although I probably should not go too much further than that, given that there is an election there at the moment. However, New Zealand has not been without its trade-offs. Every country is making trade-offs. Although New Zealand has a different approach domestically, its borders are completely closed and people cannot go in or out without, at the very least, observing very strict quarantine. Obviously, we are not geographically the same as New Zealand, and there are different issues at play, given Scotland's integration not just with

other parts of the UK but with Europe more generally. No two countries are identical. We look to learn from all countries where we can, but we have to adapt to our circumstances, which is what we are seeking to do.

We are in the process of creating a number of regional hubs that will significantly increase NHS testing capacity. We are already transferring care home testing to the NHS in order to give us more capacity through the UK system. The increased NHS capacity will give us more scope to expand regular routine testing of asymptomatic groups in the population, where that is clinically advised—I will keep stressing that point. We are already looking at further groups in the NHS and we will consider that for the wider population as well, but it is important that any such testing is clinically advised, and my clinical advisers would say that it does not always make sense to do it in every part of the population. However, once we have carried out the review that I referred to, we will update the Parliament on the next steps that we will take.

**Willie Rennie (North East Fife) (LD):** I have personally complimented the First Minister on her communications, and I continue to support the cautious approach. However, like many people across the country, I am now frustrated and disappointed. Why have we had rumours and hints of greater restrictions for weeks but no up-front evidence or debate? We now have a new set of complex measures that are being rushed through in a matter of days, with little evidence of the likely impact. What has happened to the route map, and what now for the elimination strategy?

People made sacrifices for longer here, but the Government did not use that extra time well to get ready. For instance, why has it taken until now to agree to asymptomatic testing? To many people, the approach no longer feels like a strategy; it feels like a series of knee-jerk reactions. I want to work with the First Minister to get it right, but we need a new route map that is endorsed by the Parliament and that everyone can understand. Will she agree to that?

**Nicola Sturgeon:** Not only will I agree to it, but I announced in my statement that, the week after the October recess, we will bring a new strategic framework to the Parliament for debate and a vote. All four UK nations are working on similar approaches. We hope to align with a strategic framework, although it will be down to each nation to decide which levels of it are implemented in which nation or in different parts of each nation. That will come to Parliament the week after the October recess.

I understand that people are frustrated and depressed. I share the frustration and depression about all of this situation, although I understand that it is much harder for many people across the

country than it is for me. However, as I keep saying—it is a statement of the obvious—we are in a global pandemic.

On the specific and legitimate points that Willie Rennie raised, I constantly have a debate in my mind about the balance to strike in relation to being open and discursive with people before we reach decisions in order to give an insight into the challenges that we are grappling with and the factors that we are taking into account. That is what we have done over the past couple of weeks. That can lead to speculation running away from us, which, again, is understandable. The alternative to that would have been just to keep it all to ourselves and then come here today and announce things without any open discussion of the challenges.

We will continue to try to get that balance right. Increasingly, measures are complex but, again, there are difficult balances there. We can be simple and hard or we can be a bit more targeted but recognise that the price of that is a bit more complexity. In our judgment, we had to do what we have done for the central belt today. The simple thing to do would have been to apply that across the country, but that would have been much too hard for the non-central-belt parts of the country. That is where some of the complexity comes from.

I have tried to articulate the elimination strategy to Willie Rennie before, and I will have a brief go at doing so again. It has always been our strategy to eliminate the virus in the sense of getting it to the lowest possible level. The challenges of doing that ebb and flow, depending on the range of restrictions that we have in place and are prepared to live with; in addition, of course, we now have the winter effect. It is still our objective to get the virus to the lowest possible level—in fact, the Governments of the four nations of the UK are now signed up to a strategy that is about suppressing the virus to the lowest possible level. That is why we are putting additional restrictions in place. If we were happy to let the virus spread of its own free will, we would not be doing that. It is because we suppressed the virus so far over the summer that, although we are in a difficult situation at the moment, we are not in an out-of-control situation. We would already have been in such a situation if we had not suppressed the virus so far in the summer.

On asymptomatic testing, we test asymptomatic groups: we test workers in care homes every week, regardless of whether they are symptomatic, and we test groups of NHS staff, regardless of whether they are symptomatic. We also do surveillance testing. Driven by clinical advice, what we are going to do now—we had always intended to do this, because we regularly review our testing strategy—is look at where we

can go next to extend testing to asymptomatic groups of the population. As I said to Patrick Harvie, we will update the Parliament on that once we have had the opportunity to do the review.

**The Presiding Officer:** As many as 17 members would like to ask a question, so I hope that we can make progress.

**Annabelle Ewing (Cowdenbeath) (SNP):** The evidence paper that has been published by the chief medical officer today makes a compelling case for action, and today's case numbers show that, sadly, there is indeed a need to act urgently. Is the First Minister content that the package of measures that she has announced today goes far enough in seeking to bring the virus under control?

By way of context, I mention that, this afternoon, it was announced that all pubs and cafes in Brussels are to close completely for one month.

**The First Minister:** Annabelle Ewing is absolutely right in what she said about Brussels. Earlier this week, the Irish Government decided, in effect, to close indoor hospitality venues in all parts of the Republic of Ireland; I think that, in Dublin, outdoor hospitality venues are closed, too. Therefore, we are not out of step. Many countries are having to take such difficult decisions. I think that it is better to be firm in taking them and to take them early in an attempt to arrest the spread of the virus than it is to wait longer and find that that is much more difficult to do.

Annabelle Ewing asked whether I am confident that the measures that we have taken will get the virus under control. What we are seeking to do with the very restrictive measures that are in place with regard to household interaction and hospitality is reduce the risk of transmission in the highest-risk settings. That is very much about arresting the growth in cases and starting to bring the virus back under control. If those measures are to succeed and we are to bring the virus back under control and keep it there, all of us will need to continue our efforts. As well as adhering to the specific restrictions that I have announced today, all of us must ensure that we continue to work from home if possible, that we comply with all the aspects of test and protect—self-isolation in particular—and that we follow all the other strands of the FACTS campaign. Strengthening compliance will be one of our other objectives over the next two-week period.

**Donald Cameron (Highlands and Islands) (Con):** The First Minister said that household transmission is the principal way in which the virus is spread. She said that the restrictions to reduce that should be making a difference, but that is not yet reflected in the figures. Household restrictions were introduced in the Glasgow City Council area and two other local authority areas six weeks ago.

Given that timeframe, is the First Minister able to comment on whether those household restrictions are effective?

**The First Minister:** The public health experts who advise the Government tell us that they think that there is evidence of those measures being effective; there is evidence that the measures that have been in place for longer in those west of Scotland areas have blunted the increase in cases.

However, the public health experts also say that the data is complicated—in the NHS Greater Glasgow and Clyde area, in particular—because of the large outbreak among students that we have seen in recent weeks. They believe that the evidence exists; is just that it is not easy to see in the overall data because of various factors that are in play.

I understand that the chief medical officer and the national clinical director—I will be corrected if this has not yet been set up or confirmed—will offer a briefing to party leaders or their representatives later on, in which they will be happy to go into some of the detail of the data, if that would be of interest to members.

**Kenneth Gibson (Cunninghame North) (SNP):** The First Minister mentioned a number of countries that have been looked at in relation to the hospitality sector. Given the varying rates of Covid-19, and how it is growing and spreading a lot faster in some countries than in others, what can be learned from other countries about how to tackle the pandemic? Are there any countries in particular that the First Minister feels we should look to?

**The First Minister:** We look at a range of countries across Europe and further afield. I think that there are things that we can learn from many countries, but all countries are having serious challenges with the pandemic.

New Zealand has been mentioned. We have tried to learn from its focus on driving the virus down to the lowest possible level, although the circumstances there, particularly in terms of geography, are very different from ours.

We have looked at actions that have been taken in some European countries in recent times to try to limit the disease's spread. Again without criticising the Government in any other country—because, my goodness, we are all struggling with this—to be frank, I say that one of the lessons that I would draw from France and Spain is that action was perhaps not taken quickly enough to do some of the things that we are talking about to bring the disease's spread more under control. Of course, I do not know all the detail of what those countries are doing.

We try to look for the positive things but also for things to avoid. However, this is a global pandemic that is still accelerating in most parts of the world. All countries are struggling with it, so we all have to continue to learn from each other as best we can.

**Jackie Baillie (Dumbarton) (Lab):** Contact tracing is crucial to preventing the spread of Covid-19. Two cases have been reported to me this week. In one, the person tested positive for Covid-19, but five days later he had not been contacted. The other person was in direct contact in a car, for at least an hour, with someone who tested positive. A week later, he had not been contacted to be told to self-isolate. The latest data tells us that a third of people are not being contact traced within 48 hours, and my constituents waited longer. If people do not know, they do not self-isolate, so the virus spreads.

One health board recruited contact tracers on the basis of there being seven cases a day. On Monday, they dealt with 130 positive cases. Is not it the case that not enough contact tracers have been recruited to cope with existing demand? How many more contact tracers will be in place by the end of the month, when restrictions are lifted?

**The First Minister:** No—that is not the case. We have resources in place across the health boards. We also have the national contact tracing centre that assists health boards, and we will continue to expand that resource as and when we need to. I have already set out many times what we did in creating the pool within health boards then replacing that pool with permanent recruits along the way. That capacity is in health boards.

I say to Jackie Baillie—and, in fact, to all members—that, if they are being contacted by constituents who believe that they should have been contacted by test and protect but have not been, those constituents should not wait to tell us that, but should get in touch so that we can follow it up straight away.

**Jackie Baillie:** I have.

**The First Minister:** Good. I will make sure that that is followed up.

We have expert test and protect teams across the country. What we are finding—the information is publicly available, so people can compare and contrast different parts of the UK—is that more than 90 per cent of index cases' contacts are being successfully traced and followed up from the minute a positive case goes into the case management system. That is very positive.

Of course, there will be difficulties in some cases, and sometimes errors will be made. No system is absolutely infallible, but test and protect is working really well and it deserves our credit

and gratitude. There are issues, but things have improved and we continue to work with the UK Government to make sure that the time from a person's being tested to the result going into the case management system is as short as possible, and that turnaround times continue to improve.

Test and protect teams are doing a great job; I really do think that they deserve our support and our thanks.

**David Torrance (Kirkcaldy) (SNP):** Self-isolation can be incredibly tough, but it is essential in order to reduce the spread of coronavirus and, ultimately, to save lives.

However, people should not have to make the choice between self-isolating and supporting themselves financially. What support is the Scottish Government providing at this challenging time to ensure that people do not fall into financial hardship? Will the Scottish Government continue to press the UK Government for clarity on consequential funding for the support scheme that was recently announced?

**The First Minister:** The support scheme is the key way by which we will help people on low incomes to self-isolate if they are asked to do so. It is a payment of £500 that will be administered through the Scottish welfare fund, and will be targeted particularly at people who are on universal credit, although some flexibility will be needed in order to reach others who are in need.

We are also working with local authorities to make sure that everybody who is given advice to self-isolate is proactively contacted, so that if they need help with delivery of food or medicines—even if they do not need financial help—that can be provided. We are asking people to do a very difficult thing in self-isolating for 14 days, so it is essential that they have the help that is needed.

We continue to pursue consequential funding for the support scheme with the UK Government. As I said earlier, we are in discussions about additional support that we think will be necessary, and about reconciliation of the consequential funding that has been made available for the pandemic so far. That money is being fully utilised in Scotland, so any new scheme, such as the support scheme, requires additional support through the consequentials stream.

**Jamie Greene (West Scotland) (Con):** The First Minister confirmed that the additional restrictions will be in place until 25 October. What happens after that date will be of equal importance and interest. Will the whole of Scotland return to the current levels of restrictions, or will higher-level restrictions be maintained in some or all of the country? More important, whatever is decided, when and how will businesses and the general public know what the restrictions are? If we are

going to close businesses, if nothing else we owe them the decency of adequate notice of when they can re-open.

**The First Minister:** Jamie Greene has done me a service, because I did not mention, as I should have, that, as things stand, when the additional restrictions cease on 25 October, we will go back to the current level of restrictions. The household restrictions will remain in place; the hospitality restrictions will end. I am not going to stand here and give a 100 per cent guarantee and say with certainty that nothing in a global pandemic will change over those 14 days, but that is our firm intention, now.

On how we will update people, particularly over the recess, I give a daily update, despite the best efforts of some people. I do that so that I can give information directly when we are changing restrictions, in order that people know the rules that we are asking them to follow. I have no plans to stop that over the October recess.

**Stuart McMillan (Greenock and Inverclyde) (SNP):** Can the First Minister comment on plans to support hospitals, such as the Inverclyde royal hospital in my constituency, in dealing with the normal increase in patient admissions over the winter months while they must also support patients who are admitted with Covid symptoms?

**The First Minister:** All hospitals are being supported to ensure that they have capacity to deal with Covid-related admissions. The figure that I gave today for hospital admissions for Covid should make us all sit up and take notice. Once again, more than 300 people are in hospital with Covid.

However, we are also supporting hospitals to make sure that they can remobilise and care for people with non-Covid needs. The Cabinet Secretary for Health and Sport is working very closely with the NHS on remobilisation and winter planning. I think that she will make a statement to Parliament in the week after recess with an update on all that work.

**Iain Gray (East Lothian) (Lab):** Earlier this week, I spoke with senior management of Greene King, which owns Belhaven brewery and pubs and is based in East Lothian. It reported that only a handful of test and protect contacts had been raised with its many premises. The First Minister's evidence for today's measures says that one in five contacts had been to a hospitality setting. Can she say how many that actually was?

**The First Minister:** I cannot do that off the top of my head, but I will be able to give Iain Gray that figure later. Some of the material is in the evidence paper that we published today. Members will be able to see the relative figures.



It is really important to stress—this is part of the difficulty; I am trying to be genuinely helpful—that when the test and protect team interviews somebody, that person will say, as we can imagine from our own lives, “Yesterday I was here, the day before I was there and this morning I have been here.” There will be multiple possible exposures. It is not the case that, because somebody has been in a pub, we assume that they necessarily got it in a pub. It is a possible exposure, and the percentage of people who mention being in hospitality settings shows that those are places where people, if they have Covid-19 without knowing it, are at risk of transmitting it.

I will see whether we can get the actual figures for Iain Gray later on. I apologise—I do not have them at the front of my mind right now.

**The Presiding Officer:** Joan McAlpine is joining us remotely.

**Joan McAlpine (South Scotland) (SNP):** This week, I met the Scottish hospitality group, whose members employ thousands of people in my constituency and beyond. The businessmen argued that well-run hospitality is safer than household socialising. Does the published clinical research support that? They also said that the restrictions would mean permanent closures and redundancies, so I welcome the £40 million package of support.

Given the disproportionate effect of the restrictions on hospitality businesses compared with other businesses, such as supermarkets, which profit from the closure of hospitality venues, how will the Scottish Government engage with the hospitality sector, including the Scottish hospitality group, on how the money allocated to support it will be distributed?

**The First Minister:** That engagement will take place very quickly with the key stakeholders in hospitality. We are not talking about a complicated and lengthy consultation, but about ensuring that the money is allocated in a way that the sector thinks is appropriate and will deliver the best help.

On the question whether hospitality is safer than households, I am not sure that we can describe anything as 100 per cent safe in the context that we are in with the virus, but we have always accepted that regulated environments present fewer risks than unregulated environments. That is why we have restricted interactions within people’s own homes first of all.

However, we also know that, in other settings where people come together, households mix and there are people of different age groups, and where ventilation is perhaps not particularly good, and—I do not mean this in a pejorative or judgmental way in any sense—alcohol is involved and people are disinhibited, it can be more difficult

to physically distance. All of that means that, not through their own fault but simply because of the nature of the environment, hospitality settings are places in which people who have the virus are more likely to transmit it than they would be walking around a supermarket.

That said, there is a need for supermarkets—I indicated this in my statement—to go back to some of the more stringent mitigations that they had in place earlier on in the pandemic. That is why we are asking them to return to 2m physical distancing.

**Maurice Golden (West Scotland) (Con):** How was the additional £40 million in business support calculated? Will it be enough to safeguard every job and business impacted by the restrictions? On what date will the first of those businesses receive funding?

**The First Minister:** I am not going to give the date yet, because we have not had the discussion with the sector that I have already talked about. However, we want that money to go to businesses as quickly as is feasible. It is in nobody’s interests for that to be any other way.

On how the figure was calculated, obviously we have made assessments of the number of hospitality businesses and the kind of restrictions involved, and the remainder of the furlough. However, I will be brutally honest: the money is to some extent limited by the availability of funding in the Scottish Government. That is why I hope that Maurice Golden and his colleagues will join us in making the case to the UK Government for the need for greater consequential to allow us to do more.

We believe that that support will significantly help hospitality businesses, given that the measure is temporary. Obviously, if the measure were extended—I do not intend that, and I hope that it will not be—we would need to look at things again. However, the fund is intended to mitigate losses over a two-week period.

**Richard Lyle (Uddingston and Bellshill) (SNP):** The First Minister has always been clear that the Government would seek a balance between protecting health and the wider costs of lockdown to the economy and people’s lives. We are facing the most difficult decision point yet if we want to settle and suppress the virus ahead of the winter. Can the First Minister outline the rationale and the scientific basis that drove the Scottish Government’s decision, as set out in her statement?

**The First Minister:** The rationale and the basis for that are set out in the evidence paper that I have spoken about, which I have tried to summarise in the remarks that I have made.

I am not a scientist or a public health expert, and one of the difficult things that I have had to learn over the past few months is that science takes us only so far in any of these decisions. I think that all of us as decision makers strive for a situation in which science will make the decisions for us, but it cannot. Basically, it tells us how the virus spreads, where it is most likely to spread and what can be done to mitigate it; we then have to make difficult decisions on the basis of that. There are limited things that we can do to try to stop the virus spreading; the most important thing is that we do all of them.

That is down to all of us as individuals; there is also the burden that is being borne by some businesses across the country. The good news is that, if we do all those things, we know from the summer that we can suppress the virus. That is the challenge for us, albeit in more difficult circumstances, because we are not in strict lockdown and the weather and winter challenges will be different. However, we have other things to bring to bear, such as test and protect. If we all do what we are being asked to do and test and protect does the rest for us, we can bring the virus back under control. I am as certain of that as it is possible to be during a global pandemic.

**Colin Smyth (South Scotland) (Lab):** The First Minister said that she is providing additional funding to support businesses that are affected by today's measures, not least hospitality and tourism, which face decimation.

Does the First Minister understand that, even before today, many businesses were already crippled because of existing restrictions that prevented them from opening, including outdoor residential education, soft play centres and many more? What support will those businesses get as a result of the announcement today? How far will the £40 million go? For example, will it include gym instructors who will no longer be able to provide classes?

**The First Minister:** I do not underestimate the impact of any of the restrictions. I remind members that, in saying that, I am not trying to minimise the impact, but it is important to remind people that, with gyms, for example, we are talking about a two-week period. The fund is there to mitigate, as far as it can, losses that result from the measures that we have announced today, including for any business that is affected by those measures.

I am acutely aware of the impact across other sectors that are not affected by what we have announced today but which continue to be affected by previous decisions.

We are trying to make the available funding that we have go as far as possible, but it is finite. I keep making that point because it is a statement

of fact. I hope that members across the chamber, regardless of politics or affiliation, will get behind us as we make the case to the UK Government that significant additional financial support is needed for many sectors across the economy.

**Mike Rumbles (North East Scotland) (LD):** Without saying so, the First Minister believes that it is the consumption of alcohol indoors in hospitality settings that is a major cause of the spread of the virus. Could she publish the evidence that has led her to that conclusion?

Why do cafes, pubs and restaurants have to close completely for 16 days—for instance, they could voluntarily accept a ban on alcohol and concentrate on food and soft drinks instead—whereas cafes that do not have a licence and ordinarily sell food and soft drinks can remain open? That does not seem to me to be logical or make sense. Could the First Minister consider giving cafes, pubs and restaurants the option to remain open if they so choose, as long as they remove alcohol?

**The First Minister:** They will have that option outside the central belt. We have to take tougher measures in the central belt, because this is also about limiting the volume of people coming together. That is why we are going further in the central belt than we are going elsewhere.

Trust me—I am not trying to make judgmental statements about alcohol. People say—and I understand this; I demand it all the time of the Government's clinical advisers—"Give us the evidence." However, we get to a point where some of this is just common sense. We all know that, in certain circumstances, complying with certain restrictions is more difficult. [*Interruption.*]

Mike Rumbles is saying that there has to be evidence. There is a lot of evidence, and we are publishing a lot of it today. Scientists across the world are publishing evidence all the time. I am not saying that evidence is not important—it is crucially important; I am making the obvious point that there are some matters to which we also have to apply our common sense.

At the heart of this is an infectious virus. We know how it transmits, so we know how to try to stop it transmitting, and we know the circumstances in which it is more difficult than in others to do that.

Evidence is important, and we are publishing as much of that as we can, but, ultimately, we all have to apply a bit of good old-fashioned common sense as well sometimes, and we are trying to get the balance around that as right as possible.

**Maureen Watt (Aberdeen South and North Kincardine) (SNP):** We have heard that the UK and Scottish Governments are considering moving

to a levels-based approach, which could be applied nationally or regionally. Does the First Minister agree that one way to solve the financial problems could be that moving to specific levels of restriction would trigger support from the Treasury? Would she urge the UK Government to look at that approach?

**The First Minister:** Yes, I would. That is a very sensible way of looking at it. The good news is that that discussion is under way. It is still at a reasonably early stage, but it is quite positive on a four-nations basis. It is about an aligned strategic framework under which financial support is triggered by the level that an area is at, although it would be for the Governments in each of the four nations to decide which level all or part of each of our countries was at at any particular time.

Ireland has a five-level system. If we had levels—although I am not pre-empting the level that we will put to Parliament, because discussions are still to be had on that—we would probably be at around level 3, as Ireland is. That is the kind of approach that we are working on across the four nations, and I hope that Parliament will be able to debate that early after the recess.

**Annie Wells (Glasgow) (Con):** First Minister, in your statement you said that people in the five central belt health boards could not travel outside their health board areas. However, many people across the country will not be aware of what constitutes the health board that they are living in. What advice will the Scottish Government be giving to people on the territorial extent of the health board that they are living in and on where they can and cannot travel to? Can you also set out how preventing travel between health board areas will be enforced?

**The First Minister:** Very specifically, I did not say that people “cannot travel”. We thought carefully about mandatory travel restrictions, and we are not putting them in place at this stage. I had a discussion with party leaders the other night, in which I thought that the view was expressed that, if it was possible, we should not have mandatory travel restrictions. We have tried to accommodate that view. We are not saying to people in those health board areas that they cannot travel. I am not saying to people in those areas that, if they have an October holiday break planned, they cannot go. We are saying to people in those health board areas, “Think carefully about whether your travel is essential. If you don’t need to travel outside your local health board area, don’t do it.” To people in other parts of the country, we are saying, “If you don’t need to, don’t travel into those areas.”

There are always challenges with telling people to stay in their local authority or health board area. None of us has in our head the exact geographical

boundaries. We will put advice on the Scottish Government website, with postcodes and maps of the areas for people to look at. The first time we did that was when we had local restrictions in place in Gretna and Annan. That was very successful, and we will seek to do the same now, to give people the guidance that they will be looking for.

**John Mason (Glasgow Shettleston) (SNP):** In attending churches around the country, my experience has been that they have been very strict about adhering to the guidelines, and I think that that is true of other faith groups as well. I am grateful that there are to be no further restrictions on faith groups at the moment. Can the First Minister offer any encouragement to faith groups about their continuing adherence to the guidelines and about moving forward?

**The First Minister:** I am very pleased that we have not had to impose any further restrictions, or to re-impose restrictions, on worship and faith groups. It is important that we try not to do that. I will be candid, though: it is one of the things that we had to consider for the central belt over the past few days, although I decided not to do it.

My appeal to faith groups is to be very rigorous in their application of the guidance in their places of worship—as I know they are already being—to make sure that the risks that are undoubtedly there when people come together in any setting are minimised as far as possible. If that happens, I will be very hopeful. I am very keen that, as we go through the different stages of the pandemic, we do not have to impose further restrictions on faith and worship.

**Johann Lamont (Glasgow) (Lab):** I do not know who was responsible for the kite flying and briefing over the past few weeks, but they should be ashamed of themselves, whoever they are, given the impact on those who are already fearful for their futures. I trust that the First Minister will sort those people out.

Many people will immediately be without work, and, because of the nature of their contracts, they will now be left with little or no income. What Scottish Government support is in place to directly help those workers now, many of whom are on the minimum wage and have little or no job security? They have been seeking to implement the ever-changing rules, and their reward has been a blanket ban. And what will success look like? In Glasgow, for example, the closedown coincides with schools being on holiday, so it will surely be difficult to see accurately what has caused the change if there is any.

**The First Minister:** I guess that the people whom Johann Lamont is inviting me to “sort out” are advisers to me and the Government who, right

now, are working around the clock to help this country through a pandemic. I will certainly not sort them out; I will continue to be deeply grateful for every single thing that they are doing. That was a disgraceful thing to ask of me.

I will not stop discussing openly the things that we are contemplating doing. Although I recognise the risks and the downsides to that, it is important that we are as open as possible with people across the country, not just about what we are having to consider but about the difficult balances we are trying to strike. People are capable of understanding that. This is really difficult for everybody, but the more that we can give an insight into the decision-making process and the challenges that are involved in that, the better people will be able to understand, and the better that people are able to understand, the better we can persuade them to comply with the difficult things that we are asking them to do.

**John Scott (Ayr) (Con):** I might have missed this in her statement, but I ask the First Minister to tell Parliament whether the new regulations will have any impact on the current regulations on key relatives visiting those who are in care and nursing homes, particularly in Ayrshire. If there is new guidance on visiting to be issued, when will it be published?

**The First Minister:** Before I answer John Scott, I should say that, just before I sat down, Johann Lamont reminded me from a sedentary position that I had not addressed part of her question. She asked what we are going to do for workers. I have addressed that question by referring to the financial support that we are making available. I remind her that the people that she has just invited me to “sort out” are also workers. Perhaps it would be good if she bore that in mind.

John Scott raises an important question. We hope that the current state of the virus will not have an impact on the advances we are seeking to make in visiting patients in hospitals and residents in care homes. In fact, just as this is about keeping schools open and keeping as many business open as possible, part of the reason for making these restrictions to stem the spread of the virus is to protect our ability to keep moving forward and to get much more normality into the ability of people to visit their relatives in care homes. That is really important to us, and the health secretary is taking the matter extremely seriously.

**The Presiding Officer:** That concludes questions on the First Minister’s statement. I encourage members who are leaving the chamber to be careful and to observe social distancing on leaving the chamber, particularly when going down the stairs into the garden lobby. I also encourage members to wipe down their seats if they are

leaving and another colleague is coming in. There are restricted numbers of members in the chamber at the moment, so please wipe down your seat if another member is taking your place.

## Scottish Qualifications Authority National Qualifications 2020-21

**The Deputy Presiding Officer (Lewis Macdonald):** The next item of business is a statement by John Swinney on the assessment of Scottish Qualifications Authority national qualifications in 2020-21. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

16:03

**The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney):** As we have just heard from the First Minister, further restrictions are now necessary in order to bring the R number back below 1, to stop the virus running out of control and to save lives. This is not, however, a return to the spring. We are not closing schools. Instead, keeping them open is the priority.

We all know just how disruptive Covid-19 is to the awarding of national qualifications. We found ourselves in a position in which schools closed with very little time to prepare, course work was either incomplete or inaccessible and, of course, the exams could not go ahead. We saw that there was no ready-made solution from the fact that the rest of the United Kingdom faced similar difficulties. In setting out our solution, however, the fact is that we did not get it right for all young people. We apologised and we acted to fix the situation.

This year, we have more time to prepare, but some things are still the same. The virus remains with us; it is still as virulent and it is still as infectious, so we cannot plan for business as usual—that is simply not possible. Work towards exams would normally have started in May, when the schools were still closed, so pupils have already lost a significant amount of precious teaching time and we cannot predict—no one can—how much more time might be lost to Covid-19 in the coming months. Finally, we simply do not know what the public health position will look like in spring and summer.

However, we can do three things: we can learn from last year, consult our teachers and educationalists and listen to the experts in the design of awarding systems. In every decision that we take, we can hold fast to our shared aim to build an approach that fairly and consistently recognises the hard work of individual pupils. The approach must not place undue burdens on them or on Scotland's teachers and it has to have the confidence of the public, employers and the rest of the education system. That is what we have been doing over recent weeks and I can now set out to

the Parliament the progress that we have made and the conclusions that we have reached.

We have sought to learn from last year. As I set out previously to the Parliament, I commissioned two key pieces of work. I asked the Organisation for Economic Co-operation and Development to extend the scope of its review of curriculum for excellence to include the question of the role that exams should play in a modern education system. That work will go forward in the coming months but, to inform the coming year, I asked Professor Mark Priestley to carry out an independent review to look at events following the cancellation of the examination diet. Professor Priestley has submitted his report and recommendations and I thank him and his team at the University of Stirling for their excellent work and, in particular, for the pace at which they have completed it.

We have also consulted widely. The Scottish Qualifications Authority set out its initial proposals on modifications to assessments in 2021 and it has never seen a more extensive response. Thousands of individual submissions were received, and I thank everyone who took the time to engage with that work. I have personally consulted young people, including pupils in the senior phase with whom I spent valuable time in discussion last Thursday. We have heard the views of parents, teachers and staff at colleges and universities, and the issues have been discussed with stakeholders across our education system, including those who are represented on the education recovery and qualifications contingency groups. Of course, I have also consulted medical and scientific experts. Finally, we have listened to the SQA's experts in the design of awarding systems, but also to our professional bodies, local authorities, schools and Education Scotland.

It is worth pointing out that all of that work comes at a time when the broader picture is of an education system that has successfully returned to full-time learning. Despite the virus, attendance remains at around 93 per cent for pupils. The additional safety measures and mitigations that we recommended and that teachers and staff have worked hard to put in place are working well. That has been confirmed by the Health and Safety Executive, which has now engaged with more than 500 schools on the implementation of the Covid-19 guidance. My thanks go to everyone for their exceptional efforts to reopen schools and deliver face-to-face education safely.

However, despite that progress, the virus remains the same, and the risk remains that there might be further disruptions for individual pupils, schools, colleges or more widely across the country during the course of this academic year. In that context, I have found the clear

recommendations that Professor Priestley makes, regarding the approach to awarding in 2021 of great assistance to me in making decisions.

Due to the level of disruption that has already been caused by Covid and the likely disruption that some or all pupils and students face this academic year, a full exam diet is too big a risk to take; it would not be fair. Therefore, I have asked the chief examining officer to take an alternative approach to national 5 accreditation in 2021, rather than the usual exams. The alternative approach to awarding national 5 qualifications will be based on two key recommendations by Professor Mark Priestley. Those recommendations are:

“Suspension of the National 5 examinations diet in 2021, with qualifications awarded on the basis of centre estimation based upon validated assessments”

and, secondly,

“The development of a nationally recognised, fully transparent and proportionate system for moderation of centre-based assessment.”

Therefore, the alternative approach will be based on teacher judgment, supported by assessment resources, and quality assurance. That will include, where possible, specifying between two and four pieces of work per subject that will form the basis of arriving at a final award. The SQA will today publish broad guidance on evidence gathering and estimation, with a very clear focus on quality rather than quantity of that evidence. That will be followed, after the October break, by subject-specific guidance on the key pieces of work that young people will need to complete.

To support the process, the SQA will work with Education Scotland, local authorities, regional improvement collaboratives and others to support a local and national approach to moderation and quality assurance, including the provision of assessment resources.

Obviously, we must seek to maintain standards. The SQA will therefore work with schools and colleges during the year on the quality assurance of their pupils' work. That will include the SQA looking at a sample of work from each school and college and feeding back to teachers and lecturers to ensure that standards are maintained. The SQA will build that system of quality assurance in collaboration with the education system, drawing on its existing expertise. To put it simply, an A in Aberdeen has to be the same as an A in Annan or anywhere else.

I want to make it clear to the Parliament, given the controversies of the previous awards process, what will not happen. First and foremost, awards will not be given or taken away on the basis of a statistical model or a school's past performance.

There will be no algorithm. Awards will be based on the progress of our young people and their work. That work and the judgment of the teacher, supported by appropriate quality assurance to maintain standards, will be the evidence on which grades are based.

In taking that decision on national 5 exams, we also need to think about higher and advanced higher. In a standard exam year, the national 5s constitute more than half of all exams taken. From a public health point of view, not having those exams significantly reduces the risk of the exams as a whole. It means that we can build an exam diet for higher and advanced higher that is as safe as it possibly can be, using all the coronavirus mitigations with which we have sadly become so familiar, including physical distancing and enhanced cleaning.

That means that the exams that determine the results with which most pupils leave school—the exams that determine most people's future path into work, college or university—can go ahead as long as the public health guidance allows it. It also means that we can use the time in the school year that is freed up by cancelling the national 5 exams to make up some of the time that pupils lost at the end of last year. As a result, I can confirm that the higher and advanced higher exams will begin on 13 May, which is later than normal and gives pupils back approximately two weeks of the learning time that they lost this year. Certification day will remain as 10 August. That additional time, in conjunction with the course assessment modifications that the SQA has made following its consultation, gives the greatest chance of those exams being implemented fairly.

While I am taking steps that make space for higher and advanced higher exams next year, I am acutely aware that there is no way of knowing what circumstances we will face at that point. To avoid decisions being made in extremis, as quite simply had to be the case this year, a clear contingency plan will continue to be developed for those exams. That will include key checkpoints up to the February break to assess public health advice and, in the light of that, to reassess our plans. If necessary, we will award higher and advanced higher courses based on teacher professional judgment, supported by SQA quality assurance, taking account of classroom assessment evidence, including prelims where that is appropriate.

In deciding the way forward for this year's exams, there is a reality that we must face. The coronavirus has not gone away—if anything, it is making a comeback. Our task is to build a system of awards that can be delivered despite coronavirus, and I believe that the plan that we have developed does that. It has evidence at its

heart; it puts a robust system of quality assurance in place; and it works with teachers to award grades on the basis of their professional judgment. I believe that it is fair and rigorous and—of greatest importance—that it gives us the opportunity to recognise the achievements of young people in Scotland in these challenging days.

**The Deputy Presiding Officer:** The cabinet secretary will now take questions on the issues raised in his statement. I intend to allow around 20 minutes for questions, after which we will move on to the next item of business. It would be helpful if members who wish to ask questions press their request-to-speak buttons or press R in the chat box if they are asking a question remotely.

**Jamie Greene (West Scotland) (Con):** I thank the cabinet secretary for advance sight of his statement. This has, of course, been an incredibly difficult time for teachers and young people, and we all thank them for their forbearance. However, we in the Conservatives believe that a full exam diet could and should take place next year, and that the onus is on the education secretary to make that happen or instead to justify why it cannot be achieved on his watch.

I am not convinced that full justification was offered in the statement for the cancellation of national 5s. It feels like the towel has been thrown in already. Nonetheless, I welcome the fact that a decision has been made.

Questions remain, however, so let me ask three. As national 5s will now be reliant on teacher judgment, how will the SQA apply national moderation to teacher estimates so as to avoid those estimates being downgraded by the SQA or overruled by ministers in the same chaotic way as they were this year?

Can the cabinet secretary guarantee that teachers will receive full guidance as soon as possible on how to assess the progress of national 5 pupils throughout the year?

If there is disruption to next year's exams—I hope there will not be—and if highers or advanced highers cannot be sat, how can teachers assess progress if contingency plans are not announced or put in place until February next year? That is simply too late to revert or to announce an alternative. If the education secretary wants to restore the trust of parents, teachers and young people, he needs to get this right—and right now.

**John Swinney:** I echo the comments that Mr Greene made in relation to the contribution of teachers, which, as I indicated in my statement, I think has been outstanding in restoring the full-time education of children and young people and in sustaining education during really difficult times since the lockdown in March.

Mr Greene holds his opinion about the sustainability of a full exam diet next spring. I have carefully examined the public health evidence and the degree of risk that we would be taking were we to allow that diet to take its course. My judgment—and it is my judgment—is that the risks are too great. In coming to that judgment, I have consulted extensively within the education system, and concerns have been clearly expressed to me by local authorities, headteachers and pupils around the country regarding the implicit risks. However, it is a matter of judgment. Just now, the Government is addressing countless matters that are the subject of difficult judgment. None of that is straightforward.

On the whole question of moderation, work will be undertaken in the early part of this school year to support the understanding of standards within schools and to assist the moderation process at school and local level. The SQA and SQA appointees will be fully involved in that process at school level, and there will be engagement with teachers to enable that. Full guidance will be available at a subject-by-subject level and, as I have indicated, pieces of work to be issued by the SQA will form the basis upon which assessment can be undertaken.

As I said in my statement, the approach that we are taking on national 5 provides us with a foundation for assessment should there be any disruption to highers and advanced highers. I stress that I do not want that to be the case; I want a full higher and advanced higher diet to be undertaken, and I am creating more space for that to be enabled—I am de-risking it to enable that diet to take its course. However, should it be required, the approach that we are taking on teacher judgment and national 5 gives us a strong foundation for the higher assessment. Of course, as I indicated, we have opportunities to take stock as to whether such a contingency plan needs to be applied in the circumstances.

**Iain Gray (East Lothian) (Lab):** I thank the Deputy First Minister for early sight of his statement. I say “early,” but the truth is that his statement is very late. Teachers are months into teaching courses without knowing exactly what they should be teaching, how pupils will be assessed and what evidence they should have been gathering. They were told that exams would go ahead, although a final decision had not been reached, and they were told that courses would be amended to account for lost time, but not how, while days, weeks and months passed by.

Now we have a decision, so, first, how will the continuous assessment of national 4s and 5s and the exams at higher and advanced higher take account of pupils—sometimes whole year

groups—having to self-isolate, and perhaps more than once?

Secondly, can the Deputy First Minister promise that, next year, no pupil will be judged on anything except their own performance and ability? Finally, will he, even now, revisit this year's appeals for those pupils who do not accept their school's assessment and are still denied the right to appeal?

**John Swinney:** Iain Gray recounts circumstances in which several periods of self-isolation, for example, might disrupt a young person's individual educational year. In my judgment, that would be the basis for making a case to the SQA around exceptional circumstances—a well-established process exists for that to be undertaken. We obviously want to minimise such occurrences, so other support is in place, such as digital learning through e-Sgoil, which is available now to support the learning of young people should their education be disrupted.

In relation to the assessment of the performance of young people, I have made clear that their performance will inform teacher judgment, which in turn will be the basis of awards. In relation to the point on appeals, Professor Priestley's review indicates that we should consider a number of issues with regard to the appeal mechanisms that are available. I am committed to doing exactly that and we will consider the issues that Professor Priestley raised as part of our review.

**Clare Adamson (Motherwell and Wishaw) (SNP):** I thank the Deputy First Minister for his statement and Professor Priestley for his contribution through the publication of his report. I noticed that the issue of assessment and estimation has been key and the Deputy First Minister mentioned that the SQA will produce guidance in those areas.

We know, however, that concerns existed before the Covid crisis about the estimation process in certain areas. What other support can be given to schools to ensure that the assessment and estimation process ensures fairness and consistency across all centres?

**John Swinney:** The whole process of assessment and estimation lies at the heart of the professionalism of the teaching profession. It is important that all interested parties, whether teachers and leaders in individual schools, local authorities or regional improvement collaboratives, work with Education Scotland and the SQA to ensure that we enhance the assessment and estimation process that teachers undertake. It is a fundamental skill on which our pupils rely in order to have their performance assessed.

Over the course of the next few months, extensive engagement will take place, which will

involve all those different players—I have consulted widely with local authorities about the steps that need to be taken to ensure that teachers are well supported to be able to undertake that task, with the direction and guidance that the SQA will offer as part of the process. Fundamentally, we need to enhance that capacity and we will do exactly that.

**Jamie Halcro Johnston (Highlands and Islands) (Con):** The cabinet secretary will be aware of the unprecedented pressures that the further and higher education sectors face at this time. Throughout the pandemic, those sectors have faced the Government's lack of clarity, and the mess that it made of this year's exam grades significantly impacted them.

What discussions has the cabinet secretary had with representatives from the university and college sectors on the subject that is specific to today's statement? What concerns or issues did they raise with him?

**John Swinney:** I really do not recognise the picture that Mr Halcro Johnston paints. I would have thought that the fact that we had an absolutely outstanding and record number of young people going into higher education in Scotland today might have been something to celebrate. Where was that in Mr Halcro Johnston's question? It was maybe as prominent as the Conservative U-turn on tuition fees. Maybe Liz Smith could not bear the policy position at which her party was about to arrive—maybe that is why she is no longer its education spokesperson.

I do not recognise the world that Jamie Halcro Johnston talks about. We have had extensive discussion with the college and university sectors throughout all those assessment issues, and I have to compliment them on their willingness to engage constructively in finding solutions at a difficult time.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** What impact assessment has the education recovery group carried out on the assessment process for practical subjects such as sciences, home economics and technical subjects, which are vital to the curriculum but in relation to which social distancing is much more difficult?

**John Swinney:** Very specific guidance has been given to the education system on all those areas. The guidance has been developed collaboratively to ensure that some of the practical issues that Rona Mackay raises can be properly addressed and that young people are able to have as much of the experience of these courses as is possible, given the wider constraints within which we have to operate, and the education recovery group has been involved in that discussion.



**Daniel Johnson (Edinburgh Southern) (Lab):**

The cabinet secretary has already stated his intention to take forward recommendation 7 of the Priestley report on the appeals process. Can he clarify the basis on which that review will take place? Will it be independent of the Scottish Government and the SQA?

**John Swinney:** No, it will not be. We will take it forward on the basis of the approach that would be expected of us, as a Government that is currently legislating to incorporate the United Nations Convention on the Rights of the Child into domestic legislation, and it will be undertaken consistent with those principles.

**Ross Greer (West Scotland) (Green):** I welcome the responsible decision to cancel and replace national 5 exams. I cannot work out, though, why that logic does not also apply to highers. Can the Deputy First Minister explain his statement that cancelling national 5 exams frees up capacity for highers, given that those exams do not normally take place at the same time and, of course, each higher exam cannot be staggered, as every pupil must take it at the same time?

In response to a question that I asked a few weeks ago, the Deputy First Minister said that he wanted to avoid at all costs an increase in teachers' workload. Given that teachers will have to simultaneously prepare higher pupils for exams and prepare the contingency plan, I cannot see how that is the case. However, can the Deputy First Minister at least assure me that, for national 5s, the assessment system that is being developed will be based on work that teachers and pupils are already doing and will not add something new on top of that?

**John Swinney:** On Mr Greer's last point, yes, that will be the case. The approach that will be taken is designed to be entirely consistent with work that would ordinarily be undertaken in each subject curriculum.

On the point around the maintenance of the higher diet, my judgment, given the significant weight that is attached to higher qualifications as the key pathway to the next stage in the educational journey of young people, is that, if it is possible for us to sustain that diet, we should endeavour to do so. That is what has underpinned my decision making. I have tried to de-risk the situation by removing the national 5 exams from the exam diet, creating more time for learning and teaching than would ordinarily be the case at that time of year and providing the opportunity for further progress to be made in that respect.

I am keen to ensure that that approach does not in any way add to teachers' workloads. The point that Mr Greer made about the importance of that work being consistent with the ordinary content of

the curriculum is a key guide for the education system in relation to how young people should be prepared for assessment and, in some circumstances, examination.

**Beatrice Wishart (Shetland Islands) (LD):** On the dates for the higher and advanced higher exams, does the education secretary think that two weeks is sufficient time for young people to make up the learning that has been missed?

**John Swinney:** A combination of that and the fact that the SQA will make other changes to the examinations that will increase, for example, the optionality within individual courses, which will mean that young people are not required to undertake every aspect of the course, will create the circumstances in which the full opportunity for learning and teaching can be undertaken by young people in that context. We will still be wrestling with issues relating to the potential disruption to the school year, either individually or collectively at a local level. The digital learning approaches that were taken were designed to provide further reassurance in that respect.

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** What will the Scottish Government put in place to support individual pupils and entire class groups who are asked to isolate—[Inaudible.]?

**John Swinney:** I referred to such issues in my reply to Beatrice Wishart's question. We have in place a range of digital learning support, which is provided technically through the glow network and e-Sgoil—a partnership between the Scottish Government and Western Isles Council that has been extended to involve other local authorities. Good work is going on with teachers the length and breadth of Scotland providing learning to the digital learning platform, which can now be accessed by pupils from the whole country.

Further reinforcement opportunities are available for senior phase pupils—this adds to my response to Beatrice Wishart—as there are after-school sessions that pupils the length and breadth of Scotland can sign up to if they wish to. The sessions have been well subscribed to, as they provide another opportunity to reinforce the learning that young people undertake in our schools.

**Liz Smith (Mid Scotland and Fife) (Con):** Given the welcome news that highers and advanced highers will go ahead, as far as we are aware, will the cabinet secretary put on the record that there is no intention at this stage to drop any of the subjects in the normal diet for highers and advanced highers?

**John Swinney:** To my knowledge, there is no such intention.

**Kenneth Gibson (Cunninghame North)**

**(SNP):** What assurances will the cabinet secretary give that the 2020-21 SQA assessment process will continue to build on the Scottish Government's work to narrow the attainment gap to ensure that no pupil is left behind and that all pupils are able to achieve their full potential?

**John Swinney:** In these disruptive times, it is important that we do all that we can to support young people to achieve their educational potential.

As I have explained today in my answers to a number of members' questions, a variety of approaches are being taken to support digital learning, which is already available and can reinforce the learning that is undertaken by young people. If there is a disruption to education, there are opportunities for that to be taken forward. We are working to ensure that, in every circumstance, we have in place the full support to enable young people to fulfil their educational potential.

**Claire Baker (Mid Scotland and Fife) (Lab):**

The cabinet secretary highlighted the precious teaching time that was lost due to the lockdown and the impact that that will have on highers, which is why the decision has been taken to set later dates for the higher exam diet. What measures will be taken to ensure that the national 5 cohort is not disadvantaged by the time that was lost through the school lockdown period?

**John Swinney:** The young people who, traditionally, would be sitting national 5s will have more time, because, ordinarily, their learning and teaching would have ended at the Easter break and they would have gone on to study leave. Instead, they will have access to further learning opportunities after the Easter break.

Some schools change their curriculum and move on to another year group during May or June, and it will be up to individual schools to determine the optimal moment to do that. One of the key factors in that judgment should be whether young people who are presenting for national 5s have had adequate opportunity to maximise their potential in the estimating process that teachers will undertake in advance of submission at that stage in the spring of the final estimates to the SQA.

**Stuart McMillan (Greenock and Inverclyde)**

**(SNP):** What support will be provided to pupils who have additional support needs to help them deal with the changing circumstances and to ensure that they have an equal chance of success with their schoolwork?

**John Swinney:** Ordinarily, our education system must ensure that the needs of every young person are met and that every young person has the opportunity to fulfil their potential. That lies at

the heart of the answer to Mr McMillan's question, which relies on the extent to which the education system can fully meet all those needs. I give him the assurance that that consideration is uppermost in the thinking of local authorities and of the Government on that issue.

**The Deputy Presiding Officer:** That concludes questions on the statement. Before, we move to the next item of business, I remind members who are leaving the chamber to observe the social distancing measures that are in place across the campus.

## Urgent Question

16:35

**The Deputy Presiding Officer (Lewis Macdonald):** The Presiding Officer has selected an urgent question. As a result, decision time will be at around 6.15.

### Covid-19 Outbreaks in Lothian Care Homes

**Neil Findlay (Lothian) (Lab):** To ask the Scottish Government what action it is taking in response to the outbreak of Covid-19 at Redmill care home and Milford house care home in Lothian.

**The Cabinet Secretary for Health and Sport (Jeane Freeman):** I have a number of points to make in my answer.

First, I express my condolences to the families who have lost loved ones in those two outbreaks. My thoughts also go to the families who have loved ones in the homes that are affected, to residents themselves, to staff who have tested positive, and to staff who are understandably upset and anxious for the residents for whom they care so much.

Neither of the homes has had previous outbreaks, nor have they been flagged as being either amber or red in assessments by the Care Inspectorate or the local director of public health. The Care Inspectorate will immediately conduct a root-cause analysis, as I have asked it to do, and will identify from that any further actions that we need to take in our winter preparedness work in the adult social care sector.

The local care home support and health protection teams are in direct contact with Milford and Redmill care homes to make sure that they have all the personal protective equipment that they need; to support them with their staffing, including use of NHS Lothian's staff bank for staff who are self-isolating or who have tested positive; to make sure that all relevant infection prevention and control measures are understood and are being implemented; and to make sure that both homes have the clinical care that they need for the residents who are affected.

**Neil Findlay:** I thank the cabinet secretary for that answer. Our thoughts are, of course, with those who have lost their lives, the families who are left behind, and the staff, who are doing their very best.

Over the past two days, I have been contacted by many staff members and by families of residents at the Redmill care home. I know that colleagues have had similar contact with Milford

house. Staff and relatives need our 100 per cent support at this extremely difficult time.

Today, I spoke to HC-One Ltd about Redmill. It told me that the first positive test was on 25 September and that NHS Scotland was informed on that day but that the whole-home testing regime by NHS Scotland did not take place until six days later. Twenty-eight staff members are still waiting for results, and six staff members are waiting for a test. Some tests could not be given, because labels did not come with the kits. Twenty residents await results. Some people have not had results, despite having been tested on 28 September—nine days ago. One staff member received three sets of results, one received someone else's results, and 20 results were returned as negative but with no information as to whom they belonged.

I really hope that the same has not happened at Milford house, because staff and residents deserve so much better than what appears, in this case, to be a shambles with the testing regime. If that is how it operates, how on earth can we get on top of the virus? The staff at the home deserve so much better than what they are being provided with through the testing regime. The owners of the home are not responsible for that. The staff and owners are doing their best; the testing regime is at fault.

**Jeane Freeman:** I do not have the benefit of having the information that Mr Findlay has just provided, but I will look into the situation later today and give a detailed response tomorrow to him and other members who have a direct interest and concern.

The information that I have from NHS Lothian is that all the tests that were undertaken before the weekend have been returned and are in the test and protect system. That clearly differs from what Mr Findlay has told me, so we will pursue that in detail.

I know that, in Redmill, 37 staff and 18 residents have tested positive and that, in Milford house, 18 staff and 13 residents have tested positive. Results have come back, but Mr Findlay raises serious issues. I noted them as he spoke, but if he cares to send me the information directly so that I am absolutely sure about the facts as he understands them, we will investigate the matter urgently. If such problems exist, I will ensure that I understand exactly why they have occurred and what we are doing to resolve them. If the problems exist as Mr Findlay described them, we will ensure that they are not replicated across the system.

**Neil Findlay:** I am more than happy to provide the information. HC-One has been extremely helpful in providing me with updated information today, and with information yesterday, for which I

thank it. Today, I sent that information to NHS Lothian and the local health and social care partnership, so they have it. I ask the cabinet secretary for an immediate inquiry into what has happened, because the situation cannot continue when lives are at risk.

**Jeane Freeman:** What I am about to say is in no way whatever intended to cast aspersions on what Mr Findlay has told me, but I have not had such information from NHS Lothian. I was not given it by the Care Inspectorate, which I spoke to this morning, or by Scottish Care, which I also spoke to this morning, and both of those organisations have been in contact with HC-One and the other provider.

When I get the information from Mr Findlay—I thank him for sending it; I am sure that it will be waiting for me when I get upstairs to my office—I will look at the position in great detail and will have it investigated and then get straight back to him and other members who might be affected, so that we understand exactly what has happened and what the facts are. If there has been a problem, we must understand why it has occurred and, importantly, ensure not only that it is resolved for the two care homes but that it is not replicated anywhere else in the system.

**The Deputy Presiding Officer:** I have two requests for supplementaries. I can take them both, if members are brief.

**Miles Briggs (Lothian) (Con):** My thoughts are with the families and loved ones of the people at the care homes who have died from the virus.

Further to Neil Findlay's questions, has NHS Lothian said that it believes that the Care Inspectorate's guidelines have been met? Will the cabinet secretary investigate the ability to reopen the temporary laboratory at the University of Edinburgh, which has been put into hibernation? That would provide additional capacity for care home testing across east Scotland.

**Jeane Freeman:** As I said, neither home has been flagged as being at the amber or red stage, either by the Care Inspectorate in its regular assessments or by the local director of public health. Assessments are made weekly and I get a report of them all. Neither home has appeared as amber or red.

As we know, neither home has had an outbreak before. Care home staff throughout the country are very concerned when their homes have positive cases, and, in the case of the two homes that we are talking about, I know how anxious and upset the staff are, because this has not happened before. The staff are very worried.

That is why the root cause analysis is so important. We need to understand what has

happened in two care homes that have, as far as all the data that I have shows, been following all the guidance and all the procedures.

As, I think, the First Minister said in her statement, we are busy increasing national health service capacity across the country. The lab in Edinburgh to which Miles Briggs referred has been returned to its earlier work. We need to maintain increased capacity not only for Covid testing but for NHS testing, so that normal diagnostic and other tests can be done as we remobilise the service. We cannot give that up, because, if we did, we would not be able to do some of the procedures that we are doing.

We have scaled up NHS Scotland capacity and—as the First Minister said in her statement—we will report back on the review that we are doing as we scale up. We see that the UK Lighthouse Labs Network is also scaling up, so we will consider how we can strategically use that additional capacity for other areas of testing that are clinically advised. In regard to that last point, which related to care homes, we are incrementally transitioning all our care home staff testing away from Lighthouse labs and into NHS ones. That is partly to protect that testing from when Lighthouse has to deal with a UK-wide surge in demand, which can sometimes increase turnaround times.

**Sarah Boyack (Lothian) (Lab):** Like colleagues, I associate myself with the comments about the devastating impact of the outbreaks.

Can the cabinet secretary tell us what enhanced infection prevention and control mechanisms will be put in place in the care homes, and about the lessons that can be taken from the outbreaks not only in Lothian but across the country? Has she seen the research from NHS Lothian about the correlation between the size of care homes and outbreaks?

**Jeane Freeman:** I have seen that research, which is backed by data that the Care Inspectorate has produced.

The issue is partly about the size of care homes, but it is also about their configuration. For example, where a care home is configured in such a way that a whole floor can be put into isolation, responding to cases of infections that can break out in those settings—Covid, norovirus, flu or other infections—is more straightforward.

However, overall, it appears that the data is clear that the infection prevention and control work in smaller care homes is more effective in having an impact. There is more work to do on that, and there are obviously implications for the business models of some care homes that will affect how they go forward. All that is, of course, factored into the independent review that Derek Feeley is leading on.

Enhanced infection prevention and control is assisted by what we have now introduced, and the majority of care homes have signed up to that. It is called the safety tool. It, essentially, the same safety huddle tool that we have used so successfully in hospital settings as part of our patient safety programme. It has been transferred over, and is being applied appropriately for the care home setting. That allows the Government, the home, the Care Inspectorate and local directors of public health regularly to see not only PPE stock levels—we continue to supply that, where it is needed—but staffing rotas.

We want to open up visiting, where it is possible to do so safely, but it requires a certain level of staffing. The safety tool allows us to see, daily and weekly, where homes might need additional support, either from their local NHS or health protection teams.

The core—basic infection prevention and control—is the absolute standard that we need to ensure exists in all our care homes. The safety huddle tool helps us to identify where there might be difficulties in delivering that, so that we can intervene and offer support directly.

## United Kingdom Internal Market Bill

**The Deputy Presiding Officer (Christine Grahame):** Before we proceed, I have to say that there is now no time in hand whatsoever, so I am afraid that, if members take interventions, they will have to absorb them into their allocated time.

The next item of business is a debate on motion S5M-22955, in the name of Michael Russell, on legislative consent to the United Kingdom Internal Market Bill.

16:50

**The Cabinet Secretary for the Constitution, Europe and External Affairs (Michael Russell):** Today, we are faced with no ordinary decision about whether to give or withhold approval for a Westminster bill, for this debate is actually about a decision regarding the value of the Scottish Parliament and the people whom we serve. It is about whether we are prepared to stand up for them or allow a United Kingdom Government to

“fundamentally overwrite, and undermine, a material part of the system of devolution that has operated in the UK for more than two decades”.

That devolution settlement came into being because of a decisive vote by the people of Scotland in 1997. I am happy to acknowledge Scotland’s debt to the Labour Party and to Donald Dewar, who legislated for that devolution referendum. My party campaigned with the Labour Party, the Liberal Democrats and the Green Party in favour of establishing this institution. We did not agree on the process that led to that vote but, when the choice came, the Scottish National Party backed what the people of Scotland wanted and now, when that choice is again in front of us, we do so again.

I was part of that campaign and worked with many, including Alex Rowley, to persuade our fellow citizens to mark their ballot papers with a double yes. I am in the same company again, although I do not relish the circumstances. I am sure that Labour, the Liberal Democrats and the Greens will repeat today their commitment to what the people wanted then, as will we. Our vote will follow our voice. Alas, the Tories, no doubt, will again be true to their stance then—a stance that was taken directly against the will of the Scottish people. The Tories were against empowering their fellow citizens then, and they are still against doing that 23 years later. Leopards do not change their spots.

The Tories, having been rejected then, have gone on being rejected, most recently in last December’s Westminster election; yet, despite

that, they still seek to take a wrecking ball to Scotland's Parliament and Scotland's democracy. That was not in their manifesto, but it was clearly in their minds then and always has been.

**Liz Smith (Mid Scotland and Fife) (Con):** Does the cabinet secretary accept that the internal market bill is very much about protecting jobs and investment in Scotland, which is absolutely critical?

**Michael Russell:** No, I do not. Indeed, *The Ferret's* fact-checking service proves that that is not the case.

As I said, wrecking Scotland's Parliament was not put to the Scottish people by the Conservatives, but it is what they intended to do, and it is what they are trying to do. The memorandum that is before us makes it clear that, if the bill becomes law,

"The legislative powers of the Scottish Parliament and the executive competence of Scottish Ministers as they have been understood since 1998 would in many respects cease to exist."

As well as an assault on devolution, the bill is a recipe for regulatory incoherence and a race to the bottom. It is also a breach of international law. The fundamental principle of the ministerial code is that ministers must not knowingly break the law. That in itself is an incontrovertible reason why the Scottish ministers cannot recommend legislative consent for the bill, but I also argue that no member of a Scottish Parliament who is elected to serve the people of Scotland could ever recommend consent to such a bill.

Members will be familiar with the main provisions, but let me go through them. In parts 1 and 2, the bill contains sweeping new blanket mutual recognition and non-discrimination provisions. Regardless of the views of the Parliament or the wishes of the people of Scotland, they would require Scotland to accept lower standards relating to food, as pointed out by Food Standards Scotland; the environment, as pointed out by Scottish Environment LINK; and building materials, as pointed out by the Royal Incorporation of Architects in Scotland. The scope of those powers can be unilaterally changed by UK ministers, and only by them.

There are new measures for mutual recognition of professional qualifications, which cause grave concern to bodies such as the General Teaching Council for Scotland. There is a new oversight body that is tasked with second-guessing the policy choices of the Parliament, including on public services such as the health service or public water supplies.

Measures in part 5 of the bill break international law and betray a cynical disregard for Northern

Ireland, and is already alienating many, including the European Union.

There are sweeping new spending powers in part 6 that threaten the devolved Scottish budget and transfer decision making over areas of devolved spending from the Scottish Government to the UK Government. The fact that state aid will be reserved could affect, for example, agricultural subsidy, and the whole of the eventual act would be placed permanently beyond the powers of this Parliament to mitigate or ameliorate. For those reasons, the bill is wholly unacceptable and should be rejected.

The deceit that has been practised by the UK Government with regard to the bill is now a matter of public record, thanks to yesterday's leak of documents that show the truth about how it was deliberately withheld from the devolved Governments.

There have been other deceits, too, the first of which is the ridiculous assertion that the bill represents a "power surge". The opposite is true, as the explanatory notes make clear. In fact, there will be a new, blanket constraint on the exercise of the Parliament's powers, and the scope of the constraints can be adjusted at any time at the discretion of UK Government ministers, regardless of other views.

Secondly, assurances have repeatedly been given that the bill will not lead to a race to the bottom in standards, but the UK currently enjoys high standards by virtue of European Union laws still applying during the transition period. Under the bill, if Scotland wished to maintain those standards, we would still be forced to recognise lower standards that were set elsewhere in the UK. *[Interruption.]* No, I will not give way. I am just coming to one of the member's key assertions.

The UK Government has blocked every proposed move to provide legal guarantees that high environmental, animal welfare and food safety standards would prevail.

Thirdly, I rebut the claim that the bill is necessary merely in order to replace at UK level the system of EU market rules. In fact, the bill introduces a system of unqualified powers for UK ministers to impose, in effect, rules on the whole of the UK, even in devolved areas, which is the very opposite of the principle of co-decision and agreement between sovereign member states that lies at the heart of the EU rules. The EU single market rules also recognise policy objectives alongside market considerations, and the principles of subsidiarity and proportionality are crucial aspects of them.

I turn to the issue of jobs. Mr Lockhart's amendment says that 550,000 jobs will be protected by the bill. That is nonsense—in fact, it

is nonsense on stilts, as was exposed on *The Ferret's* fact-checking website last night. [Interruption.] Conservative members do not like the truth.

At the end of December, the UK and Scotland will leave the Brexit transition period. The transition is ending because of the astonishing and reckless decision of Boris Johnson to refuse the extension that was on offer, despite the fact that we are in a global pandemic and a deep economic recession. Even at this late stage, the possibility of leaving in the worst possible way, with no deal, remains. Even if a deal is reached, it will be a low deal that is vastly inferior to what we experience now and hugely disadvantageous to business and disruptive to everyday life.

The real jobs threat comes not from the devolved Administrations but from the Brexiteer ultras who have captured the Conservative Party and those members in this chamber who have meekly accepted their writ, undoubtedly because it saves their own jobs.

The way to avoid all that damage is not only clear but to hand. We can do so by returning to the voluntary common frameworks process that was devised by the devolved and UK Governments, on which it has been possible to make progress over the past few years, despite our differences over EU exit. Frameworks are based on the principles of equal negotiation and agreement. If there are any missing areas, as Michael Gove has claimed very late in the day, we commit ourselves to closing those gaps. We are also willing to act as though all the frameworks are already in force while they are being finalised, and I think that the same commitment is being made in Wales. If the UK Government acts in the same way, we could move on from the present impasse and the deepening crisis.

The bill is not only unacceptable to the devolved Governments; it is also unacceptable to a wide range of organisations and individuals across Scottish society who are deeply worried.

Of course, across the chamber, there are differing views on Scotland's ultimate constitutional destination, but regardless of those views, we can come together today to say on behalf of the people of Scotland that we do not consent to the bill. We can stand up against this Tory power grab and urge the UK Government to change course.

I move,

That the Parliament agrees not to consent to the United Kingdom Internal Market Bill, as it reduces and constrains the competence of the Scottish Parliament and breaches international law.

**The Deputy Presiding Officer:** I call Bruce Crawford, convener of the Finance and

Constitution Committee, to open on behalf of the committee.

16:59

**Bruce Crawford (Stirling) (SNP):** I begin by thanking all the committee members for their hard work and commitment in completing so many reports this week. I also thank our clerks for the significant help and advice that they have provided in our work.

It is with some regret that I speak on behalf of only eight members of the committee this afternoon. As members know, I have always sought as convener to try, where possible, to reach a consensus on committee reports, and in the main we have managed to do that. However, there is a clear division of views on the United Kingdom Internal Market Bill between the majority of the committee and our Conservative Party colleagues. That is disappointing, given that the other eight members of the committee have agreed that the bill undermines the whole basis of devolution.

Our view is that devolution cannot work if the Westminster Government simply imposes its view of how the UK's constitutional arrangements should evolve following Brexit. Unfortunately, the bill aims to do just that, both in its substance and given the way that it has been handled.

Our most significant concern is with the market access principles of mutual recognition and non-discrimination. The mutual recognition principle, in particular, is potentially much more far reaching than the equivalent EU principle, for three primary reasons. First, the list of exclusions from the application of the principle on public interest grounds is much narrower. Secondly, UK ministers have the power to amend that list without a requirement to seek consent from or consult the devolved Governments. The third reason is the asymmetrical structure of the UK internal market.

Given the relative size of the English economy and population, it will inevitably be market forces that determine regulatory standards. Why, then, would any devolved Government want to potentially put its economy at a competitive disadvantage by seeking higher regulatory standards that could then be undermined by imports from other parts of the UK that did not need to meet those standards? In reality, that would mean that regulatory standards that were agreed by the UK Parliament would, in effect, be imposed on the devolved nations.

The committee heard that that approach is significantly different from the approach that is taken in the EU and in other internal markets. Dr Emily Lydgate from the University of Sussex told us:

“The core of any approach to an internal market that is as integrated as the UK’s has to be harmonised rules that have a strong ... consultative process underlying them. The rules cannot be set by one of the countries.”—[*Official Report, Finance and Constitution Committee*, 23 September 2020; c 4.]

The committee’s view is that it is unacceptable that the UK Government should seek to impose, in effect, new reservations on the devolved competences through the bill. This is not “myth-making”, as the Chancellor of the Duchy of Lancaster would have it, but a clear consequence of the proposed market access principles in the context of the relative size of England’s population and economy.

The UK Government has argued that the agreement of common frameworks means that the market access principles will apply only in a limited number of policy areas, but it is not clear how common frameworks can address the threat to devolution in the bill. In areas where the devolved Governments may wish to have higher standards than the minimum standards that are agreed in frameworks, they will potentially be rendered ineffective by the market access principles. Consequently, there needs to be far greater clarity about how both statutory and non-statutory frameworks would interact with the market access principles.

The committee also considered the provisions in the bill to reserve state aid. The committee agrees with the Scottish Government and the Welsh Government that state aid is a devolved matter. Any future legislation on subsidy control should be agreed between all the four Governments and legislatures across the UK through the common frameworks process. The committee therefore recommends that the reservation of subsidy control is unnecessary and should be removed from the bill.

Part 6 of the bill will provide the UK Government with a single, comprehensive statutory power to provide financial assistance across a range of policy areas throughout the whole of the United Kingdom. The committee’s view is that it is regrettable that part 6 has not been subject to any public or parliamentary consultation. It is also regrettable that the views of the devolved Governments were not sought.

We reiterate the findings of our report on structural funds post-Brexit—in particular, that any UK-wide replacement for EU structural funding should replicate some aspects of the current structural funds approach. We consider the decision-taking powers that the Scottish Government currently exercises under structural funds should not be reduced under any future UK approach.

The committee previously recommended that there is an onus on all four Governments and legislatures in the UK to work constructively together to seek a solution to the complex and challenging issues arising from leaving the EU internal market. The committee recommended that that must be achieved through mutual trust and respect for the UK’s existing constitutional arrangements. The committee concludes that it is highly regrettable that, in relation to the internal market bill, that has not happened. The committee is dismayed that the UK Government has instead adopted a hierarchical approach, through which its default position is to impose new limitations on devolution that go way beyond the previous limitations of EU membership.

The committee’s view is that devolution cannot work on the basis of the Westminster Government imposing its view of how the UK’s constitutional arrangements should evolve following Brexit. The committee therefore recommends that the Parliament does not agree to consent to the United Kingdom Internal Market Bill.

**The Deputy Presiding Officer:** I call Dean Lockhart to speak to and move amendment S5M-22955.1 on behalf of the Conservatives.

17:06

**Dean Lockhart (Mid Scotland and Fife) (Con):** There has been a lot of noise surrounding the UK internal market proposals, but when further restrictions on economic activity have just been announced, surely the priority must be to protect the 550,000 jobs and livelihoods and the 60 per cent of trade that depend on barrier-free access to the UK internal market. That is certainly the view of key stakeholders, such as the Confederation of British Industry and NFU Scotland, which have given evidence that the internal market is extremely important—more important than the EU market and the rest of the world put together. That is also our priority.

On the other side of the debate, I recognise that there are legitimate questions about how the proposals might work in practice, but too much focus has been on constitutional scaremongering and hypothetical concerns. Take, for example, paragraph 13 of the legislative consent memorandum, which claims that the bill will result in declining standards—what the cabinet secretary referred to as the “race to the bottom”, which is a claim utterly devoid of any factual evidence. The inconvenient truth for the Scottish National Party is that the UK Government has introduced higher domestic standards than the EU has in many areas.

Just weeks ago—[*Interruption.*] Let me make progress. Just weeks ago, the first major free



trade agreement following Brexit—the economic partnership with Japan—was signed. Far from lowering standards, the agreement goes way beyond the scope of the EU-Japan free trade agreement and has increased the number of protected geographical indications for Scottish produce. That means that Scottish salmon, cheese, wool and beef will now have much higher levels of protection in the Japanese market.

The SNP's poster child for lowering standards is the proposed free trade agreement with the US. When, at committee, I challenged Ivan McKee to give real examples of his concerns about those lower standards, his response was: "All concerns are hypothetical." There we have it—a long history, as well as very recent examples, of high standards being adopted by the UK Government, in direct contrast and in contradiction to the hypotheticals that we have heard from the other side.

The memorandum goes on to claim that the bill will "undermine the powers" of this Parliament, when quite the opposite is true. At the end of the transition period, this Parliament will enjoy more than 100 new powers coming from the EU, making it more powerful than ever. *[Interruption.]* My colleague just said that it is a power surge—it absolutely is. As we all know, the SNP wants to surrender every one of those powers back to the EU, in what would be the biggest power surrender that this Parliament has ever seen.

The Scottish Government's motion states that the bill will reduce and constrain the competence of the Scottish Parliament. Again, that is completely untrue, because the agreed approach of all four nations is that the mutually agreed common frameworks will regulate the vast majority of the additional powers coming back from the EU. *[Interruption.]* Let me make an important point. Those frameworks will deliver agreed standards as well as dynamic divergence in areas in which devolved Administrations want to take a different approach. We support all those objectives, but there still has to be a mechanism in place to deal with residual elements of trade that will sit outside those agreed common frameworks.

That is where the bill comes into play. *[Interruption.]* I will take an intervention in a second.

Witnesses such as Professor Michael Keating recognised the need for such a fallback mechanism. He said in evidence that the common frameworks

"will cover most issues. If something arises that is not covered by the common frameworks, there should be a mechanism for dealing with that."—*[Official Report, Culture, Tourism, Europe and External Affairs Committee, 24 September 2020; c 32.]*

That is the fundamental point. The bill will apply only as a default mechanism to a residual element of trade that falls outside agreed common frameworks. On that basis, to say that the bill will cripple the Scottish Parliament and its devolved competence, as the First Minister has repeatedly said, is wholly misleading.

Take minimum unit pricing for alcohol, for example. That is a good example that the SNP uses. A divergent approach by the Scottish Parliament will be allowed in the future. That means that alcohol that is produced elsewhere in the UK can be sold in Scotland only if it complies with minimum pricing in Scotland. Contrast that with the position under EU law, whereby the Scottish Government had to defend that divergent approach through the courts.

In his opening remarks, the cabinet secretary talked about the United Kingdom no longer being a partnership of equals. The real test of any partnership is how a partner reacts during a crisis. We have seen the strength of the UK partnership delivering for Scotland during this time of crisis. There has been £16 billion of additional support as part of the UK Government's Covid response, the UK furlough scheme has saved more than 900,000 jobs in Scotland, and the bill will deliver even more investment to Scotland.

What has the cabinet secretary's contribution been during this period of crisis? He has spent time and money on an unwanted second referendum, walked away from negotiations on the internal market, and interfered with the Brexit negotiations. When the cabinet secretary questions the partnership of equals, he is the one trying to undermine the partnership. *[Interruption.]*

**The Deputy Presiding Officer:** The member is winding up.

**Dean Lockhart:** The Scottish Government's motion refers to a breach of international law—perhaps that is what the member wanted to intervene on. On that very issue, let me quote what Mr Russell told the Finance and Constitution Committee last week. He said:

"there is nothing unlawful about the House of Commons ... preparing a bill. It ... should never have come to the House of Commons, but that is not the same as it being illegal."—*[Official Report, Finance and Constitution Committee, 30 September 2020; c 11.]*

For once, I agree with the cabinet secretary.

**The Deputy Presiding Officer:** You must conclude there.

**Dean Lockhart:** I conclude by emphasising the vital importance of the Scottish Parliament protecting jobs and livelihoods during this crisis. That is why we will vote for legislative consent at decision time.

I move amendment S5M-22955.1, to leave out from “not to consent” to end and insert:

“to consent to the United Kingdom Internal Market Bill, as it will protect 550,000 jobs and livelihoods across Scotland during an unprecedented economic crisis, deliver significant new powers to the Scottish Parliament and secure additional direct investment from the UK Government in Scotland.”

17:13

**Alex Rowley (Mid Scotland and Fife) (Lab):** In opening the debate for Labour, I want to make it clear that we will not give consent to the United Kingdom Internal Market Bill. Let me be clear: we will not give support to any measures that will reduce and constrain the competence of the Scottish Parliament.

As a political party, Labour is committed to devolution. For the avoidance of doubt, the bill is a full-on attack on the existing devolution settlement. Devolution has worked for Scotland and, with the economic uncertainty that we face now, further devolution is required to build a better Scotland. However, instead of taking the best course of action to protect the UK internal market through the collaboration and co-operation of all nations, we have a take-it-or-leave-it approach from Boris Johnson and his Tory chums. Make no mistake: those Tory chums, including the Scottish Tories who are sitting in the chamber, will put Johnson and his interests before the interests of the people of Scotland. I say to all those who are worried about the future of Scotland that the greatest threat to the future of Scotland, its economy and its relationship with the rest of the United Kingdom is Boris Johnson and all the Scottish Tories who have lined up behind him in blind loyalty.

That is why I say that the Tory party wants to distract from the real issues in the bill by claiming that the argument is about independence. It has nothing to do with independence, but everything to do with the UK Government removing powers from the Scottish Parliament and, ultimately, from the Scottish people.

**Patrick Harvie (Glasgow) (Green):** Surely, the member agrees—as I do—with Scotland’s trade union movement, which has said that if the

“UK Government proceed with the Bill, against the wishes of the Scottish Parliament it makes the case for a second independence referendum unanswerable”?

**Alex Rowley:** It certainly demonstrates that the greatest threat to the United Kingdom is Boris Johnson and his clapping Tories who sit behind him.

As an added arrogance, the bill breaches international law—a fact that was readily admitted by the Northern Ireland secretary in the House of

Commons. The bill is now under legal proceedings from the EU as a result of that breach.

Frankly, the whole thing is a disgrace that will have massive repercussions for the UK’s international reputation, which has already suffered over the past few years of the Conservative Government’s failures. However, it is not just that the United Kingdom Internal Market Bill breaks international law, or that it drives a coach and horses through devolution, but that it paves the way, in my view, for private and multinational companies to force their way into key public services in Scotland. The bill will lead to a race to the bottom in many areas of our daily lives.

The overwhelming evidence from across the world is that, in this day and age, we must have more regulation, not less. The idea that everything should be left to the market is not only outdated but dangerous; its time has come and gone.

It seems incredible to be ploughing on regardless with the bill and the Tories’ Brexit plan. We have supported the Scottish Government to make the case for a Brexit extension, which is absolutely necessary at this time.

Interest rates are at rock bottom and the Chancellor of the Exchequer has never borrowed so much, with public debt now more than 100 per cent of the size of our economy. That comes on top of massive increases in unemployment because of Covid and worrying forecasts for further unemployment to come. The pandemic has wrecked our economy, but the economic cost of a no-deal Brexit could be two or three times as bad as the impact of Covid, according to a report by the London School of Economics. Surely, anyone looking at that would say that it is absurd to continue down that path and that we need to think again; that would be anyone but Johnson and his Tories.

I say, “Think again.”

**The Deputy Presiding Officer:** I call Patrick Harvie to open for the Green Party. You have four minutes.

17:17

**Patrick Harvie (Glasgow) (Green):** This has been an extraordinary process leading to an extraordinary bill, which poses an extraordinary threat to us all. The process cut right through the discussion of common frameworks and began with a short consultation that could not have been more perfectly timed to coincide with the parliamentary recesses in Scotland, Wales and Northern Ireland. It involved the refusal of the secretary of state who is responsible for the bill to come and give evidence; it included no draft bill for consultation;

and it included a clear threat to legislate without the consent of the Scottish Parliament.

As I understand it, the Scottish and Welsh Governments were still asking to see the bill during a meeting of the joint ministerial committee when a photo of the press release announcing its publication was leaked on Twitter. That could not have been more shambolic.

The substance of the bill poses an extraordinary threat, too. The direct assault on the Parliament's democracy—this democratic authority—comes from the political party that opposed the creation of the Parliament in the first place. The bill is not an insurance policy; it is a wrecking ball.

Where mutual respect genuinely exists between jurisdictions, co-operation is possible, even when political parties with very different politics are in power. The past 20 years show us that. However, that shocking power grab is what makes co-operation impossible. There is no incentive at all for the UK Government to negotiate or compromise if it has already taken a decision to ignore and overrule Scotland, Wales, Northern Ireland and even international law. That is why I am pleased to say that more than 6,000 people have signed up to support the Scottish Green Party's campaign against the bill.

Beyond the extraordinary substance of the bill and its extraordinary process, there is an extraordinary threat, which raises a deeper concern about the true agenda of the current UK Government. It is encapsulated not only in the bill but in that Government's trade agenda. It is apparent from the speech that Liz Truss gave to the free market extremist lobby group, the Cato Institute, a couple of years ago, in which she complained of a "thicket of regulation" and welcomed the race-to-the-bottom agenda on food, safety, public services, public health and environmental protection.

Liz Truss is far from alone in the UK Government in her attitude toward those issues, as shared with a right-wing, anti-environment, anti-social, climate-change-denying outfit such as the Cato Institute. The UK Government just appointed Tony Abbott, for goodness' sake, to the UK Board of Trade. He has worked with Nigel Lawson's dishonest climate denial lobby group; he has denied basic climate science for years and called it a "cult".

The UK Government is willing to bring people like that into government. It is willing to break international law and render itself untrustworthy to both international partners and to Governments elsewhere in these islands. The UK Government is willing to undermine human rights and to overturn devolution. I agree with the STUC's comment, which I quoted to Mr Rowley, that if the UK

Government makes good on its threat to pass the bill in defiance of a refusal by this Parliament to consent to it, that will make

"the case for a second independence referendum unanswerable."

That is because the bill does one thing very clearly: it exposes the reality of the choice that Scotland faces. In the context of the current UK Government, that choice is between direct rule and independence.

17:20

**Willie Rennie (North East Fife) (LD):** The bill emerged from a hurried white paper in the summer, and it is being blasted through Westminster at high speed. The bill exists to smooth a trade deal with the United States of America. It gives UK ministers the power to sweep away objections from devolved Administrations on matters such as food safety and environmental safety.

I have been astonished to hear UK ministers say that the Northern Ireland protocol was done in haste and so cannot be relied upon. Those very same ministers are rushing through this legislation at breakneck speed and with a strong-arm guillotine and they do not even blush.

I was very interested in the evidence that expert witnesses gave to the Culture, Tourism, Europe and External Affairs Committee. Professor Michael Dougan wrote in a submission that

"many trade systems that rely on mutual recognition ... also incorporate multiple safeguards into its application".

There are none in the bill. Professor Michael Keating pointed out in his evidence that most systems with "internal markets" are "federal", such that each Administration within it has a say. This bill gives power to one secretary of state.

I would prefer joint ministerial committees to be up and running, with a dispute-resolution process to keep the internal market moving. With frameworks agreed by all four Administrations, their detailed implementation can be left to the individual Administrations, who would be safe in the knowledge that the fundamentals of the internal market were protected.

My committee colleague Beatrice Wishart asked about fire safety standards, pointing out that

"Peter Drummond—a senior member of the Royal Incorporation of Architects in Scotland—said that Scotland's more robust fire safety regulations could fall foul of the bill"

and noting that, if we wanted

"to change or toughen its existing standards, the bill would appear to come into force against it."

She further noted that, in response to Mr Drummond's concerns, the UK Government had said

"that the Scottish Parliament will continue to be able to set its own regulations."

However, as Professor Dougan pointed out,

"Technically speaking, the UK Government is correct, but only if we totally ignore the bill that we are talking about."—[*Official Report, Culture, Tourism, Europe and External Affairs Committee*, 24 September 2020; c 19.]

We might have thought that someone would have to be a pretty high-ranking office holder of the Boris Johnson fan club to think that this is an honest piece of legislation, but it seems that we have a number of those individuals in the chamber today. That is before we get to the brazen admission that the bill will break international law. So much for the party of law and order: the Scottish Conservatives still stand by the bill.

The bill is unnecessary. It is rushed. It is ill conceived. It will undermine the United Kingdom partnership, put power in the hands of just one minister and break international law. The Scottish Parliament should reject the legislative consent motion and the UK Government should withdraw the bill without delay.

17:25

**Keith Brown (Clackmannanshire and Dunblane) (SNP):** I will not vote for the Parliament to consent to the UK Government's internal market bill, and I have a number of reasons for taking that position.

By the UK Government's own admission, the bill breaks international law. It may do so in a "specific and limited" way, but it is state-sponsored law breaking and, as such, it further chips away at trust and respect and represents a full-scale assault on devolution and the powers of the Parliament. Is it any wonder that the latest Scottish social attitudes survey, released last week, shows that just 15 per cent of those asked trust the UK Government to work in Scotland's interests? That was before it was revealed that the UK Government is specifically, deliberately and disgracefully keeping secret from the Scottish Government and the Parliament consideration of a number of crucial measures that will directly affect devolved competences. The respect agenda seems like a long time ago, and not a word of concern did we hear about that from the Tories.

The internal market bill will lead to a race to the bottom in regulations in areas such as health protection, animal welfare, housing and environmental standards. In 1997, the people of Scotland voted overwhelmingly—nearly 75 per cent—in support of a Parliament for Scotland. The Parliament was reconvened after 300 years and

tasked with setting priorities for Scotland. It has allowed us to take a different path to that of the UK on so many issues, such as free prescriptions, no tuition fees for students—lambasted by the Tories in the Scottish Parliament for years, but apparently they now support that—minimum pricing for alcohol and a fairer and more just social security system.

We know that the Tories never got behind devolution fully, but those in the Scottish Parliament, as well as members from all other parties, have a duty to defend the devolution settlement and acknowledge the level of contempt that the bill shows the Scottish Parliament and the other devolved nations of the UK. It also demonstrates that the Tories in the Scottish Parliament have no serious expectation of ever exercising power in Scotland. If they did so, they would not be so happy to cheer the removal of powers from this devolved Parliament.

**Dean Lockhart:** Will the member give way?

**Keith Brown:** No, I will not. I do not have time.

**Dean Lockhart:** Oh!

**Keith Brown:** The member did not give way to anybody either.

The Tories in the Scottish Parliament have fallen into line behind Boris. They now support Brexit despite 62 per cent of voters in Scotland opposing it. It was also revealed last week that they danced to London's tune when they were told by a Westminster MP to support scrapping the hate crime bill, putting political point-scoring above engaging constructively to better the lives of the people of Scotland. As with other Brexit-related legislation, the UK Parliament has contemptuously passed laws that affect devolved matters, despite the consent of one or more of the devolved Administrations being withheld.

I acknowledge that there is little hope of a different outcome on the issue, but the Tories in the Scottish Parliament have the opportunity to stand up, find a spine, and say that enough is enough. The UK's five living former prime ministers—John Major, Tony Blair, Gordon Brown, David Cameron and Theresa May—have all spoken out against the bill. Will the Scottish Tories speak out against the bill? I think that we all know the answer to that.

After years of ignoring Scotland's interests and its clear democratic wishes, it should come as no surprise to the Tories that the number of Scots backing independence is now at record levels. Indeed, when the removal of powers from the Parliament was first proposed, the SNP—my party—put on 7,000 members virtually overnight, such was the outrage at the proposal that was made over two years ago. Now, the number of

Scots who back independence is at record levels and, if the UK Government imposes the bill on Scotland, it will become ever more evident that the only way to protect Scotland's interests and our place in Europe is to become an independent country.

This is a huge moment in the constitutional development of the Scottish Parliament. If, by a large majority, the Parliament refuses consent and Boris Johnson and his acolytes in the Scottish Parliament ride roughshod over it, as the STUC said and as Patrick Harvie referred to, the case for a referendum on independence becomes unanswerable and we will have that referendum.

17:30

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

Despite all the hysterical language that we have heard about the bill, we need to focus on what really matters—the importance of the UK internal market to Scottish business. According to the Fraser of Allander institute, which might know more about it than *The Ferret*, more than half a million jobs in Scotland are supported by demand for our goods and services from the rest of the UK; 60 per cent of Scotland's trade, worth more than £50 billion to the Scottish economy annually, is with the rest of the UK. Trade to the rest of the UK is worth three times as much as trade to the EU single market.

Against that backdrop, it is no wonder that there have been calls from those involved in business and trade for legislation to ensure that the UK internal market works seamlessly in a post-Brexit environment. The CBI has said that

“preserving the integrity of the internal single market—the economic glue binding our four nations—is essential to guard against any additional costs or barriers to doing business between different parts of the UK”.

The Scottish Retail Consortium has said that Scotland benefits “enormously” from the UK internal market, NFU Scotland has said that it is “vital” for the agricultural industry, Oil & Gas UK has said that regulatory barriers will harm its sector, and Quality Meat Scotland has said that it wants frictionless trade in the UK to be maintained as far as possible.

There is a clear demand for the legislation before us, and it is disappointing that, in the contributions that we hear from the other parties in the chamber, there seems to be little recognition of the need for the legislation. We heard from Michael Russell that the bill represents a power grab by the UK Government but, as we have heard, 111 extra powers are coming to the Scottish Parliament as a result of Brexit and not a single power that is currently being exercised here is being removed. The hypocrisy of the SNP

politicians' position is that, while they complain about a power grab in this bill, they are pursuing their own power grab on Holyrood with the Scottish continuity bill, which will hand extensive powers to the Scottish ministers to introduce new laws in Scotland without detailed parliamentary scrutiny, in order to keep pace with EU laws that will be made by a third party, where we have had no say in their development. Under the SNP's plans, we will become a rule taker but not a rule maker. It is little wonder that there has been so much opposition from stakeholders to what it is proposing.

We should not forget that the SNP wants to hand every power in the bill that it is complaining about straight back to the EU. So obsessed is it with EU membership that it would rather damage our businesses and the Scottish economy by aligning with the EU than align with the UK, despite the fact that the UK market is worth three times to Scottish business what the EU market is worth. Yet, for reasons of narrow ideological obsession, the SNP will damage the Scottish economy by threatening our ability to trade with the UK.

We should not for a moment accept the nonsense that is being stated about the bill leading to a lowering of standards. As Dean Lockhart said, the UK already has exceptionally high standards when it comes to the protection of consumers and workers—higher standards than the EU as a whole. Whether it comes to animal welfare, the environment, or workers' rights, we are far ahead of what the EU offers. That is the position that we should maintain, and nothing in the bill threatens that.

The bill also contains the right for UK ministers to spend money directly in Scotland, a measure that we should all welcome. With Brexit, we will no longer have EU structural funds, and the UK Government has agreed that those will be replaced with direct UK investment in Scotland, in exactly the same way as we have seen from the EU in the past. Yet, strangely, SNP politicians object to that extra money and resources for their constituents, infrastructure projects, cultural projects and community initiatives. They are happy to accept that money when it comes from the EU, but they are so blinkered and prejudiced against the UK that they would rather turn that money down because it is a UK shared resource rather than an EU one—

**The Deputy Presiding Officer:** Please conclude your speech.

**Murdo Fraser:** Presiding Officer, the UK internal market is essential to Scottish business—

**The Deputy Presiding Officer:** No, you must conclude.

**Murdo Fraser:** For that reason, we should back the bill and reject the nonsense motion before us today.

17:34

**Annabelle Ewing (Cowdenbeath) (SNP):** As we have heard, the UK bill would impose a series of rules on trade within the UK, following the end of the transition period with the EU on 31 December and a likely cliff-edge Brexit. We, in Scotland, did not vote for that situation, but on Brexit, as on everything else, our views are ignored and our votes simply disregarded by the UK.

I do not know why the Tory front-bench members are smirking.

The rules that are to be imposed by the UK Government would mean, for example, that state aid powers concerning devolved areas would be taken away to London; that London would take control of key devolved spending powers; and that there would inevitably be a race to the bottom in, for example, food and environmental standards. It is quite clear that public policy protections in the bill have been drawn very narrowly and are very limited in scope, and they would not be sufficient to keep out of Scotland cheap imported chlorinated chicken and hormone-injected beef.

In evidence to the Culture, Tourism, Europe and External Affairs Committee on 24 September, Professor Catherine Barnard said:

“the mutual recognition principle will drive a coach and horses through any attempts by the Scottish Government to reflect local preferences for not having chlorinated chicken”.

At the same meeting, Professor Michael Dougan, of the University of Liverpool, said:

“It means that the market forces that are unleashed by the principle of mutual recognition will not be operating in a neutral manner among England, Scotland, Wales and Northern Ireland. The sheer market size of England means that market forces will lead English standards to be prevalent.”—[*Official Report, Culture, Tourism, Europe and External Affairs Committee*, 24 September 2020; c 23-24.]

There we have it: an internal market of Jonah and the whale, with none of the protections from which we currently benefit as a result of being part of the EU single market of 500 million people.

The UK Tory Government asks us to trust it not to change the status quo and to consult with us, even though there is no requirement in the bill to do so. That is the same UK Tory Government that has such regard for our Scottish Government and Scottish Parliament that it scrapped the UK budget statement by Twitter; hid important information about possible food shortages and its state aid power grab from the Scottish Government; and now proposes to break international law and

renege on commitments that were given under treaty to our international partners.

The bill represents an unprecedented attack on devolution. The people of Scotland joined together to ensure that we saw our Scottish Parliament reconvened in 1999, and no UK Tory Government is going to rewrite our history.

In conclusion, I say to the Tories that we see you. The people of Scotland see you, for there is no respect agenda and no trust in this union, and we are certainly not feeling much love any more. Rather, there is an increasingly hostile environment for Scotland in the union. The STUC said:

“Should the UK Government proceed with the Bill, against the wishes of the Scottish Parliament it makes the case for a second independence referendum unanswerable.”

I agree entirely with that statement. It is only with independence that we can take our own decisions and determine our own future. Surely, that is the better path for Scotland.

17:38

**James Kelly (Glasgow) (Lab):** I rise to speak in favour of the Government's motion opposing legislative consent and against the Conservative amendment. There are two central issues that need to be addressed in assessing the United Kingdom Internal Market Bill: the allocation of powers and the settlement of disputes.

It is clear that, once the Brexit process is complete, powers will run from the EU to the UK. Any logical observer would therefore have accepted that a consensual approach should have been taken and consensual discussion should have been entered into to ensure that the powers are divided up appropriately, with those powers that are consistent with the devolution settlement coming straight to Scotland. However, with this legislation, the Tories have put aside the common frameworks that have been worked on in negotiations, effectively rejected the intergovernmental process and sought to impose their view. It is for that reason that legislative consent needs to be rejected.

I will take a couple of examples. The Conservatives argue that the bill is about the protection of the economy and jobs, but the acceptance of the proposed legislation would mean that state aid powers would be held at Westminster. Surely, we would want state aid powers here, in Scotland, particularly at a time when we will have to address the economic impact of the pandemic.

In addition to that, the setting up of the office of the internal market would give the UK Government

the basis on which to impose rules and regulations on other parts of the United Kingdom. That is simply unfair—it does not work as a fair process.

The proposed legislation does not offer an effective disputes process. Clearly, there will be disputes when powers are discussed, and there needs to be an arbitration process. There cannot be a veto from either the UK Government or the Scottish Government; there needs to be a process that works with all four nations to ensure that there can be a consensual approach. That must be part of the solution.

As for those who have sought to bring the independence referendum into the debate, in the midst of a pandemic, with all the public health issues and the potential loss of jobs, this would not be the right time for an independence referendum. The Conservatives therefore need to reflect very carefully on their actions. We heard Douglas Ross saying the other day that he felt that some of his colleagues in England did not understand Scotland and did not understand the strength of feeling on the issues at stake. If the Conservatives press their buttons in support of the legislation at decision time by supporting legislative consent, that will, in effect, add fuel to the fire for those who have argued in this debate for a second independence referendum.

It is important that we protect the devolution process, that we oppose legislative consent and that we do not let the Tories trash devolution.

17:42

**Kenneth Gibson (Cunninghame North) (SNP):** Members of this Parliament have worked hard for two decades, deliberating and legislating on devolved matters, naturally leading to significant policy divergence between Scotland and the rest of the UK. The United Kingdom Internal Market Bill makes it clear that UK Tory ministers are no longer prepared to accept divergence as an integral part of devolution, which the bill seeks to rein in, spuriously treating policy differences between Administrations as a barrier to trade and a problem to be solved.

As we leave the EU, there is, of course, a need for co-ordination and collaboration between Governments and Parliaments across these islands. We must work with colleagues across the UK to create a system that minimises trade barriers and respects the authority and legitimacy of each Parliament and Assembly. That is not the bill's aim. There is no provision whatever to involve the devolved Administrations in any meaningful way in the development and governance of the UK's internal market.

The bill states that

“the Secretary of State must consult the Scottish Ministers, the Welsh Ministers, and the Department for the Economy in Northern Ireland.”

It is not clear how that consultation process will work in practice but, ultimately, the bill ensures that Westminster will oversee the evolution of the UK's internal market. Any measures that are deemed to impact on the internal market will have to be approved by UK ministers, and any significant policy changes by this Parliament will then have to be given the green light by Westminster.

The bill represents a rolling back of devolution's core principle that this Parliament has competence to legislate on all devolved matters. Let us take the example of minimum unit pricing. If that is revised, we would be able to enforce it only for Scottish products. Due to mutual recognition and non-discrimination, we could not act against cheap English alcohol imports. On paper, we will still have legislative powers and practice, but what would be the point? People would simply buy cheaper imported alcohol, disadvantaging Scottish producers and failing to achieve the public interest objective of minimum unit pricing. All four UK nations will have to accept goods at the standards set in one country, making it difficult to envisage any scenario that does not result in a race to the bottom. That is particularly worrying when coupled with reports of low-regulation trade deals, whereas Scotland normally competes on quality. If we are forced to accept cheap, low-quality products in the name of market integrity, that will have a hugely negative impact on Scottish agriculture.

When Governments work together, compromise is required to balance needs and interests. The UK Government makes no compromise with the bill, nor any attempt to create a sense of confidence and mutual trust among all partners. There has been no attempt even to create the illusion that the legislation is being adapted to consider the devolved Administrations.

By the UK Government's own admission, the bill also breaks international law and allows UK ministers to prevent the application of, and unilaterally reinterpret and disapply parts of, the Northern Ireland protocol despite legal obligations to enact it under both international and domestic UK law. International response is rightly hostile. The EU has launched a legal action against the UK for failing to meet its withdrawal agreement obligations and the bill also risks future trade deals. Nancy Pelosi, the Speaker of the United States House of Representatives, declared that there is “absolutely no chance” of a UK-US trade deal passing through Congress if the UK violates an international treaty and undermines the Good Friday agreement.

The bill's scope and ambiguity is deeply worrying. Professor Michael Keating said at the Culture, Tourism, Europe and External Affairs Committee that he could not see

"why we should give all those powers to UK ministers when we do not know how they will be used."—[*Official Report, Culture, Tourism, Europe and External Affairs Committee*, 24 September 2020; c 11.]

Giving consent to the bill would place power and trust in the hands of UK ministers to act in good faith and in the best interest of the people of Scotland. That is utterly laughable, because the bill, by its very nature, is an example of the Tory Government's proclivity for acting in bad faith.

The Tories are prepared to break international law, renege on the Good Friday agreement and undermine devolution. The Parliament has a responsibility to protect Scotland's interests, so it must not grant legislative consent to the bill.

17:46

**Liz Smith (Mid Scotland and Fife) (Con):** In August, when the chamber last debated the United Kingdom Internal Market Bill, all political parties agreed that, when we leave the transition period at the end of this year—thereby losing the checks that the EU internal market previously brought to domestic law—the exercise of devolved competence could, for the first time, threaten the integrity of the UK internal market.

My colleague Adam Tomkins said that day, in a speech that Michael Russell complimented, that any interruption to the UK internal market

"would be contrary to not only the UK's interests but the interests of Scottish consumers, producers, manufacturers and distributors"—[*Official Report*, 18 August 2020; c 37.],

including the protection of half a million Scottish jobs, which is obviously vital at this time of Covid. Adam Tomkins was right, and that reason is precisely why we need a UK internal market bill.

Let us not forget, as Murdo Fraser rightly pointed out, that Scotland trades one and a half times as much with the rest of the UK as it does with the whole of the EU and the rest of the world put together.

The UK internal market is worth nearly four times as much to Scots as the EU single market is, which is why there was general agreement in August across all political parties in the chamber that it is not in anyone's interest—whether unionist or nationalist—to erect new barriers to trade between Scotland and the rest of the UK.

**Patrick Harvie:** Liz Smith surely accepts that we should take into account not just the interests of commercial operators and businesses but the wider public interest around health, public services, safety and so on. It is for the Parliament

to decide whether divergence is politically acceptable in the context of specific examples.

**Liz Smith:** The member is right—it is not just about economic interests but about other things that I will come to in a minute. My colleagues have spoken about the views of stakeholders on the matter and they—the CBI, the Scottish Retail Consortium, NFU Scotland, the oil and gas sectors and the food industry—have all been plain in their support for securing economic stability and protecting jobs. [*Interruption.*] I will not take another intervention, if the member does not mind.

That point does not deal with the other key issue, which is to ensure that enough is being done—perhaps this answers Mr Harvie's point—to protect the need for legitimate policy differences among the devolved nations and the effective working of the doctrine of proportionality that allows for that necessary divergence. The latter point is, of course, all about the protection and enhancement of the devolution settlement, because it would not be satisfactory if the right to legitimate policy divergence were undermined. We know, for example, that the SNP has been concerned that manner of sale policies or pricing regulations could be undermined on issues such as plastic bags or minimum unit alcohol pricing.

It is true that not enough clarity existed on the issue, which is why the UK Government put in place technical amendments on 29 September to ensure that all parts of the UK have the freedom to regulate for pricing and manner of sale policy and that those policies are beyond doubt when it comes to the courts.

I am well aware that the SNP does not agree with that. However, if we look back at the speeches that were made when we debated this issue in August, as well as Mr Russell's letter in 2018, we can see that there was an acceptance that the common frameworks, on their own, are not enough, because they are not legally binding, and there is a need for something of a legally binding nature. I think that Mr Russell might have changed his mind on that a little in the intervening two years.

I will finish on that point. This bill is needed to protect the economy and the social interests of Scotland, and that is why I will be supporting the amendment in the name of Dean Lockhart.

17:50

**John Mason (Glasgow Shettleston) (SNP):** I am far from convinced that this bill is necessary at all. Of course, businesses want to sell their products throughout the UK, but there is no evidence that I am aware of that that ability is under threat. We have effectively had an internal market with England for 313 years. That is much



longer than we have been in the EU, so we have to assume that there is an ulterior motive behind the UK Government bringing this bill forward.

The key issue for me is whether we are proceeding in this—[*Interruption.*] No, the member took no intervention, and I am taking none.

The key issue for me is whether we are proceeding in this by negotiation, compromise and the use of common frameworks or whether it is to be an imposition from Westminster. If the bill passes, it further strengthens the hand of London over the three devolved legislatures. At the very least, it means that negotiations on common frameworks would become increasingly one sided, as we would be negotiating with a gun to our heads, and any failure to agree would lead to the fallback position of the UK Government making all the decisions.

Further, even if there were a less formal common framework agreed on a particular topic, any organisation going to court against the Scottish Government, as the Scotch Whisky Association did previously, could appeal to this legislation as overriding the common frameworks. That is why I oppose the bill from a constitutional point of view and urge members not to give consent to it.

However, there are also a number of practical reasons why I oppose the bill. We received evidence from the General Teaching Council for Scotland on its concern about teachers' qualifications. Scotland has long had its own requirements to approve teachers and England has had different ones. No one is saying that one is right and the other is wrong, but they are different for different situations. The bill, as it stands, would mean that we would have to recognise professional qualifications from other parts of the UK. That could mean that any teacher from elsewhere in the UK could challenge our setting different requirements.

I asked Michael Gove about that when he appeared at committee. First, he ignored the question and answered a different one. He said that there would be no interference in Scottish education. However, that was not the question. What I had asked was whether Scotland could be forced to accept any teacher from the rest of the UK. He did not answer that.

Similarly, in relation to minimum pricing for alcohol, witnesses raised concerns that, although the present scheme could probably stay in place, if we tried to raise the minimum unit price significantly, even for health reasons, that could be challenged, and there would be less legal protection than the EU gave.

Michael Gove sought to reassure the committee that the present Government at Westminster, and

he himself, in particular, had no intention of going down that route. However, the reality is that those powers would be in legislation and, although he himself might be a very nice man and completely trustworthy, that does not mean that future ministers in future UK Governments will be either as nice or as trustworthy. Further, of course, it is not just the UK Government's intentions that matter here. With minimum unit pricing for alcohol, it was the whisky industry that went to court. Once this law is in place, any business or organisation can use it against Scotland.

We want free trade with the UK. We have free trade with the UK and, of course, the UK is our largest market. I want to maintain that. However, this Parliament was set up for a reason. That reason was that the centralised UK state, with all decisions made in London, was not working. If it is the intention of the Conservatives to reverse the devolution process, they have the power to do that. However, I warn them that it will come back to haunt them.

17:54

**Tom Arthur (Renfrewshire South) (SNP):** The internal market bill may prove to be the death knell of devolution. It will provide a means for UK ministers to employ direct power to intervene in devolved matters without the consent of the Scottish Parliament, and it will allow for the use of indirect power to undermine the laws of this Parliament.

An example of direct power can be found in part 6 of the bill, which would allow UK ministers to bypass this Parliament to spend in devolved areas such as health, education, justice, housing, transport, culture and sport. It is the role of this Parliament and local authorities to decide spending in devolved areas.

If part 6 of the bill is intended as a vehicle to deliver a replacement for EU structural funds, it falls short of what is required and should be amended or removed. A better model would be for any replacement funds to be included in the block grant, which would maximise democratic oversight and allow all members of this Parliament to play a role in shaping how the funds should be used.

In the bill, there is an arbitrary system whereby funding could be decided on the whim of a UK Minister, or even solely for perceived political gain. That would be a recipe for confusion and contradiction in public spending and I fear that it would be the thin end of the wedge. I do not say that lightly—I am not one for engaging in conspiracy theories or scare stories—but is it unreasonable to suspect that the worst of motives underlies much of what the UK Government seeks to do?

This is the Government of the man who orchestrated the unlawful proroguing of Parliament; the Government that introduced the bill that we are debating, which, by its own admission, would breach international law; and the Government that, it was revealed only yesterday, is deliberately withholding important information on Brexit from the devolved Administrations. Could we have confidence, for example, that the UK Government would not reduce the Scottish Parliament's budget in future years, before seeking to position itself through these direct funding powers as a generous benefactor that is ready to step in and help—subject to certain conditions, of course? Would funding for healthcare be conditional on the marketisation of our NHS, as in England? Would support for transport infrastructure be in the form of loans to be financed through tolls, to which many roads in England are subject? Would money be used to undermine lefty activist lawyers and do-gooders? Regardless of what the UK Government has in mind, the bill is unacceptable, for the simple reason that it is for this Parliament to make decisions on devolved spending.

I turn to how the bill seeks to indirectly undermine the lawmaking powers of this Parliament. Parts 1 and 2 of the bill introduce and apply the market access principles of mutual recognition and non-discrimination to goods and services. The effect of that measure would be that goods or services that originate in one part of the UK must be accepted in all parts of the UK, irrespective of differences in regulatory standards. That would potentially allow one part of the UK to gain a competitive advantage through deregulation. Given the size of England's population, economy and political power relative to other parts of the UK, English regulations would, ultimately, have to be acquiesced to by the other nations. Across a range of areas, it would reduce the Scottish Parliament to a puppet Parliament with London pulling the strings.

The bill is a power grab, and it tells us much about the nature of the UK and its Government. Robert Caro, one of the great writers on power, wrote:

“although the cliché says that power always corrupts, what is seldom said ... is that power always reveals. When a man is climbing, trying to persuade others to give him power, concealment is necessary ... But as a man obtains more power, camouflage is less necessary.”

The mask has slipped. There is no partnership of equals, and it certainly does not feel like a family of nations. The UK Government seeks to use raw power to roll back devolution. We must not allow that to happen.

**The Deputy Presiding Officer:** You must conclude.

**Tom Arthur:** All MSPs worthy of their position must join the Scottish Government at decision time in defending their dignity and the rights of their Parliament, and refuse consent for the United Kingdom Internal Market Bill.

**The Deputy Presiding Officer:** You cannot go on—I am sorry, but I have been hard on everybody else.

17:58

**Claudia Beamish (South Scotland) (Lab):** Throughout the divisive and disempowering Brexit process, Scottish Labour has taken a keen interest in developments about which we have become increasingly alarmed. That particularly—though by no means exclusively—relates to the development of the post-EU arrangements for trade and our precious environment, and to the grave threat to devolution.

When I spoke previously in the chamber on the internal market, it was at the stage of the publication of the UK Tory Government white paper. At that point, I and other members emphasised our grave concerns about its direction in relation to Scotland's interests and, indeed, those of the UK as a whole. When I spoke in the debate on 17 August, I expressed incredulity at the lack of respect from the Tory Government for the devolved settlement.

At that time, I stated that the white paper proposals were beholden to capital, had no loyalty to place, collaboration or subsidiarity, and risked undermining any partnership between the local community, locally owned businesses and trade unions.

How naive of me to hope against hope that someone in the UK Tory Government might listen to concerns about the threat to the devolution settlement itself! How falsely optimistic of me to envisage that someone in that Government might wake up and realise how seriously wrong they had got it.

The Finance and Constitution Committee was correct to call for a much longer, transparent and inclusive debate on the proposals in the white paper. The wider debate included blunt comments from former Prime Minister John Major, who said:

“This has wide-ranging ramifications. It will not only make negotiation with the EU more difficult, but also any trade negotiations with other nations, including the United States. Once trust is undermined, distrust becomes prevalent.”

However, no one in the UK Tory Government was listening to him or to us, in the Scottish Parliament—that is certain. We now have a draft UK bill to consider, and the only option is to say a clear and resounding no to it.

Twenty years ago this Sunday, Donald Dewar, our first First Minister, passed away. His determination, and that of so many others from political parties and civic society, to have a Scottish Parliament must not be threatened and undermined—by the bill or by anything else. I acknowledge the cabinet secretary's recognition of his part.

In Scotland, much of the law and certainty on our policies on the environment, food standards, health and more is established here, in this Parliament. Its shaping has been helped by EU laws and directives. We will not be forced into a race to the bottom.

The STUC's concerns relate mainly to state aid, the market access commitment and intergovernmental arrangements. Its briefing highlights that the bill reserves state aid to Westminster, despite its not being reserved in the Scotland Act 1998. It has stated that in Scotland we have

"the ability to give effective financial support to workplaces threatened with closure, to take key utilities back into public ownership",

and much more. That highlights starkly the totally unacceptable arrangements to which the bill would lead.

As Alex Rowley stressed, as we struggle with Covid, with such economic uncertainty, what is required is further devolution, to build back a better Scotland.

James Kelly stressed the lack of a dispute resolution arrangement in the bill.

The lack of respect by the UK Government for our devolved arrangements and for the need for mutual respect in forging the way forward is an ominous signal of a determination to centralise, which will be resisted robustly. The upcoming continuity bill will pin down some of our way forward, and I look forward to the stage 1 debate after the recess.

Furthermore, the UK bill is not about seamless trade, as is stated. The common frameworks would provide that, in a way that would be apparent if the UK Government had acted with more alacrity. It is still possible to shape those frameworks. It is not too late to have future arrangements made through agreement.

I turn to the concerns on the Irish peace process that have been raised in relation to the bill. Last month, John Major and Tony Blair wrote in *The Sunday Times*:

"It puts the Good Friday Agreement at risk, because it negates the predictability, political stability and legal clarity that are integral to the delicate balance between the north and south of Ireland that is at the core of the peace process."

The threat to the peace process and the lack of respect for international law are reasons enough to vote down the LCM. Sadly, many more reasons have been outlined during the debate, by members of most parties. Thus, Scottish Labour rejects the Tory amendment. Alex Rowley, James Kelly and I have made it clear that Scottish Labour supports the Scottish Government's motion. We will not support legislative consent for such a disrespectful and dangerous bill.

18:04

**Maurice Golden (West Scotland) (Con):** It is important not to lose sight of the most important aspect of the debate: how to protect Scottish jobs, businesses and the economy. That point was made expertly by my colleague Murdo Fraser. Regardless of members' views on the constitution, it is an indisputable fact that Scotland's economy is intertwined with that of the rest of the United Kingdom. There is therefore a responsibility on every member of the Scottish Parliament to ensure the continued success of the UK internal market. There are simply too many Scottish jobs at stake—more than half a million, as my colleague Dean Lockhart pointed out.

We heard from Alex Rowley, who gets more cheers from the SNP benches these days than he gets from the Labour benches. He claimed that the bill breaks international law—untrue, incorrect and ill informed as ever. The same point was made by a number of SNP members, as well as by Patrick Harvie, who claimed that some members, including me, opposed the Scottish Parliament—I did not. I would have supported it had I been old enough to vote.

Almost two thirds of Scottish trade is conducted with the rest of the UK, so businesses need certainty that commerce will carry on as usual across the United Kingdom now that we have left the EU. The UK Internal Market Bill provides the certainty that products that are made in one part of the United Kingdom will not face additional barriers to market in another part of the UK and that consumers in one part of the UK will not be disadvantaged by limited access to goods and services.

Not only is that plain common sense, but it is what we have done for centuries. The internal market bill brings the process into the 21st century, to work with devolution. As long as they do not discriminate against goods and services in the rest of the UK, devolved Governments will be able to set their own rules and standards, which will then be recognised across the entire UK.

The SNP had to take the EU to court to get its alcohol minimum pricing scheme through. Under

the UK Internal Market Bill, it could introduce that scheme without court action.

Liz Smith eloquently articulated how the doctrine of proportionality would allow divergence and enhance devolution.

**Patrick Harvie:** I recognise the extent to which the member is making real efforts to do the mental gymnastics that are necessary to justify the bill; he is making a good effort in that regard. Does he at least acknowledge the substantial amount of evidence, not from politicians and pro-independence activists but from independent witnesses, that the bill will leave more uncertainty and will leave major decisions not in the hands of democratic Parliaments here or at Westminster but in the hands of the courts? Will he acknowledge that exactly the uncertainty that he opposes is written into the bill?

**Maurice Golden:** No. I will not take lessons from Patrick Harvie, whose modus operandi is to destroy devolution. That is what he wants. I am standing up for devolution.

That is why we require co-operation across business groups. The CBI has been calling for that. The Conservatives stand ready to work with the Scottish Government on the bill. I urge SNP members at least to keep their minds open to co-operation, even if their natural instinct is not to do so—[*Interruption.*] I will come to that.

For example, it would have been welcome if the SNP had used this debate to discuss how best to use the new powers in the internal market bill—[*Interruption.*] Of course, SNP members laugh because they want to send those powers away from the Scottish Parliament and give them to unelected officials in Brussels. The Scottish Conservatives are keen to have that discussion and ensure that the powers are best used for the people of Scotland.

That is why it is so disappointing that we have today had another ill-tempered debate, with nationalist politicians showing more interest in senseless UK bashing than in the bill. They take every opportunity to undermine and oppose the UK, even when that risks thousands of Scottish jobs—[*Interruption.*]

**The Deputy Presiding Officer:** Just a minute. Mr Arthur, you are shouting to people in the gallery. Mr Golden, you are softly spoken and I want to hear what you are saying. Please continue.

**Maurice Golden:** Thank you, Presiding Officer.

Why on earth would the cabinet secretary walk out of talks on the UK internal market? He claims that he felt that the talks would lead to a proposal that threatened devolution. Are we really supposed to believe that a man who, like Patrick

Harvie, actively campaigns to end devolution is suddenly concerned with preserving it?

That same ideological opposition to the UK sees the cabinet secretary accept the need for common frameworks covering specific sectors while refusing to take the next logical step of providing a regulatory baseline to fill the gaps between those frameworks as the bill aims to.

The SNP must accept that ignorant, anti-UK sentiment will not help Scottish jobs and businesses. A more modern and progressive approach would be to engage constructively with the UK Government on all legislation and other measures that are being undertaken to safeguard and protect Scottish jobs and livelihoods.

18:10

**Michael Russell:** I will make three introductory points that will be factually based, so that Maurice Golden can have them on the record.

First, there is no threat from any of the devolved Administrations, Governments or Parliaments to the continuation of seamless and unfettered trade within the UK. There is no such threat, no Tory has been able to point to such a threat and there is no intention to make one, so let us make that clear.

Secondly, we do not have to be in the same constitutional structure in order to trade with our largest customer. If we did, the UK would not be leaving the EU. That is the simple reality.

Thirdly, the bill is illegal; it contains breaches of international law. Therefore, it would be against the ministerial code for any minister to support it.

**Maurice Golden:** Will the member take an intervention?

**Michael Russell:** No, thank you. I have heard the sound of Maurice Golden's voice in my ears enough this afternoon, and I really could not take any more of it. I am sorry, but even I have a limit for that sort of suffering.

I have to say that I have a lot of time for some Conservative members—although not many. I have a lot of time for Liz Smith, whom I am going to embarrass again. She was my Opposition shadow when I was the education secretary, and she regularly called for my resignation, but I got over it. I want to reflect on something that she said about the change during the past few years. Unfortunately, she said it in a somewhat dismissive way, as if I had changed my mind and vacillated on these matters.

I want to go back to four years ago. It is useful that Ruth Davidson is sitting behind Liz Smith, because in the period after 23 June 2016 she, too, was very clear that Scotland should seek the

closest possible relationship with the EU, continued membership of the single market and continued membership of the customs union. Those were the things that united most of us in the chamber after 23 June. However, is what we have experienced this afternoon not extraordinary, just over four years on? Tory members have been mouthing off about the EU and about our handing powers to Brussels. They have been attacking alignments and standards, bad mouthing Europe and, essentially, painting it as the devil incarnate. That is what we have heard; it is what we hear time and again.

There was also a huge attack on devolution and the powers of the Parliament. The attack was not about our wanting to ensure that Scotland could continue to be in the single market; it was about our powers being considerably diminished.

**Dean Lockhart:** Will the member take an intervention?

**Michael Russell:** No. If one thing is worse than Mr Golden's voice, it is Dean Lockhart's. No—absolutely not.

There was a huge attack on devolution.

**Liz Smith:** Will the member take an intervention?

**Michael Russell:** No. Well, okay—yes.

**The Deputy Presiding Officer:** Cabinet secretary, I am sure that you can do better than use personal insults. Are you taking an intervention from Liz Smith?

**Michael Russell:** I will. I would like to apologise to you, Presiding Officer, if you—

**The Deputy Presiding Officer:** It is not a discussion. Liz Smith, please.

**Liz Smith:** I will not waste this opportunity. I ask the cabinet secretary, once again, if he can name a single power that will be removed from the Scottish Parliament.

**Michael Russell:** I can, indeed. Powers of devolution will be removed, because devolution is a single or collective power that will—*[Interruption]*. Presiding Officer, in a moment I would like to talk about the laughter on the Tory benches, which has been deeply unpleasant at times this afternoon and is unpleasant again now.

The reality is that every power that the Scottish Parliament has can be second-guessed as a result of the bill. There is no doubt about that. There has been a huge attack on devolution, and the Tories have been isolated as extreme Brexiteers. All of them have been isolated as extreme Brexiteers who not only admit the breach of international law but revel in it.

The saddest thing of all is the refusal to listen to any and all opinion that has been expressed on the matter. Before Mr Lockhart spoke, he heard from Bruce Crawford that the Finance and Constitution Committee has said that “devolution cannot work” if the UK Government imposes its view on the devolved nations. Mr Crawford made that clear in his final words.

Tory members also heard from Labour, with Alex Rowley saying, “Think again.” They heard from Patrick Harvie, who talked about the decision making of the UK Government. The Tories also heard from the Lib Dems. Rarely, if ever, can I find not a word of Willie Rennie's speech to criticise. I enjoy criticising the words of Willie Rennie's speeches, but on this occasion I cannot do so. That will put him in deep trouble with Mike Rumbles, but he has my approbation for his speech.

We have also heard from the Royal Incorporation of Architects in Scotland, the General Teaching Council for Scotland, NFU Scotland and the Scottish Council for Development and Industry, but they were all dismissed. In a very sinister move, the NFUS was misquoted. It made very clear in its submission what it feels about the white paper, but that was brushed aside. The reality is that, in the words of an Irving Berlin song, they are “all out of step but Jim.” They are all out of step with what the Tories say, but not even the Tories believe it.

There are members in the Tory seats who know that the bill is deeply wrong, because it goes well beyond what should be happening. We heard that in the rather nervous laughter from the Tories during the opening speeches. They were giggling like schoolchildren who have heard a naughty word, but I could not actually decide what the naughty word was. Was it “Scotland”, “democracy” or “devolution”? When any of those words was mentioned, the Tories were giggling away.

I want to make it very clear that there is no doubt whatsoever, from the evidence that committees have heard and from the bill: the bill is a major attack on devolution. It is illegal. If the Tories support it, they will be aiding and abetting a hostile Westminster Government in undermining the Scottish Parliament—no ifs and no buts. They will also be voting for a bill that is against international law, and they will know it. There have been three solicitors in the Tory seats throughout the debate, but not one of them referred to the legal issues in the bill. That is shocking.

I go back four years, to just after the Brexit referendum, when there was a view in the Scottish Parliament that we could find a way forward for Scotland that would preserve some of the valuable things that we have in the EU. Now, we have a host of ranting Brexiteers—*[Interruption.]* Mr

Simpson is laughing, but we have a host of ranting Brexiteers who are, unfortunately, undermining the Parliament and Scotland's democracy. It will not stand. Tom Arthur made that point, and I make it again: it will not stand. This is wrong. It should not happen. We should refuse permission and we should continue to oppose the bill, no matter what.

**The Deputy Presiding Officer:** I believe that you were about to apologise to me, Mr Russell, but I interrupted you. However, I accept the apology. Do you want to make it now?

**Michael Russell:** Thank you for anticipating its terms, Presiding Officer, which you did not hear. You know me so well.

**The Deputy Presiding Officer:** Unfortunately, yes.

That concludes the debate on legislative consent to the internal market bill.

## Business Motion

18:19

**The Presiding Officer (Ken Macintosh):** The next item of business is consideration of business motion S5M-22964, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out a business programme. I invite the minister to move the motion.

*Motion moved,*

That the Parliament agrees—

(a) the following programme of business—

Tuesday 27 October 2020

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions

*followed by* Ministerial Statement: Miners' Strike Review

*followed by* Economy, Energy and Fair Work Committee Debate: Energy Inquiry

*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 28 October 2020

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions:  
Constitution, Europe and External Affairs;  
Economy, Fair Work and Culture

*followed by* Ministerial Statement: Winter Preparedness in the NHS

*followed by* Scottish Government Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

*followed by* Approval of SSIs (if required)

5.00 pm Decision Time

*followed by* Members' Business

Thursday 29 October 2020

12.20 pm Parliamentary Bureau Motions

12.20 pm First Minister's Questions

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions:  
Education and Skills

*followed by* Stage 1 Debate: UK Withdrawal from the European Union (Continuity) (Scotland) Bill

*followed by* Financial Resolution: UK Withdrawal

from the European Union (Continuity)  
(Scotland) Bill

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 3 November 2020

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions

*followed by* Scottish Government Business

*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 4 November 2020

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions:  
Health and Sport;  
Communities and Local Government

*followed by* Scottish Government Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

*followed by* Approval of SSIs (if required)

5.00 pm Decision Time

*followed by* Members' Business

Thursday 5 November 2020

12.20 pm Parliamentary Bureau Motions

12.20 pm First Minister's Questions

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions:  
Social Security and Older People

*followed by* Stage 1 Debate: Defamation and  
Malicious Publication (Scotland) Bill

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 26 October 2020, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.—[*Graeme Dey*]

*Motion agreed to.*

## Parliamentary Bureau Motions

18:19

**The Presiding Officer (Ken Macintosh):** The next item of business is consideration of eight Parliamentary Bureau motions. I invite Graeme Dey, on behalf of the Parliamentary Bureau, to move motion S5M-22965, on committee meeting times; motions S5M-22966 and S5M-22967, on the designation of lead committees; and motions S5M-22968, S5M-22969 and S5M-22971 to S5M-22973, on the approval of Scottish statutory instruments.

*Motions moved,*

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Rural Economy and Connectivity Committee can meet, if necessary, at the same time as a meeting of the Parliament from 2.00pm to 4.30pm on both Wednesday 28 October and Wednesday 4 November 2020 for the purpose of considering and agreeing its report on its inquiry into construction and procurement of ferry vessels in Scotland.

That the Parliament agrees that the Education and Skills Committee be designated as the lead committee in consideration of the Disabled Children and Young People (Transitions to Adulthood) (Scotland) Bill.

That the Parliament agrees that the Health and Sport Committee be designated as the lead committee in consideration of the University of St Andrews (Degrees in Medicine and Dentistry) Bill.

That the Parliament agrees that the First-tier Tribunal for Scotland Social Security Chamber (Procedure and Composition) Amendment Regulations 2020 [draft] be approved.

That the Parliament agrees that the Scottish Child Payment Regulations 2020 [draft] be approved.

That the Parliament agrees that the Winter Heating Assistance for Children and Young People (Scotland) Regulations 2020 [draft] be approved.

That the Parliament agrees that the Insolvency Act 1986 (Scotland) Amendment Regulations 2020 [draft] be approved.

That the Parliament agrees that the Scottish Parliament (Constituencies and Regions) Order 2020 [draft] be approved.—[*Graeme Dey*]

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

## Decision Time

18:20

**The Presiding Officer (Ken Macintosh):** The first question is, that amendment S5M-22955.1, in the name of Dean Lockhart, which seeks to amend motion S5M-22955, in the name of Michael Russell, on legislative consent to the United Kingdom Internal Market Bill, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

We will have a short suspension to allow members in the chamber and those who are participating online to access the voting app.

18:20

*Meeting suspended.*

18:27

*On resuming—*

**The Presiding Officer:** We will proceed with the division on amendment S5M-22955.1.

If any member online thinks that their vote has not been registered, they should raise a point of order, please.

**The Cabinet Secretary for Rural Economy and Tourism (Fergus Ewing):** On a point of order, Presiding Officer. I would have voted no.

**The Presiding Officer:** Thank you, Mr Ewing. That is noted. I will instruct the clerks to make sure that your vote is added to the division list before we call the result.

### For

Balfour, Jeremy (Lothian) (Con)  
 Ballantyne, Michelle (South Scotland) (Con)  
 Bowman, Bill (North East Scotland) (Con)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Chapman, Peter (North East Scotland) (Con)  
 Corry, Maurice (West Scotland) (Con)  
 Davidson, Ruth (Edinburgh Central) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Golden, Maurice (West Scotland) (Con)  
 Greene, Jamie (West Scotland) (Con)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Harris, Alison (Central Scotland) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Lindhurst, Gordon (Lothian) (Con)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 Mason, Tom (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Scott, John (Ayr) (Con)

Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Wells, Annie (Glasgow) (Con)  
 Whittle, Brian (South Scotland) (Con)

### Against

Adam, George (Paisley) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Beamish, Claudia (South Scotland) (Lab)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Constance, Angela (Almond Valley) (SNP)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)  
 Fee, Mary (West Scotland) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 Finnie, John (Highlands and Islands) (Green)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scotland) (Lab)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Johnstone, Alison (Lothian) (Green)  
 Kelly, James (Glasgow) (Lab)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lamont, Johann (Glasgow) (Lab)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Lochhead, Richard (Moray) (SNP)  
 Lyle, Richard (Uddingston and Bellshill) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 Macdonald, Lewis (North East Scotland) (Lab)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McArthur, Liam (Orkney Islands) (LD)  
 McKee, Ivan (Glasgow Provan) (SNP)



McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNeill, Pauline (Glasgow) (Lab)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Rennie, Willie (North East Fife) (LD)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Rumbles, Mike (North East Scotland) (LD)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Sarwar, Anas (Glasgow) (Lab)  
 Smith, Elaine (Central Scotland) (Lab)  
 Smyth, Colin (South Scotland) (Lab)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, David (Highlands and Islands) (Lab)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)  
 Wheelhouse, Paul (South Scotland) (SNP)  
 White, Sandra (Glasgow Kelvin) (SNP)  
 Wightman, Andy (Lothian) (Green)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

**The Presiding Officer:** The result of the division is: For 28, Against 90, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The next question is, that motion S5M-22955, in the name of Michael Russell, as amended—

**Members:** Oh!

**The Presiding Officer:** Sorry—not as amended. It is unamended. The question is, that motion S5M-22955, in the name of Michael Russell, on legislative consent to the United Kingdom Internal Market Bill, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

**Margaret Mitchell (Central Scotland) (Con):** On a point of order, Presiding Officer, I was not able to vote. I vote no.

**The Presiding Officer:** Thank you very much, Ms Mitchell. That is noted. I will instruct the clerks to ensure that your vote is added to the division list.

**For**

Adam, George (Paisley) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Beamish, Claudia (South Scotland) (Lab)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Bibby, Neil (West Scotland) (Lab)

Boyack, Sarah (Lothian) (Lab)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Constance, Angela (Almond Valley) (SNP)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)  
 Fee, Mary (West Scotland) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 Finnie, John (Highlands and Islands) (Green)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scotland) (Lab)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Johnstone, Alison (Lothian) (Green)  
 Kelly, James (Glasgow) (Lab)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lamont, Johann (Glasgow) (Lab)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Lochhead, Richard (Moray) (SNP)  
 Lyle, Richard (Uddingston and Bellshill) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 Macdonald, Lewis (North East Scotland) (Lab)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McArthur, Liam (Orkney Islands) (LD)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNeill, Pauline (Glasgow) (Lab)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Rennie, Willie (North East Fife) (LD)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Rumbles, Mike (North East Scotland) (LD)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Sarwar, Anas (Glasgow) (Lab)  
 Smith, Elaine (Central Scotland) (Lab)  
 Smyth, Colin (South Scotland) (Lab)

Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, David (Highlands and Islands) (Lab)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Sturgeon, Nicola (Glasgow Southside) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)  
 Wheelhouse, Paul (South Scotland) (SNP)  
 White, Sandra (Glasgow Kelvin) (SNP)  
 Wightman, Andy (Lothian) (Green)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

### Against

Balfour, Jeremy (Lothian) (Con)  
 Ballantyne, Michelle (South Scotland) (Con)  
 Bowman, Bill (North East Scotland) (Con)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Chapman, Peter (North East Scotland) (Con)  
 Corry, Maurice (West Scotland) (Con)  
 Davidson, Ruth (Edinburgh Central) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Golden, Maurice (West Scotland) (Con)  
 Greene, Jamie (West Scotland) (Con)  
 Harris, Alison (Central Scotland) (Con)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Lindhurst, Gordon (Lothian) (Con)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 Mason, Tom (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Scott, John (Ayr) (Con)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Wells, Annie (Glasgow) (Con)  
 Whittle, Brian (South Scotland) (Con)

**The Presiding Officer:** The result of the division is: For 90, Against 28, Abstentions 0.

### *Motion agreed to,*

That the Parliament agrees not to consent to the United Kingdom Internal Market Bill, as it reduces and constrains the competence of the Scottish Parliament and breaches international law.

**The Presiding Officer:** I propose to ask a single question on eight Parliamentary Bureau motions unless there are any objections.

As there are no objections, the question is, that motions S5M-22965, S5M-22966, S5M-22967, S5M-22968, S5M-22969, S5M-22971, S5M-22972 and S5M-22973, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, be agreed to.

### *Motions agreed to,*

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Rural Economy and Connectivity Committee can meet, if necessary, at the same time as a meeting of the Parliament from 2.00pm to 4.30pm on both Wednesday 28 October and Wednesday 4 November 2020 for the purpose of considering and agreeing its report on its

inquiry into construction and procurement of ferry vessels in Scotland.

That the Parliament agrees that the Education and Skills Committee be designated as the lead committee in consideration of the Disabled Children and Young People (Transitions to Adulthood) (Scotland) Bill.

That the Parliament agrees that the Health and Sport Committee be designated as the lead committee in consideration of the University of St Andrews (Degrees in Medicine and Dentistry) Bill.

That the Parliament agrees that the First-tier Tribunal for Scotland Social Security Chamber (Procedure and Composition) Amendment Regulations 2020 [draft] be approved.

That the Parliament agrees that the Scottish Child Payment Regulations 2020 [draft] be approved.

That the Parliament agrees that the Winter Heating Assistance for Children and Young People (Scotland) Regulations 2020 [draft] be approved.

That the Parliament agrees that the Insolvency Act 1986 (Scotland) Amendment Regulations 2020 [draft] be approved.

That the Parliament agrees that the Scottish Parliament (Constituencies and Regions) Order 2020 [draft] be approved.

**The Presiding Officer:** That concludes decision time.

I encourage members to be very careful to observe social distancing in leaving the chamber and, in particular, in the one-way system in the corridors outside.

There will be a short pause before we move on to members' business.

## South-west Scotland Transport Infrastructure

**The Deputy Presiding Officer (Linda Fabiani):** The final item of business is a members' business debate on motion S5M-20652, in the name of Brian Whittle, on future options for south-west Scotland transport infrastructure. The debate will be concluded without any question being put.

### *Motion debated,*

That the Parliament welcomes the publication of the *South West Scotland Transport Study - Initial Appraisal - Case for Change*, which it considers identifies a clear need for investment in the transport infrastructure of south west Scotland and lays out a range of options to deliver significant improvements to road safety, journey time reliability, the quality and frequency of rail services and public transport integration; understands that the area's transport infrastructure plays a key role in the operation of Scotland's only direct ferry links to Northern Ireland, which are a significant contributor to the local and national economy; acknowledges the potential opportunities to use transport infrastructure investment to benefit the environment, including reducing air and noise pollution in towns and villages through bypassing, installation of electric vehicle charging infrastructure, improving the resilience of road surfaces, and thereby eliminating increased emissions resulting from long diversionary routes, increasing the viability of public transport as an alternative to the car in more rural areas, and greater availability of active travel routes; notes that the proposals contained in the study will be assessed as part of the ongoing second Strategic Transport Projects Review, and acknowledges calls from communities and businesses in south west Scotland for improvements to roads, such as the A77, A76, A75, A70 and the Bellfield interchange, and the area's rail lines to be treated as a matter of urgency to ensure the area remains an attractive place to live, and that the local economy remains competitive with other parts of Scotland and the wider UK.

18:38

**Brian Whittle (South Scotland) (Con):** I am grateful for the opportunity to bring this debate back to the chamber. It is a long-standing debate that has been well rehearsed on many occasions by the protagonists on all sides of the chamber. In many ways, it is a fairly unique debate, in that everybody knows what everyone else is going to say.

I assume that, in the absence this evening of the Cabinet Secretary for Transport, Infrastructure and Connectivity, the Minister for Energy, Connectivity and the Islands will have already stacked up his rebuttals and will no doubt throw in some well-rehearsed lines to try to muddy the waters a bit. We will probably hear the words "Brexit" and "the Tories" through gritted teeth, and I am quite sure that the maintenance spend on the routes in question will be quoted.

However, none of that will change the fact that the Scottish Government has, in the past decade,

allocated a mere 0.4 per cent of its infrastructure spend to the south-west. That includes the £30 million Maybole bypass, which is currently being constructed after a 60-year campaign. Even there, the Government managed to miss the opportunity to future proof the bypass by agreeing to build only a single road rather than a stretch of dual carriageway.

My colleagues will no doubt discuss their own patches in the south-west and highlight the issues that their constituents face as a result of the continuing lack of investment in the area. The debate will surely highlight the scale of the problem that the Scottish Government has created for itself by continually ignoring the south-west.

The road and rail infrastructure now requires a complete overhaul, with the A77, A76, A75 and A70, as well as the Bellfield interchange, creaking under the weight of traffic for which none of them were designed. The rail link from Ayr to Stranraer is a single-track line that is served by ageing diesel trains. In addition, there is the on-going issue with the Ayr Station hotel, which resulted in huge disruption to my constituents south of the station when it caused the closure of the rail link. The hotel issue remains unresolved and the cost to the taxpayer continues to rise. The railway needs an upgrade, with the potential for electrification or alternative-fuel trains and a spur off to Cairnryan to potentially take away some of the road traffic.

The Bellfield interchange at Kilmarnock is an elevated roundabout that carries traffic on and off the A77. It links to North Ayrshire, with more than 40 per cent of traffic going there passing through the roundabout. It also links the A76 to Cumnock and Dumfries, and links up with the A71 going east to Lanarkshire, Edinburgh and the M74. Transport Scotland has raised concerns about the interchange's ability to deal with the additional traffic resulting from the Ayrshire growth deal investment.

I know that the minister will hide behind the second strategic transport projects review and its recommendations, but those issues are not new—they have been building for decades. I note that my colleague John Scott, who has been dealing with these issues for far longer than I have, asked during portfolio questions today about the parts of the A77 in his constituency that were supposed to be upgraded years ago, according to the original STPR. Those plans have remained unfulfilled.

If proof was required of the way in which the Scottish Government has disregarded the needs of the south-west, we need look only at its response to the most recent landslip on the A73 at the Rest and Be Thankful. I have heard the cabinet secretary say that he will do whatever is needed and that he will have a solution on the

table by February. However, there was a landslip just a mile from the Stena Line port that shut the lane for four and a half years. When the then cabinet secretary was finally pressured into dealing with that, it was sorted in three months. The Scottish Government has not been alive to the needs of the south-west, or else it has just been ignoring them.

I had hoped to try to be somewhat conciliatory in my speech, but when I took part in portfolio questions earlier today, it was obvious to me that Michael Matheson still prefers politicking to taking any positive action or responsibility. His response to my question on the loss of business from the Cairnryan to Belfast route to the Dublin to Heysham and Liverpool routes was nothing short of disgraceful.

Rather than suggesting that I am talking down the south-west, perhaps the cabinet secretary could do a little bit of homework by speaking—as I have done—to the ferry operators, Belfast harbour, the Belfast politicians or the hauliers in Scotland and Belfast. If he had done so, he would know that there is a drift away from the Belfast to Cairnryan route to the Dublin routes that so far totals 6 per cent. That is a fact.

The cabinet secretary either does not know the facts or is trying to cover them up, neither of which is a good look for someone in his job. If he was here this evening, I would say to him that, if he decides to come to the chamber and deploy feigned indignation in the way that he has done to avoid facing facts, he should expect to be dragged back into the chamber over and over until he listens to the concerns of the people in the south-west, because they deserve better than what he offered earlier today.

In 2010, the then First Minister, Alex Salmond, committed to upgrading the south-west infrastructure in and out of the port of Cairnryan while opening up the port, acknowledging the £340 million investment by Stena and P&O Ferries. In 2011, Alex Neil, the then transport secretary, said that it was a “disgrace” that the previous Labour Administration had not invested in infrastructure upgrades in the south-west—after which the Scottish Government proceeded to do nothing to rectify the situation.

In 2016, at the start of the current session of Parliament, John Swinney and Humza Yousaf, who was then Minister for Transport and the Islands, held a fact-finding session with more than 150 representatives from the south-west business community, but that resulted in much talk and no action. Even Michael Matheson has come down to the area to listen to the concerns.

The asks are simple. The south-west needs a 10-year—or so—infrastructure development

strategy. That has to include roads and rail connections, infrastructure potential for electric charging points in the bypass towns and a cycle route from Ayr to Stranraer, which would pass through the bypass towns. There is potential for a whole new economy, and those asks from the region are reasonable.

We have had 10 years of warm words and empty promises. From Alex Salmond a decade ago, through to Alex Neil and Humza Yousaf, people have spoken warm words about developing the infrastructure in the south-west, all the while finding a way to kick the can down the road for the next cabinet secretary to deal with. The minister is now in the hot seat; I ask him to be different and break that cycle. He knows that the south-west has been ignored for too long and that its connectivity has been chronically underfunded for decades. It should not be a political fight between him and me. I ask him to take the opportunity this evening to do the right thing and finally commit the Scottish Government to invest a fair share of the transport infrastructure budget in the south-west; it is owed and desperately needed. I ask him to stop ignoring the south-west and give us the chance to grow and prosper.

18:46

**Joan McAlpine (South Scotland) (SNP):** When I last spoke in this chamber about transport in the south-west, in a debate that was led by my colleague, Emma Harper, I mentioned that, in 2016, I called for a transport summit to be held in Dumfries, to ensure that our local priorities were heard by national decision makers. I did that because I had discovered that the local transport plan for several years before had identified a number of road improvements, particularly on the A75, and every one of them had been completed, so we needed to update our priorities.

Road upgrades are major capital investments, as are most transport upgrades, and they have a big impact on local communities, so a great deal of systematic, advanced planning and evidence gathering has to be done. I knew that it was important to make sure that Dumfries and Galloway was included when the Government was revising the strategic transport projects review that will identify the priorities for the next 20 years.

The transport summit was attended by the then minister and his senior officials, and it put the south-west very much on the radar. That means that the needs of the south of Scotland will be considered in the strategic transport projects review 2, notwithstanding the changes that have taken place since 2016, which will impact on our thinking: the pandemic and its economic impact, the real danger of a no-deal Brexit, and the declaration of the climate emergency, which was

supported across the Parliament and has an influence on how we think about our transport priorities.

The transport summit led to the consultants' report, the "South West Scotland Transport Study Initial Appraisal: Case for Change", which was published in January this year and which will inform STPR2. The appraisal report is a key milestone in getting us closer to the improvements that we all want to see.

I take issue with Brian Whittle's suggestion that the south-west is ignored; the south-west has its own enterprise agency, which was launched in the middle of the pandemic this year and is already doing a huge amount of work in the south-west. That shows the priority that the south has in the Government's agenda.

To return to transport, I will talk a little about the recommendations in that important appraisal that I particularly approve of. They are new railway stations on the Glasgow south-western line, such as Cumnock, Thornhill and Eastriggs, and new railway stations on the west coast main line, namely Beattock, for which I campaigned for a number of years. The appraisal also recommends improved services on the west coast main line, including through Lockerbie, but those services are regulated by the UK Government and, despite much lobbying on my part, the UK Government has not been particularly helpful in improving them. I welcome the recommendation that further work should be done on looking at a new rail link between Dumfries and Stranraer; the link was closed in the 1960s and would be very popular if it was restored. Although taking it forward would be astronomically expensive, given the climate crisis, such a project would send a strong message about this Government's priorities.

I also welcome the mention in Brian Whittle's motion of electric vehicles. The recommended enhancements in the capacity for charging, which are a big Scottish Government commitment, complement some of the appraisal report's recommendations—notably, the capacity enhancements on the A75, the A76 and the A77. I particularly welcome those recommendations, the recommendation that there should be

"road capacity enhancements between Dumfries and the A74 ... such as ... dualling"

and

"the possibility to re-classify the status of the A701 and A709 roads."

Dumfries is the capital of the south, and it should have effective links to the rest of Scotland. I have campaigned for that for many years. Our long-term ambition should be to dual the A75, given its status as a Euro route that links Scotland and Ireland.

In conclusion, I look forward to future work being done on those options so that they become national priorities for Scotland. The approach is the correct way to set transport priorities, and it is a systematic and responsible way to do things. It contrasts markedly with the ridiculous headline-grabbing comments by United Kingdom ministers on tunnels or bridges to Larne. Let us get our priorities right. Those madcap suggestions have not been researched, evaluated, tested or evidenced, and they are not the priorities of the people of the south-west of Scotland; in fact, they are the feeble efforts of a UK Government that is desperate to divert attention from its deep unpopularity and incompetence.

**The Deputy Presiding Officer:** I ask the remaining members in the debate to try to stick to four minutes, please.

18:51

**Graham Simpson (Central Scotland) (Con):** I thank Brian Whittle for bringing this debate to the chamber. His helpful motion is almost as long as the transport study that it refers to. Mr Whittle is not known for his brevity. He has a lot to say about many things, and sometimes he is worth listening to.

I have listened to Brian Whittle talking about transport in the south-west on many occasions. He is passionate about it—actually, he is annoyed about it, and he is right to be. The south-west has been the poor relation for too long when it comes to investment in transport infrastructure.

The report makes for grim reading. The region is a forgotten-about one that is too easily bypassed by travellers as they head north or south and by Government. The main roads in the region are slow, and that often leads to long lines of traffic, which lead to risky manoeuvres and more serious accidents than there are elsewhere in the country.

The report states:

"An assessment of average speeds on the strategic road network compared to other routes in Scotland identified that the A77 between Ayr and Cairnryan had the lowest overall speeds (38mph) of all the routes assessed, which is likely to be a result of the large number of speed-limited settlements which the route passes through. While the speed on the A75 is higher (45mph), it is still below other strategic routes in the country."

The poor rail connections from Dumfries mean that people drive elsewhere, particularly to Lockerbie, which causes problems there. The report says:

"Large gaps in the rail timetable and between direct services on the Glasgow South Western Line (for Stranraer) can constrain use of the rail network".

All that means that there is

“a reluctance for individuals and business to invest in the region, particularly the ports, if connectivity with other parts of the UK is not improved”.

Speaking of ports, people have to go to the area if they want to get to Ireland, unless they want to sail from England. It is vital for trade. The two roads that get people to the ports—the A75 and the A77—are in desperate need of improvement. I am backing the campaigns to upgrade both quickly.

The buses are also poor—the vehicles are ageing and the services are infrequent.

Members will know that I enjoy cycling. The pandemic has led to an increase in cycling, which is great, but we can build on that only if we make it safe. The report says that the cycling infrastructure in the south-west has a long way to go, with a lack of off-road and segregated routes. They are absolutely essential if we are to build on some of the excellent work that councils are doing during the pandemic.

Where there are problems, there are opportunities, too. Let us agree that we want investment in our connections to Ireland. Let us agree with the five objectives that are laid out in the report:

“Reduce journey times across the strategic transport network in the study area to the ports at Cairnryan ... Reduce accident rates and the severity of accidents on the trunk road network ... Improve the resilience of the Strategic Transport Network ... Improve journey quality across the road, public transport and active travel networks in the South West ... Improve connectivity (across all modes) for communities in the South West of Scotland to key economic, education, health and cultural centres including Glasgow, Edinburgh, Ayr, Kilmarnock and Carlisle.”

I agree with those aims. The Government should get on with it and put the south-west back on the map.

18:55

**Emma Harper (South Scotland) (SNP):** I thank Brian Whittle for securing the debate. There is an urgent and real need for major investment and improvements in south-west Scotland’s transport system. I agree with regard to many of the examples that Mr Whittle has described. There is cross-party support for infrastructure investment in the south-west.

First, I will highlight the importance of the region’s road, rail, bus and active travel routes, not only for the many businesses and communities across the south-west that rely on them in their daily business, but for the wider Scottish, UK and international community. Cairnryan port in Dumfries and Galloway is the third-busiest port in the whole of the UK. Official estimates suggest that 20 million passengers and more than 2.2

million freight units travel through the port and on our region’s roads. That freight has an estimated value of £26 million every single day on the A75, and of £10 million a day on the A77.

With Brexit looming, we may see even more lorries on the roads, with even more delays, and delays pose a particular problem for livestock transport, for refrigerated lorries and for the shipping of live seafood. I know that port investment is a matter reserved to Westminster. Instead of talking about investing in the port, however, the Prime Minister is still talking about building a ridiculous bridge through the munitions dump in Beaufort’s Dyke in the Irish Sea.

**Oliver Mundell (Dumfriesshire) (Con):** I am confused as to why Emma Harper is so adamantly opposed to scoping out a project that could benefit our region. There are other projects that we all want to see happen, but that does not mean that we should dismiss the idea out of hand before the feasibility work is done.

**The Deputy Presiding Officer:** I will give you the time for that back, Ms Harper.

**Emma Harper:** I never said that I was opposed to a scoping exercise but I think that, if there is any scoping exercise, those carrying it out need to consider the communities, elected members and the people either side of the port infrastructure, including the folk who live along the A75 and the A77.

In August 2018, I invited the transport secretary—who was newly in post at the time—to a meeting in Stranraer. We met stakeholders and others to discuss improvements to the region’s transport network, and it was a very positive meeting.

Last year, I took the Stena ferry to Northern Ireland and the P&O ferry back. While in Belfast and in Larne, I met key stakeholders in the haulage industry, Stena Line, P&O, Belfast Harbour, the Northern Ireland Chamber of Commerce and Industry and lobbying groups. The trip was extremely educational and productive, and I agreed at the meetings to continue to work with members across the Parliament, the Scottish Government, local constituents and the A75 and A77 action groups to ensure additional investment for our region.

I appeal to the Scottish Government to commit to ensuring that both the Cairnryan port and, importantly, the associated transport routes, the A75 and A77, are prioritised and invested in. I know that, over the past 10 years, £810.5 million has been invested by the Scottish Government in transport infrastructure in the south-west, with almost £50 million spent on A75 projects and £28 million for A77 projects, and with £76 million and

£56 million for maintenance of the A75 and A77 respectively. That is welcome investment.

I also welcome the “South West Scotland Transport Study” and its suggestions of investment in dualling and passing lane improvements for both the A75 and the A77, as well as in improved and new rail and bus services.

I am concerned, as are constituents, about the timeframe for the implementation of improvements, so I should be grateful if the minister would outline timescales for the next steps and when the wider STPR2 is likely to be published.

Constituents have contacted me about the need for further electric charging points across Dumfries and Galloway for cars, bikes and other active travel methods, which is referred to in Brian Whittle’s motion. I ask the minister to outline whether he or the cabinet secretary for transport have held any discussions with Dumfries and Galloway Council about further electric charging points, and whether there are any plans for further upgrades to active travel and green travel infrastructure. I also ask the minister to set out timescales for transport improvements on the A75 and A77, and for the region’s transport services, which are vitally important to our region.

19:00

**Colin Smyth (South Scotland) (Lab):** I declare an interest as the chairperson of the Eastriggs railway station action group.

I thank Brian Whittle for his motion. As he said, this is not the first time that we have debated south-west Scotland’s infrastructure and, frankly, it will not be the last. There is a real feeling, and a growing anger, that the south-west is the forgotten region of Scotland when it comes to investment in infrastructure. It is no wonder—of the £10.5 billion that has been spent by the Scottish Government on road upgrades since 2008, just £70 million has been invested in the south-west. There is now a genuine worry that the emphasis in the Government’s national transport strategy and draft infrastructure plan on repurposing what we have—after the Government has committed to spending £3 billion on dualling the A9 in the north but not a penny more on roads in the south-west—will mean that the region will lose out once again. If it does, not only will we continue with substandard infrastructure, but the already fragile local economy will be weakened. It is not just an issue about roads or other forms of transport infrastructure; it is fundamentally an issue about the economy.

The Scottish Government says that it is committed to inclusive growth, which is one of the central aims in its economic strategy that was

published in 2015. However, there is nothing inclusive about a Scottish economy in which the south has the lowest wages, the lowest levels of business-led inclusive jobs growth and the lowest gross value added in Scotland. The outward migration of young people, caused by the lack of high-skill, high-paid jobs, is draining away the talent and the lifeblood that we need to turn the economy around.

Last year, the Scottish Government’s own commissioned report for the south of Scotland economic partnership by The Good Economy highlighted that the top call from local experts in the south of Scotland to unlock inclusive economic growth in the south’s rural economy was better connectivity—both physical, such as better transport, and digital, such as fit-for-purpose broadband and mobile communications. When it comes to transport, that means that we need proper investment in our trunk roads, such as the A7 and the A76 in the east, and the A75 and the A77, which are of crucial strategic importance not only to the south-west of Scotland but to all of Scotland, the north of England and Northern Ireland.

As has been mentioned in the debate, this week, we have heard much about the UK Government’s review of transport connections across the UK, and about Boris Johnson’s fantasy politics, with talk of a bridge or tunnel between Portpatrick and Larne, which everyone knows will not happen. We already have a link to Northern Ireland via the Cairnryan ferry port. It is not the ferries that are the problem; it is the substandard road and rail links to get to those ferries. My message to Boris Johnson is the same as my message to the Scottish Government: if they are serious about having better links between Scotland and Northern Ireland, they should invest in dualling the A77 and A75 and build better rail links to the ferry port. Whether it is better rail links to Cairnryan, a rail link between the Glasgow south-western line in Dumfries and the west coast main line at Lockerbie, the reopening of railway stations at Eastriggs, Thornhill and Beattock, or just smaller changes such as more frequent rail services to the central belt and buses that link up with train times, for the south-west economy, we badly need an integrated transport strategy that covers roads, rail and active travel.

Political leadership from the Government will be required to make it happen, but, so far, the omens are not good. At a time when we need a strategic active travel network in the south-west, we have seen a centralisation of active travel funding to the cities. When the Government recently announced plans for the electrification of our railways, it made it clear that the stretch from Girvan to Stranraer would miss out. At a time when, in many parts of the south-west, the bus network is close to

collapse, the Government has shelved the implementation—

**Emma Harper:** Will the member take an intervention?

**Colin Smyth:** I will, if I can get my time back.

**Emma Harper:** Does the member agree that Michael Matheson said that, even though we might not electrify the line, hydrogen-powered trains or other options would be considered?

**Colin Smyth:** He made it clear that they would be. However, the fundamental problem is that, if you electrify a railway line, it shows a commitment to that line in the long term; if you do not, it is very easy to remove the battery-operated or even hydrogen-operated trains. It shows a lack of commitment that that key stretch will not be completed when other parts of Scotland are seeing significant electrification across their regions.

I made the point that we see a lack of commitment from the Government not only to rail but also to our bus network. The Government has shelved the implementation of key measures in the transport bill—such as giving councils the power to run their own bus companies—which the cabinet secretary consistently tells us are needed to boost bus passenger numbers.

The clock is ticking. We need, today, a clear message from the cabinet secretary that the south-west will start to get a fairer share of transport investment so that we can build a fairer local economy—an economy that cannot keep waiting for the Government's delayed strategic transport projects review.

19:05

**Oliver Mundell (Dumfriesshire) (Con):** I join other members in thanking Brian Whittle for bringing forward this important debate.

Since before I was elected, and every minute since, I have been a strong advocate for dualling the A75. For my constituency, it is the single stand-out project that has the power to reverse the economic challenges that Dumfriesshire has faced. For a national Government in Scotland's national Parliament to have been in power for more than a decade and not to have delivered on connecting Dumfries town, our regional capital, to the motorway shows a painful lack of ambition and is a dereliction of duty. I say that not to pit one project in the wider region against another, but to add to the list of many strong examples that we have heard from across the south-west of Scotland.

I have also stood up in this chamber many times to raise concerns about the A76, which we saw

reduced to a single lane for more than 1,000 days by temporary traffic lights. Yes, the road has now eventually been realigned, but the project was given far lower priority than it might have been had it been somewhere else in the country.

I am deeply angry that, after an unlucky 13 years under the SNP, we now see local SNP politicians getting behind those key transport projects in an election year. Where have their voices been in helping to hold their Government to account over the past 1,500 days since the much-heralded transport summit with the Deputy First Minister, which was held in Dumfries?

**Emma Harper:** Will the member take an intervention?

**Oliver Mundell:** I will take an intervention if I get my time back.

**The Deputy Presiding Officer:** You are all being very conditional. I will decide who gets their time back.

**Emma Harper:** I have campaigned for improvements since I came to this place. Does Mr Mundell agree with the proposed expansion of the M8 to include a third lane at an estimated cost of £3 billion to £5 billion, and does he think that that project will prevent the money being spent in the south-west?

**The Deputy Presiding Officer:** You can have your time back, Mr Mundell.

**Oliver Mundell:** Thank you very much, Deputy Presiding Officer.

I will get to that point at the end of my speech. It was a predictable intervention.

However it is dressed up, the transport summit in Dumfries was another talking shop intended to pay lip service to south-west Scotland—and it was clear at the time that the cheque book had been left in Edinburgh. Another parliamentary session has passed and still we are no further forward. That is not good enough, and it is increasingly clear that any promises that we see ahead of the election will be the result of action by the Scottish Conservatives, who have been proud to represent our region and to put pressure on the Government.

**The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse):** I presume that Mr Mundell accepts that, in order to fund and take forward projects that we are supportive of, we need to go through the appropriate Treasury process—the green book appraisal guidance and the Scottish transport appraisal guidance—to reach a conclusion whereby the Treasury approves of our spending public money on what are, as I am sure that Mr Mundell would agree, expensive projects. *[Interruption.]*



He identifies that nothing came from the summit. However, does he accept that the prioritisation of Dumfries and Galloway—of south-west Scotland—in the case for change process that we are undertaking is an example of our prioritising the region that he cares about after that summit? *[Interruption.]*

**The Deputy Presiding Officer:** I remind everybody that I am in charge here.

**Oliver Mundell:** It is a case of too little, too late. If the SNP Scottish Government had taken the projects seriously at the time and started scoping them out the minute that it got into office, we would not still be talking about them. Time after time, there have been wasted opportunities. *[Interruption.]* I have taken a number of interventions, so I will now make a little bit of progress.

I want to challenge the Scottish Government and to ask the cabinet secretary—who, incidentally, is not here—why he was not prepared to get behind the Prime Minister's planned review of inter-UK transport links. If the Scottish Government cared about the south-west region and was willing to put politics aside, it would recognise that Dumfriesshire lies at the heart of our United Kingdom. By failing to engage in that important study, it is selling local interests short and ignoring the needs of the local economy. It is another example of the damage that the SNP's divisive politics has done, which local residents see for what it is.

What annoys me most is to hear SNP politicians—including, in the past, the cabinet secretary—claiming that, by supporting one project in the region, people are against other projects in the region or elsewhere in Scotland. I know that SNP thinking is very much driven by the central belt, but, when the cabinet secretary talks about the A77, for example, he should remember that Annan is closer to the Scottish Parliament in Holyrood than it is to Stranraer. That is why I found it insulting and ridiculous to hear him attempt to make mileage out of the fact that Douglas Ross, on a recent visit to my constituency, did not mention the A77, which would have been strange.

Let me make it clear to Emma Harper and to other members that the Scottish Conservatives do not see investment as an either/or situation. We do not see it as a choice between the central belt and our region, or a choice between the A75 and the A77. After 13 years of the south-west being the forgotten region under the SNP, the only either/or choice that local people have to make is between those representatives who champion the region all the time and those who make promises only when they ask for people's votes.

**The Deputy Presiding Officer:** We are all having such a good time in the debate that we are running out of time. I am minded to accept a motion without notice, under rule 8.14.3, to extend the debate by up to 30 minutes. I invite Brian Whittle to move the motion.

*Motion moved,*

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

*Motion agreed to.*

19:12

**Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** I welcome the debate. It is always good to start with some good news. In a parliamentary question that I asked around this time last year, I asked how much the SNP Government had spent on transport infrastructure in south-west Scotland in the 10 years since 2009. The total was around £800 million. The work included major interventions on the A77 at Symington and the A75 at Dunragit and Hardgrove and significant investments in the A76. Earlier today, the cabinet secretary reminded us about the £29 million that is being spent on the Maybole bypass. It is clear to see that the level of investment in south-west Scotland is and has been substantial.

I am sure that members did not intend to give a false impression about that or seek to deflect attention from their failure to deliver when they had the chance to do so. The spend by the Government compares well with investments that were made in previous years. When Labour was last in power, back in the mists of time, it managed to rustle up one project on the A75 with a miserable allocation of £6 million. The current Scottish Government spent £36 million on that road in its first five years in office.

Long before that, before the Parliament was reconvened, the then UK Government promised much but delivered nothing. Dunragit, Annan and Maybole were all promised a bypass, but nothing happened. Now, those have all been delivered by the SNP Government.

It is little wonder that Brian Whittle is pleading for more cash to be spent in the south-west, presumably by the SNP, since there is little or no hope of his party delivering anything in that part of Scotland. I took a cursory glance at the latest Tory party leader's leaflet, which is currently littering homes. There is nothing in it for south-west Scotland, but it promises a ridiculous six-lane motorway to Edinburgh, which would cost billions of pounds, and yet more rail investment for Aberdeen and Inverness.

It is therefore probably no surprise that the Tories are asking the SNP Government to help,

because they have no intention of delivering anything themselves down here, in south-west Scotland—an area that we probably all agree is maximising the opportunities for trade and tourism between Scotland and Ireland by using all our ferry ports and excellent ferry services. However, with the Brexit disaster looming, we must have clarity urgently about the role that our ports will play. The Irish already intend to establish a new and direct six-days-a-week ferry route from Rosslare to Le Havre, in the European Union, to avoid any land-bridge congestion here post-Brexit. The implications of that for our ports are easy to see, and they should worry us all.

In relation to the Bellfield interchange in Kilmarnock, in my constituency, Brian Whittle, an occasional visitor to my constituency, should know that the interchange is included in a further programme of investigation this financial year that will take into account emerging transport demands and safety.

A major transport asset not mentioned in Brian Whittle's motion is Prestwick airport. It is no wonder that the Tories keep quiet about it, though, because the airport was saved by the SNP Government in 2013, along with 300 direct and 1,400 indirect jobs. The intervention earlier by Tory MSP Peter Chapman, who questioned why job losses are not happening at Prestwick when they are happening elsewhere in the aviation sector, was remarkable indeed. In addition, Ayrshire Tory councillor Paul Marshall is on record as saying that Prestwick airport should close altogether. Who needs enemies when they have friends like that?

Investment in transport infrastructure in the south-west by the Scottish Government has been excellent over recent years. I am sure that that will be continued by the SNP Government in the next session of Parliament and, I hope, for many years to come.

**The Deputy Presiding Officer:** The last of the open debate speeches is from John Scott.

19:17

**John Scott (Ayr) (Con):** I congratulate Brian Whittle on securing this vital debate for the people of the south of Scotland. It is a pleasure for me to be back speaking in our Parliament. In a strange way, it feels like my maiden speech—not just because it is a long time since I have spoken, but because my maiden speech 20 years ago was about the need to upgrade the A77. Remarkably, that work to turn a section of the A77 into the M77 eventually happened. I therefore hope that my wish list today for the A77 will also turn into reality, if I and others can persuade the Cabinet Secretary for Transport, Infrastructure and Connectivity to

wave his magic wand and find the funding for the much-needed improvements to that major route.

Given my age and the fact that I have lived in Ayrshire pretty well all my life, I think that I know the A77 as well as most members who have spoken in the debate. Brian Whittle is correct to speak of the particularly dangerous stretch of road south of Ballantrae, on the way to the Ayrshire county boundary with Wigtownshire. Having lived at Ballantrae for much of my life, I know of too many local people and others who have died on that stretch of road because of the shockingly poor and narrow carriageway. Transport Scotland and others should hang their heads in shame at the desperately poor quality of the road on that section, particularly at the water tanks just south of Ballantrae.

I also want to speak about the A77 north of and around Ayr, and the need to upgrade the roads there, some of which are in Jeane Freeman's constituency and some of which are on the shared boundary of our constituencies. Approaching the Ayr constituency from the north, the M77 stops at Fenwick, to the north of Kilmarnock. I know that Kenny Gibson agrees with me—I hope that Willie Coffey will, too—that it is time that the M77 was extended to Ayr. With more and more people choosing to live in Ayr and the surrounding villages, the numbers of people commuting daily to Glasgow are growing year on year—certainly, they were pre Covid-19—and I hope that that traffic growth will continue, albeit in electric cars, in the future.

Approaching Ayr, the Whitlets roundabout should be reconfigured to a grade-separated interchange, which I proposed when traffic lights were first installed at the junction. However, as it is currently configured, the roundabout is of a most inelegant design and results in many minor accidents every year, so the time for a grade-separated interchange is long overdue.

Similarly, the A77 stretch south of the Whitlets roundabout, through the Holmston roundabout to the Bankfield roundabout—or the hospital roundabout, as it is known—needs to be upgraded to dual carriageway because there is significant congestion on that stretch of road at rush hour periods and on good summer days, when many thousands of tourists visit the Ayrshire coast.

With climate change being predicted to create yet warmer and drier summers, visitors from central Scotland will—I hope—only increase in number, and will be made most welcome to our Ayrshire coastline, from Greenock to Ballantrae.

Further growth in traffic on the A77 to the south of Ayr can be expected, due to the Maybole bypass, which we all welcome. My father campaigned for it between the two world wars, so

it took some time to come, but one must be grateful to Adam Ingram for his persistence on that. It is now being built; Maybole will become a more attractive place to live in, and Kirkoswald, Kirkmichael, Dalrymple, Crosshill, Turnberry, Maidens, Dailly and Girvan will all become more accessible to Ayr, Kilmarnock and Glasgow.

I hope that the cabinet secretary and others have paid close attention to the debate today and to the pressing need for upgrades to the trunk roads of south-west Scotland, which has been clearly expressed by all members today—with the notable exceptions of Joan McAlpine and Willie Coffey. I also note that Willie Coffey said that £800 million has been spent on south-west Scotland roads in recent times. I would like to see the breakdown of those figures, because the projects that he mentioned did not add up to £100 million, never mind £800 million.

**The Deputy Presiding Officer:** I call Paul Wheelhouse to respond to the debate.

19:22

**The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse):** I welcome John Scott back to his place in the chamber. It is good to see him looking well and contributing to a debate that is so important for his constituency and those of many other members.

I thank the Presiding Officer for the opportunity to respond to today's members' debate on future options for transport infrastructure in south-west Scotland. I recognise that many colleagues in the chamber today, including Mr Whittle, have taken a long interest in the issue, although perhaps not as long as John Scott, throughout his time in this Parliament. Emma Harper, Joan McAlpine, Oliver Mundell and Colin Smyth have also been very active in that space. I acknowledge that, and I reflect that transport plays an important role in the local economy of the region, which I also represent. I congratulate Mr Whittle for bringing the debate to the chamber today.

Today's debate has given me an opportunity to hear more about the problems in parts of the south of Scotland in which I am less active. I concentrate largely on the east of the region, but I deal with some casework across south-west Scotland as well. It has been helpful to hear the concerns that have been raised today about specific projects, to add to the points that I receive in my mailbag.

There have been contributions on the strategic importance of the port of Cairnryan. As we plan for exit from the EU, it was fair for colleagues to raise the issue of Brexit, although I appreciate that Mr Whittle predicted that they would do so. As Willie Coffey, Joan McAlpine and Emma Harper said, the current uncertainty about arrangements for

trade with Northern Ireland and the implications for the border have practical impacts on what will be required in investment in the region.

Reassuringly, many of the points that have been raised today echo those that have been raised by the wide range of stakeholders that have been involved in development of "South West Scotland Transport Study—Initial Appraisal—Case for Change" and its 23 recommendations. The cabinet secretary is not here today, but over the past few years he has met and heard from a wide range of stakeholders on projects. I assure members, as the cabinet secretary stated at portfolio question time, that the Scottish Government recognises the important role that transport plays for people who live and work in south-west Scotland.

We are also well aware of the significance of south-west Scotland and its transport links to not only the local economy, but to the economies of the rest of Scotland and the wider UK. That is why we are taking steps to improve the transport network, and will examine the 23 recommendations from the transport study as part of phase 2 of the strategic transport projects review 2. To answer Emma Harper's question, we anticipate that the second phase of STPR2, in which we will look at the specific recommendations, will be completed in 2021, so that gives a rough timescale for reaching conclusions about the projects that have been recommended.

I am pleased to say that the Scottish Government continues to invest in the region's road network. Colleagues have mentioned already that works are continuing as part of the £29 million construction contract for the A77 Maybole bypass, which will improve connectivity for road users between Stranraer, the port at Cairnryan and the central belt. As an example of investment in key routes to Cairnryan that Emma Harper referred to earlier, the project will help to separate local traffic from traffic that is travelling further afield, which will lead to improved road safety for local communities and road users, and provide better journey reliability for motorists and businesses along the full length of the A77.

For the residents, that will mean a predicted reduction of approximately 50 per cent in traffic on Maybole High Street, with the cut to the number of heavy goods vehicles estimated to be 90 per cent. As a result, residents will see an improvement in road safety, a reduction in vehicle emissions, and a significant drop in noise and vibration from what they experience today.

We fully understand the importance of a safe, well-performing transport network for the health of Scotland's economy.

**Emma Harper:** The minister mentioned the Maybole bypass, which I think it is estimated will cost £30 million to £31 million. I am sure that Willie Coffey, who cannot make an intervention because he is attending the meeting remotely, would be willing to submit the detail of the figures on which John Scott was seeking clarification. Would the minister welcome that? The figures are based on the response to a parliamentary question.

**Paul Wheelhouse:** I am sure that sharing the response to a parliamentary question will give the detail that Mr Coffey has already obtained and will help Mr Scott and others. The figure that we have for the Maybole bypass is £29 million. I just wanted to give an accurate figure.

We recognise that the strategic road and rail networks are fundamental to the health of Scotland's economy and that of the south-west of Scotland. The motion highlights the fact that A75 and the A77 provide the key links to the port at Cairnryan, and are used daily for freight and passenger journeys to and from Northern Ireland. We recognise that many businesses in the south-west and further afield rely on those transport links for goods and materials. Work in the area has highlighted issues related to contingency planning in the event of incidents.

That said, we are clearly operating within an extremely challenging fiscal environment. I respect Oliver Mundell, but anyone who listened to his speech would be forgiven for thinking that he has ignored 10 years of public finance constraints that we have had to live with from the Treasury.

**Joan McAlpine:** On a point of order, Presiding Officer.

In his speech, John Scott said that I had not called for an upgrade of the road network. In my speech, I repeated my commitment to calling for dualling of the A75 and links between Dumfries and the central belt. Indeed, the transport summit that several members have mentioned was called by me. I would appreciate it if it could be put on the record that Mr Scott has, to put it politely, misrepresented my speech.

**The Deputy Presiding Officer:** As everyone knows, that is not a point of order. Things that are said in the chamber are for members to correct by intervention, or otherwise afterwards. It is difficult for a member who is attending remotely to make an intervention—we know that that cannot happen—so I guess that it is understandable that points of order are used in this way. I am sure that everyone has taken note.

**Paul Wheelhouse:** I note Ms McAlpine's point, which helpfully prompts me to refer to a point that she made in her speech about the importance of evidence gathering. I was trying to make the point to Mr Mundell, probably in a very clumsy way,

about the importance of following appropriate appraisal guidance so that we have economic evidence.

**Oliver Mundell:** If what the minister says is correct, why have major infrastructure projects been carried out elsewhere in Scotland, and why did the Government not start the detailed work to scope out those important routes in the south of Scotland 13 years ago, when it was first elected? Why has it waited until now?

**Paul Wheelhouse:** Many long-term projects have been commissioned in the lifetime of the Parliament, including the Borders railway—a project that was close to my heart and which, as Linda Fabiani and others who have served since 1999 will know, had to go through a very laborious process to come to fruition.

Things are not always as straightforward as Mr Mundell suggests. All major capital projects have to go through the Treasury's "Green Book: Central Government Guidance on Appraisal and Evaluation" process, regardless of whether they are commissioned by the Scottish Government, the UK Government or the Welsh Government. We are all bound by those rules and have to go through a rigorous analysis to justify expenditure of public money. I hope that members understand and accept that; it is not a point of contention. We cannot force through projects as quickly as we would like.

We must strive to support the economic development of the south-west and the wider economy of Scotland in the context of our ambition for inclusive economic growth.

**John Scott:** There seems to be a lack of clarity around the £800 million. Given Mr Wheelhouse's competence—which I admire constantly—I am sure that it would be easy for him to detail, right now, where that £800 million has been spent in recent years. Can he give us a flavour of all the projects on which that money has been spent?

**Paul Wheelhouse:** As I proceed in my speech I will refer to some examples, but I will also write to Mr Scott with the details. Mr Coffey—[*Interruption.*]

**The Deputy Presiding Officer:** I think that my patience for interventions has been tested far enough.

**Paul Wheelhouse:** It would be helpful if I could make progress. I will speak to members after the debate, if that would be helpful.

We are keen to support the ambition for inclusive economic growth while acknowledging the challenges that face the country as a result of Covid-19 and climate change. As many members will accept, the climate emergency is making us consider our strategic investments in transport to ensure that they are consistent with our response

to it. That does not mean that building more capacity in the road network is the only or best approach. The national transport strategy and its vision and outcomes reflect the Government's economic and social priorities across four key themes: the economy, equality, climate and health. With that in mind, we are working hard to deliver the second strategic transport projects review.

“South West Scotland Transport Study—Initial Appraisal—Case for Change” was published in January. Alongside the Scottish Borders, the south-west was in the front wave of the regions having such studies undertaken to inform the national transport projects review. That initial focus on the transport network in the south-west has allowed several members the opportunity to be directly involved in the study. I thank those members for their involvement, which has been very helpful.

Our stakeholder engagement programme is one of the most successful: more than 3,200 people responded to the public survey. Successful stakeholder events were held in Stranraer, Maybole and Dumfries, and there were sessions for local members in Dumfries and Ayr. I thank the public and stakeholders for their input to the study. I assure them that all their views have been considered in detail, and have helped to provide the most accurate picture possible of transport needs in the south-west.

The survey and workshops focused on gathering evidence on problems and opportunities for the area, thereby reinforcing knowledge that we already had regarding the importance of access to ports, the impact of freight on the network, and the associated costs of improving the A75 and A77 in particular—which members from across the chamber have mentioned today.

Other key issues included calls to improve integration between bus and rail services, to consider the impact of freight traffic on the road network and how it could be reduced, and to address the lack of resilience in the road network when incidents occur. The work also highlighted issues with the passenger experience on public transport in the area and ways in which the active travel network could be improved.

The study's final 23 recommendations were developed to address the key issues that were raised and have been appraised against the specific regional transport planning objectives. The study, which was published in January, forms a central part of the evidence base for the strategic transport projects review and—as Joan McAlpine commented—clearly defines potential transport improvements that meet transport planning objectives for the region. As the review proceeds, we will consider those further, as part of the

Scotland-wide assessment of potential transport and infrastructure investments and interventions.

Several members mentioned the union connectivity review, which was announced after virtually no consultation of the devolved Administrations, despite transport having been a devolved responsibility since 1999. The cabinet secretary, together with his counterparts in Northern Ireland and Wales, has written to Grant Shapps, the UK Government Secretary of State for Transport, outlining the issues as we see them. We await a detailed response.

The strategic transport projects review is the process in Scotland for making recommendations for future transport investment. That feeds directly into the Treasury approach that I outlined earlier. Any talk of a bridge to Ireland should be put in the context of the higher priorities for transport investment—not just in the south-west, but across Scotland—that have been identified through the process.

Looking beyond delivery of the Maybole bypass, our collaborative review of the national transport strategy has set the direction and vision for the kind of transport system that we want for Scotland over the next 20 years. The south-west study has provided key evidence to support the second STPR and has identified a range of options for improving transport in south-west. The south-west is not a forgotten region. I appreciate that people might feel that that is the case, but I want to reassure members that the Scottish Government has not forgotten the south-west.

Now that work has restarted on the second STPR, following a pause during the Covid-19 pandemic, we intend to take the phased approach that I referred to earlier. We will report in the timescale that was originally planned—within this session of Parliament—under phase 1. We will focus on locking in the positive benefits of individual transport and travel behaviours that have arisen from the pandemic, and we will provide a step change in investment that supports the priorities and outcomes of the NTS. We currently envisage completing the second phase later in 2021.

We remain committed to working collaboratively and in a positive way with our local authority partners to deliver a strategic transport network that is fit for the post-Covid-19 era and beyond. I assure members that the transport network in the south-west will be a key part of our considerations.

With your patience, Presiding Officer, I will make a couple of points for members' information. On Bellfield, which I know is important to Mr Whittle, the report has recommended that further work be undertaken by East Ayrshire Council. Some work has been done, but we await further findings from

the council on potential capacity limits. A feasibility study that is being led by Transport Scotland is under way in relation to Ayr station, and will include assessment of the hotel site. I hope that that is helpful to the member.

**The Deputy Presiding Officer:** Our clerk said to me, "As long as we're finished by 10 to eight, we'll be fine." I was starting to worry. I remind everyone to observe social distancing when leaving the chamber.

*Meeting closed at 19:37.*

This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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