

MEETING OF THE PARLIAMENT

Wednesday 17 April 2002
(*Afternoon*)

Session 1

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17 April 2002

Scottish Parliament

Wednesday 17 April 2002

(Afternoon)

[THE PRESIDING OFFICER *opened the meeting at 14:30*]

Time for Reflection

The Presiding Officer (Sir David Steel): To lead our time for reflection this afternoon we welcome the Rev Margaret Forrester, the minister of St Michael's parish church here in Edinburgh.

The Rev Margaret Forrester (Minister of St Michael's Parish Church, Edinburgh): In the 1960s I lived in India for six years. In February this year I returned there after more than 30 years to renew friendships and to enjoy a fortnight's holiday. We spent the first night with a former student and his family. They were Hindus and, that first morning, the devotion was for the Lord Krishna, appearing as God who waits, while the humans whom he visits are too busy to meet him. I liked that picture of God. It is one that resonates with my own Christian faith.

At this time of year, Christians celebrate Easter, enjoying once again the teasing, tantalising, mysterious—and in some ways maddening—appearances and disappearances of the risen Christ.

When Cleopas and his wife walk the seven miles from Jerusalem to their home they are consumed with what they view as their own troubles, and so they fail to recognise the beloved stranger who approaches. After they stop and listen and invite him to stay with them, he blesses the bread at the evening meal, and their eyes are opened. The stranger to whom they gave hospitality was the one who could heal their pain, for he was their saviour and God.

All of us here seek to serve the people of Scotland. This we can do most positively and effectively when we take time to stop our own busyness to listen to them. Only when Cleopas and his companion stopped being absorbed in their own troubles could they recognise the God who walked with them.

God still walks the streets of Scotland wherever there is injustice or inequity, hopelessness or shame. Listen to a modern Scottish hymn:

Jesus Christ is waiting,
waiting in the streets;
no one is his neighbour,
all alone he eats.
Listen Lord Jesus,

I am lonely too.
Make me, friend or stranger,
fit to wait on you.

Jesus Christ is healing
healing in the streets;
curing those who suffer,
touching those he greets.
Listen Lord Jesus,
I have pity too.
Let my care be active,
healing just like you.

Because all of us here are committed to justice, compassion and integrity, we must have the wisdom to listen to those who are out there. In the stopping and listening and meeting, we too shall find the beloved stranger: the God who rises from the dead.

The Presiding Officer: Before we begin this afternoon's meeting, I invite the chamber to give a warm welcome to the Presiding Officer and the Clerk of the Northern Ireland Assembly, who are with us in the gallery today. I welcome Lord Alderdice and his colleagues [*Applause.*]

In the Northern Ireland Act 1998 the words "Presiding Officer" appear, but the standing orders of the Northern Ireland Assembly state:

"A Presiding Officer of the Assembly ... may be called 'Mr Speaker'".

The Scottish Parliament may want to think about that in future.

Housing Improvement Task Force

The Presiding Officer (Sir David Steel): The first item of business this afternoon is a debate on motion S1M-2982, in the name of Iain Gray, on the housing improvement task force, and on two amendments to that motion. I invite Margaret Curran to speak to and to move the motion.

14:35

The Deputy Minister for Social Justice (Ms Margaret Curran): The motion that is before us today welcomes the first report of the housing improvement task force, "Issues in Improving Quality in Private Houses". The report was launched by Iain Gray at the Chartered Institute of Housing conference in March and is now out for consultation. It is important that in this chamber we should have a wide-ranging debate on the issues that it raises, so that the task force and its members can take account of those views in the final stage of their work.

In "Working Together for Scotland: A Programme for Government", we gave a commitment to address the significant problems of housing quality in the private housing sector in Scotland through a task force. The task force was set up about a year ago, with a wide-ranging remit. Although it is chaired by Scottish ministers and supported by the Scottish Executive, it includes a range of members from outside Government, with expertise in private sector housing. Much of the work is being done through sub-groups that include members of the task force and other co-optees. I thank the members of the task force for their work. I also thank the co-opted members who have given up their time voluntarily.

It is important to set the report and this afternoon's debate in context. We need to bear in mind that more than 70 per cent of householders in Scotland now live in the private sector. Most are owner-occupiers, but a significant number live in the private rented sector. The size of the owner-occupied sector, in particular, is growing. If the Scottish Executive and this Parliament are to be relevant to the circumstances of the people of Scotland, they cannot afford to ignore the private sector.

This area of policy is important because many of the policy instruments that we have inherited for dealing with the private sector date back at least 30 years. The Cullingworth committee, which produced the pioneering report, "Scotland's Older Houses" in the late 1960s, set out recommendations for a new approach to dealing with unfit housing, which had been the curse of

Scotland's cities and urban areas throughout the first half of the 20th century. Legislation that reached the statute book in the late 1960s and early 1970s created a new tolerable standard for housing, and policy instruments such as housing action areas, improvement orders and repair orders.

Substantial resources were spent on area improvement schemes and on improvement grants to private owners, especially in the early 1980s, and those measures have had a significant impact. However, time moves on and circumstances have changed, not least because of the impact of what has been done under that legislation. Most people would agree that it is time to take a fresh look at the sector.

It is a truism to say that, as we make progress with one problem, new issues that come to the surface demand attention.

Phil Gallie (South of Scotland) (Con): The minister referred to the use of improvement grants in the 1980s. Does she consider that decade to have been a golden age?

Ms Curran: Every time that Mr Gallie intervenes I await with great anticipation what he has to say. Not for the first time, I will tell him that his view is not shared by the people of Scotland. Previous elections have confirmed that the 1980s were not quite the golden age that he may think they were. However, I give him points for trying.

The work of the task force confirms that we need to pay serious attention to the condition of Scotland's private sector housing. The report points out that some 26 per cent of households in privately owned housing suffer from the effects of critical disrepair—repair defects in the fabric of the building that impact on the extent to which they are effectively windtight and watertight.

However, the problem is not just one of poor repair. Although only a relatively small number of homes fail to meet the statutory tolerable standard, that number is far too large to be acceptable in 2002. A much larger number of homes have significant quality defects such as lead in the water supply and very poor energy efficiency. We need to understand what makes an acceptable modern standard for housing and what needs to be done to achieve that in the private sector.

The task force also looked in some detail at where the poorest conditions are to be found within the private sector. It concluded, perhaps not surprisingly, that conditions were poorest in the older housing stock built before the first world war. However, it also identified that conditions were relatively worse in the privately rented sector and in tenement flats where there are common and shared obligations.

The task force also looked in some detail at conditions in rural as opposed to urban Scotland and noted that rural Scotland contains a higher percentage of pre-1919 housing and significantly more private rented houses, largely because of the importance of tied housing in the remoter rural areas. Conditions in rural Scotland also vary considerably but, overall, the task force report identified higher levels of disrepair, sub-tolerable housing and poor energy efficiency in those areas.

The task force concentrated its efforts on pulling the information together and I pay it great tribute. I cannot do justice to all the work, but I will pull out a few of the key themes that emerged from it so that we can focus the debate on those.

First, it is quite clear that owners do not always appreciate the need for the regular maintenance and repair of their properties. Many owners have relatively little information on the condition of their houses and essentially take a reactive approach to repairs and maintenance—waiting until a serious problem becomes evident rather than seeking to avoid problems by regular, preventive maintenance. However, many owners seem to be willing and able to spend relatively large sums of money on internal improvements, such as new kitchen and bathroom fittings which, although absolutely important for the owners and their quality of living, are not in any way crucial to the fabric of the building. We have to emphasise that the primary responsibility for keeping properties in good repair must lie with the owners and we may need something of a change in culture to achieve that.

One of the problems, as the task force report highlights, is that owners undertaking regular maintenance or repair work are unlikely to find that there is a direct reward for their expenditure from the housing market. It is unfortunate that, at present, property values do not seem to increase in line with expenditure on maintenance and repair. Despite that, it would be quite unreasonable for owners generally to expect the public purse to meet the cost of keeping their houses in good condition.

However, some owners will need assistance. The work undertaken by the task force on equalities issues should help us in trying to decide priorities for the public funding. We need to ensure that the resources available are well targeted on the right owners and the right types of work and I will be looking with interest at the eventual recommendations on that front.

The task force report refers to the current care and repair scheme as an example of how assistance in some areas is targeted at vulnerable groups. It also makes the point that many owners, even on relatively limited incomes, have significant equity in their houses which, with the right advice

and funding mechanisms, might be used to help finance repair and improvement work.

The task force report goes on to make interesting comments about the role of local authorities. Local authorities have played a central role in removing the slums and improving unfit housing in the past century and the task force recognises the need to modernise the powers available to them. The task force has also concluded that there is a need to look again at the content of the tolerable standard—a matter that generated considerable debate when the Housing (Scotland) Act 2001 was going through Parliament. Many members here contributed to that debate and I am sure that we are all interested to hear what specific recommendations the task force makes on that.

Robin Harper (Lothians) (Green): On the tolerable standard, does the minister agree that to define a national home energy rating of 0 to 2, which is at the very bottom of the ten-point scale, as very poor energy efficiency is something of a euphemism, and that that rating is desperately bad energy efficiency? Does she agree that we should look to define anything below a rating of 5 as not tolerable?

Ms Curran: Robin Harper makes an interesting point. Our views of energy efficiency have changed over time. The key point about the tolerable standard is that generally, across other criteria, it now needs to reflect those changing standards. I am just about to go on to address the difference between aspirational standards and the conditions that we think are unacceptable. We see that as part of the debate and we look forward with great interest to hearing what the task force says about it.

I note that the task force endorsed the Executive's earlier proposal that a further aspirational standard needed to be developed to provide benchmarks against which action to promote and improve housing quality could be measured. Therefore, we are considering both a condemnatory standard and an aspirational standard. Robin Harper's comments would feed into the process of considering those standards.

Mr Andrew Welsh (Angus) (SNP): *rose—*

Ms Curran: I need to watch my time.

Mr Welsh: I have only a quick question.

Ms Curran: I am sorry—

Mr Welsh: Will the minister assure us that minimum tolerable standards for the 21st century—

Ms Curran: I am sorry, but I am not accepting the member's intervention because of the lack of time available to me. I am sure that he will have an opportunity to make his point later in the debate.

With the forbearance of the Presiding Officer, I would like to make one more point. The task force report also refers to the importance of effective arrangements for dealing with common repairs. That is a critical issue in some of the housing debates that are taking place, as those arrangements are a stumbling block for flat owners. Too often, title deeds do not provide a clear framework for decision making and the task force suggests that we should consider in great detail the work that it has been doing.

I will be brief, Presiding Officer.

The Presiding Officer: You are all right, minister. You have 15 minutes.

Ms Curran: I thought that I had 10 minutes. I have been wrongly advised.

The Presiding Officer: I do not want you to go back through your speech.

Ms Curran: I will be here for a while.

Mr Kenneth Gibson (Glasgow) (SNP): May I ask the minister whether she enjoyed the recess? [*Laughter.*]

Ms Curran: Thank you for asking, Kenny—it was very nice.

Let me address the important issue of common repairs. Even where title deeds set out clear arrangements for common repairs—possibly through the employment of a factor or professional manager—the effectiveness of the arrangements, which often do not work properly, may be undermined if a small number of owners obstruct or block necessary repairs and so on. We must consider that.

One of the task force's sub-groups has been looking at the private rented sector. The approach adopted by the sub-group was that of recognising the considerable variety of sub-sectors within the sector, with different types of landlords, tenants and tenancy regimes. There is no doubt that conditions in some parts of the private rented sector are far from satisfactory, although we know that other parts of the sector operate well. In particular, we want to consider the issues that are associated with vulnerable tenants, who can find it difficult to get landlords to carry out necessary repairs and improvements.

The task force also looked at the process of house buying and selling in Scotland, which was a significant issue in earlier debates. The report makes it clear that the Scottish system has a number of strengths that have long been recognised. However, the majority of buyers make decisions about what is likely to be, in many cases, their largest item of expenditure based solely on a relatively limited report on the property, undertaken for valuation purposes. We are

certainly concerned that the research that the task force commissioned indicated that a significant number of buyers face large, unexpected repair and improvement bills within the first year after purchase. It is clear that that issue is on the agenda for concentrated action. We appreciate the difficulties and frustrations that many individuals and families face in the process of house buying and selling in Scotland. The task force sets out clearly the evidence on multiple surveys and valuations, although it has yet to take a view on whether that evidence is sufficient to warrant the introduction of measures such as the compulsory sellers' surveys that have been debated in the past. We will pay careful attention to the evidence generated by the task force and to what the task force has to say on the matter.

Brian Adam (North-East Scotland) (SNP): Will the minister give way?

Ms Curran: I think that I can do so now.

Brian Adam: Does the minister share my concern about the discrepancies between the figures that were produced on surveys and published in the task force report? Will she offer us her ideas on why the Law Society of Scotland seems to find a lower number of repeat surveys than any other of the organisations that examined repeat surveys?

Ms Curran: We are hearing interesting evidence across the board from all the key players. We are concerned about the discrepancies and about whether house buyers are getting the information that they need.

In the next stage, we will examine the different evidence that has been provided and the different reasons behind that evidence. We are aware of some of the professional interests that are strongly represented in the debate. We want to take on board what professionals have to say about their appreciation of key issues concerning the working of the process. We recognise that professionals have vested interests and understand why they represent certain views. We will take that into account when we listen to the different issues that are flagged up during the process.

I congratulate the task force on taking a systematic approach to ensuring that the equalities aspects have been mainstreamed. Each chapter of the report has a discrete section that deals with equalities issues. That was based on the work that was undertaken by Communities Scotland. Next time I am hauled before the Equal Opportunities Committee, I will be able to give evidence on the mainstreaming of equalities throughout the work of the Scottish Executive. It is important that we bed mainstreaming equalities into this critical area of our work.

On behalf of the Scottish Executive, I reinforce our thanks to the task force for the work that it has done. I commend the report to the Parliament, because it gives us a sound basis for a future analysis of housing issues in the private sector in Scotland and for our next step of drawing up policy recommendations. Parliamentary debate is an important factor in how we formulate the next policy recommendations and I look forward to the debate. We have taken a systematic approach and are aware of the complexity and the scale of the issues that are involved. We are determined to move forward with the recommendations in the next phase.

I move,

That the Parliament welcomes the publication of the first report of the Housing Improvement Task Force, *Issues in Improving Quality in Private Housing*, as an important step in meeting the Scottish Executive's commitment, as set out in *Working Together for Scotland: A Programme for Government*, to address the significant problems of housing quality in the private sector stock.

The Presiding Officer: I invite all members who want to take part in the debate to press their request-to-speak buttons. I invite Kenneth Gibson to move his amendment. You have 10 minutes, Mr Gibson.

14:51

Mr Kenneth Gibson (Glasgow) (SNP): I apologise to the minister—and the Parliament—for missing the first 90 seconds of her speech. For some reason, we thought that the debate was to start at 2.45 pm. I also apologise to the Parliament for my shocking performance in the football match between Glasgow City Council and the Scottish Parliament that took place just over a week ago. I truly was the weakest link in our 6-4 defeat. Nevertheless, I hope that we will beat Glasgow City Council on away goals when we play them in Edinburgh.

I welcome the debate on the first report of the housing improvement task force. I pay tribute to those who have contributed to the production of the report and its 106 key conclusions. I also welcome the briefing session that the minister will provide for the Social Justice Committee next Tuesday. If that session had been held before today, it would have helped to inform the debate, although I realise that the minister's diary is perhaps fuller than the diaries of the rest of us.

As always, one cannot cover a report of such magnitude in a relatively short space of time. However, I will touch on several areas that require particular consideration. My colleagues will focus on specific areas, such as rural housing, houses in multiple occupation and house buying and selling.

The evidence on which the report is based leans heavily on the 1996 Scottish house condition

survey and it is hoped that the 2002 survey will inform the second stage report. Paragraphs 17 to 20 make clear the significant gaps in the database. Those gaps are highlighted in paragraphs 46 to 48, which deal with equalities issues. For example, the report states in paragraph 47, in reference to disabled people:

"It is not known to what extent they also face problems arising from disrepair."

Paragraph 48 states:

"reliable national level data on the condition of the properties occupied by other disadvantaged and minority groups is not available."

The fact that 17 of the key conclusions refer directly to equalities issues shows that more work is needed to assess and address the housing needs of some of our more vulnerable citizens who live, or aspire to live, in the private sector.

Critical disrepair affects a substantial number of properties in the owner-occupied and rented sectors. The state of the latter gives particular concern, given the higher proportion of rented homes in poor condition. Although that is partly a result of the age of privately rented housing, lack of investment and shared repairing obligations are fundamental factors. Vulnerable tenants and those on low incomes endure poorer conditions. That area must be addressed if we are to ensure social justice for all private tenants.

One of the most interesting sections of the report refers to properties that are sold under the right to buy. Paragraph 35 states:

"Although concerns have been expressed that right to buy owners may be less well informed of their repair obligations or the need to invest in their homes there is no evidence from the SHCS that this is the case."

There is such evidence, although it is not from the Scottish house condition survey. Last year, Hilland Ritchie Consultants carried out a detailed report and survey of owner-occupation for Thistle Housing Association in Toryglen, Glasgow, in which concern was expressed that tenants

"may not have received proper advice at the time of purchase."

Indeed,

"Many indicated that their decision to purchase their home was based on the fact that they could pay less for a mortgage than rent."

Paragraph 35 of the housing improvement task force report states:

"The fact that most right to buy owners live in areas containing large numbers of public sector rented properties will mean that their attitude to and capacity to undertake repairs or improvements could have significant implications for landlords investing in those areas."

That is borne out by the Hilland Ritchie findings, which showed that

“85 per cent of owners have indicated that they would require a grant to participate in the future repairs programme”—

that is, the programme that was proposed for Toryglen. Furthermore,

“89 per cent indicated that if the work was to proceed they did not know how they would be able to finance their share of the works”.

The works in question were the plans by Thistle Housing Association to upgrade its tenanted stock, which includes 456 owners, whose share of costs would average £4,150 per household.

Clearly, the ability of owners to pay for the work that the housing association deems necessary but that 73 per cent of owners oppose will have a major impact on the work that is to be carried out on those homes that are still tenanted. Obviously, grants are available, but most grants have a ceiling of 50 per cent. Means testing will also be introduced for the grants and the minimum available grant is not index linked. Therefore, many owners will lose out, which will have an impact on all concerned.

As the minister will be aware, Glasgow currently has a three-year waiting list for grants. The city's expenditure on grants has been slashed from £24 million to £6.3 million since new Labour came to power. The fact that that picture is repeated across Scotland is proof of the squeeze on local authority budgets in recent years. As the housing improvement task force makes clear in paragraph 119,

“the limited resources now made available for grant funding by most local authorities acts as a disincentive to serve notices.”

Petition PE391, from Mr William Scobie, which was dealt with at this morning's meeting of the Social Justice Committee, raises the issue of tenants who have exercised their right to buy having repairs imposed on them by the local authority without their consent. During the passage of the Housing (Scotland) Bill, I raised that matter at the Local Government Committee. Obviously, a delicate balance must be struck in ensuring both that tenants in the social rented sector do not have necessary improvements delayed by intransigent owners and that owners are fully consulted.

The converse of that occurs when owners wish to improve their property but the local authority or registered social landlord has inadequate resources or different priorities. When work is carried out, the private sector and the public sector may have difficulty in recouping expenditure from the other sector because of the lack of adequate practical forms of redress.

Paragraphs 93 to 108 examine the arrangements for communal repairs and

maintenance work. The report examines the obligations, rights, quality and cost of such work. As the public sector ethos is different from the private sector ethos, resolving such differences in approach to everyone's satisfaction while ensuring overall improvement in housing conditions will be challenging. I hope that the housing improvement task force will address that issue in some detail in its second stage report.

Under the heading “A strategic approach to the use of local authority powers”, paragraph 114 explains that strategic planning suffers from particular difficulties:

“apart from the tolerable standard, there are no benchmarks against which housing quality more generally can be measured or targets for improvement set.”

Even on that basis, it could take between 10 and 20 years to eradicate all remaining below tolerable standard houses. That is not acceptable. As the report continues,

“there is a need to re-assess the tolerable standard, in order to address existing patterns of housing quality failure”.

We agree with that statement. We seek assurances from the minister that a review of the tolerable standard and benchmarks of housing quality will be carried out at the second stage.

As always with social justice issues, there are also matters that the report defines as cross-cutting and reserved. SNP members hope that issues that are reserved to Westminster, such as consumer protection and VAT rates on repair and improvement works, will be considered for discussion in the second stage report. We also hope that the Scottish Executive will press for action as necessary from its colleagues south of the border. For the SNP, it is obviously a cause for regret that the Parliament cannot act in Scotland's interest on such matters, but we believe that that will change in the fullness of time.

Shelter Scotland has raised a number of issues with which members will be familiar through that organisation's briefing. In particular, it has expressed unease about the fact that the report focuses on conditions without examining the rights of private sector tenants. Issues such as the lack of regulations on the charging of rental deposits, the inequality in bargaining power between landlords and vulnerable tenants and the lack of tenure security in the private rented sector all deserve attention. The remit of the task force should not exclude discussion of the possible introduction of a minimum set of rights for private tenants. Indeed, such rights could make it more difficult for landlords to charge high rents for properties in disrepair.

The Chartered Institute of Housing has suggested that targets should be set for the

eradication of poor housing conditions. That seems eminently sensible. Paragraph 1 of the report comments:

“About 66,000 (5%) private homes may remain in poor condition in the long term.”

The SNP would not support the continuation of that. The paragraph goes on to say that

“poor condition housing is a problem for all those who live in it. It is associated with health problems particularly in young and older people and creates social and economic problems for individual households and communities.”

There is clearly a long road ahead to secure decent living conditions for all in the private sector. However, I hope that, when the minister sums up, he will concur that it is unacceptable to accept that 66,000 homes—or anything like that number—will remain in poor condition indefinitely.

The Conservative amendment is, I feel, rather sour. The report is not perfect and could be improved on—it may not be as focused as we would all like it to be. Nevertheless, the report is necessary and at least illustrates the condition of Scotland’s private housing and the problems on which we have to focus. As our amendment suggests, the SNP is keen to ensure that recommendations that emerge from the second stage report are, where appropriate, acted on before the end of this session of the Parliament. We accept that it may be difficult to ensure the passage of legislation prior to spring 2003, but we believe that such legislation can at least be commenced and progressed. That is the minimum that the private sector can expect.

I move amendment S1M-2982.1, to leave out from “meeting” to end and insert:

“examining the wide range of issues facing the private housing sector in Scotland; looks forward to debating the Task Force’s recommendations for action and timescale for implementation following completion of its second stage report; seeks clarification as to when publication of the second stage report is anticipated, and calls on the Scottish Executive to propose that time is provided in the parliamentary process to ensure that any necessary legislation that may emerge will be progressed prior to the end of this session of the Parliament.”

15:01

Bill Aitken (Glasgow) (Con): It is with genuine regret that I introduce a note of contention into this afternoon’s proceedings but, by any standard, today’s debate is premature and a waste of parliamentary time. The Executive motion proposes nothing at length and once again wallows in self-congratulation. The debate seems a pretty transparent excuse to reannounce the Executive’s programme and the names of the members of the task force.

Let me make it clear that there is—to answer the question posed on page 4 of the report—a

problem with the condition of private sector housing. Even if the figure of 5 per cent is low, the fact that 66,000 houses remain in poor condition is obviously a matter of concern to us all. There is also no disagreement about the fact that we should clearly be seeking to do something about the problem. However, I have to question whether the report will take us forward at all. I suggest that progress can be made only when the task force arrives at conclusions and draws up specific recommendations and options that the Executive and the Parliament can either accept or reject. In short, what is before us today is simple repetition and regurgitation of points made in previous debates on the issue.

I do not know how much the report and its accompanying research cost, but it is hardly rocket science to conclude, as on page 12 of the report, that a significant majority of owner-occupied houses suffer from some level of critical disrepair. The minister knew that, I knew that and the Parliament cat knew that, yet still we spend this amount of money arriving at self-evident conclusions.

The report comes up with the conclusion that there are problems with regard to communal repairs—amazing. Of course there are problems with communal repairs. The fact that some irresponsible owners let out tenemental flats at extortionate rents and do not contribute towards common repairs is a very real difficulty.

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): I am sure that Bill Aitken remembers that, before being elected to the Parliament, he and I were councillors on Strathclyde Regional Council. For years, the council told ministers in the Conservative Government about problems with communal repairs. That Government did nothing about the problem—it denied that it existed. However, Mr Aitken has known about it for years. What did the Conservatives do? They were the people who, in many ways, created the problem.

Bill Aitken: I will tell Cathie Craigie what the Conservatives did. They did exactly the same as Labour has done for the past six years—not a lot. Labour is now in charge of the situation and should do something about it. The buck stops there.

The report correctly points out the difficulties that the physically disabled experience. It is just a pity that the Executive did not support our proposal during the passage of the Housing (Scotland) Bill to ensure that a reasonable proportion of housing was adapted for those with special physical needs.

The question of the house purchase system has been raised once again and, again, we are talking around a difficulty and not trying to solve it. There is an inherent unfairness that people on a fairly

tight budget have to pay through the nose several times for surveys of houses for which they bid unsuccessfully. Of course, the question of the seller's survey also raises difficulties. For example, to whom is the duty of care owed? Another concern is the frequency with which purchasers find themselves confronted with substantial repair bills in the first year. The report correctly identifies that as a problem. Those are all problems, but what are the answers? The Executive must get a move on and come back with more specifics.

The report repeats self-evident facts that have been rehearsed many times in the chamber. There is one difference. The majority of the task force's conclusions have at least one element that is based on equalities issues. That is so much the case that the only minority not specifically addressed is heterosexual white middle-aged males. In declaring a personal interest, I have to ask why that is the case. Why is that minority excluded? What are their needs, given that large numbers of street homeless and those living in hostels fit into that category? It seems that, in order to get any attention from the Executive, one has to be a minority, whatever that may be. Why should that group be any different? The role of the Government is to provide an open system that is fair for everyone rather than one that favours certain groups.

Ms Curran: Earlier, Bill Aitken told me privately that he was most disappointed that I was not responding to the debate, as he likes a good rant at the end of the day. Clearly he was trying to provoke me and I have risen to the challenge. I hope that some of his comments are tongue in cheek. However, what he said seems to contradict Conservative messages at the Equal Opportunities Committee, where the Tories have a more serious attitude towards equality. They cannot run with the hare and hunt with the hound all the time. The report is a serious document that addresses a serious sector in Scotland. The Conservatives should pay greater tribute to the work of the task force in analysing the problems and coming to terms with them. The task force has brought the information to Parliament in a measured and responsible way and it deserves greater respect.

Bill Aitken: When one seeks to discriminate positively in favour of one sector of society, one ends up detracting from other sectors. I recognise that the best intentions are involved, but when resources are moved from general society to particular groups, it is inevitable that there will be some resentment. That is the difficulty. If the Executive wants a better, more cohesive and socially inclusive society, it must work through the general parameters of society, rather than concentrate on individuals or minority groups. If the Executive does as I suggest, it will be

successful, but if it carries on with the current vogue, it will inevitably fail.

The Government's role should be to provide a framework that allows for the resolution of housing problems for all groups and not just for minorities. That is the direction that Government policy should be taking. The work should concentrate on overall problems, rather than on competing interests. On the general issue, it is surely time to move on.

In answer to a question from my colleague Mr Gallie, the minister seemed to suggest that the glorious and halcyon days of the previous Conservative Government were not an unparalleled period of success. However, I submit in the strongest possible terms that, as far as housing repairs and improvements are concerned, they were. The evidence is clear. In our city of Glasgow, areas such as Dennistoun, Partick and Govanhill were completely changed as a result of the review of the grants system and the money that the Conservative Government put in. That was a positive step.

Johann Lamont (Glasgow Pollok) (Lab): I accept that the repair grants in the 1980s were significant, but does the member agree that part of the benefit went in windfall dividends to individual owners who received the grants and then sold their houses at great profit?

Bill Aitken: I accept the point that Johann Lamont makes that some people exploited the situation. However, the net effect was that the housing stock was improved significantly. I am pleased that she acknowledges that. Some of those areas of Glasgow were saved from ruin—literally—and that was a positive step. Of course there were problems—difficulties with cowboy tradesmen and all the rest of it—but I am convinced that such an approach is the way forward. We must consider closely the grants system and the way in which it operates. By all means, let us set criteria that will ensure that those who are in most need benefit from grants. Housing repair grants not only provide a tremendous improvement in housing, they make a fantastic injection into the local economy.

As I said, the report is a repetition of what we already know. I hope that next time the matter is on the Parliament's agenda, there will be positive recommendations on how to make progress towards better housing conditions in the private sector.

I move amendment S1M-2982.2, to leave out from "welcomes" to end and insert:

"notes the publication of the first report of the Housing Improvement Task Force; regrets that this report contains many vague and often contradictory conclusions, and expresses the hope that future reports will provide more

focussed conclusions and firmer recommendations aimed at addressing the significant problems of housing quality in the private sector stock.”

15:10

Robert Brown (Glasgow) (LD): In many ways, this is a clean-sheet debate, because the first report of the housing improvement task force is a factual survey of the territory and identifies the issues affecting the condition of private sector housing stock. Bill Aitken’s approach to the debate is all wrong.

It is a platitude, but one worth repeating, that a decent home is central to family life, the social and other opportunities of families and the health profile of the nation. Nothing can be more important than investing in and securing the future of our housing stock.

I welcome the report, but regret that the Tories have seen fit to lodge such a petty and negative amendment. All political parties must engage positively with the process and add their ideas and expertise to the pool instead of carping on the sidelines.

The housing improvement task force report contains many useful insights. There is the lack of incentives in the tax and benefits system for people to save for major repairs. The exception is the ability of landlords to offset expenditure against tax—an ability that they seem to use all too infrequently.

There is also a reluctance and inability to use equity release to access funding for major renovation. Families have the tendency to prioritise work on kitchens and bathrooms rather than on the fabric of the building. Life cycle events influence investment in property. Moreover, people become worried because they lack knowledge of the building industry. My experience echoes that—sometimes I think that I have been through the whole of the building industry in the west of Scotland with problems in my house.

I will concentrate on the 28 per cent of private sector properties that are in divided ownership, on which common decisions have to be made about, for example, major maintenance to the roof, the common close, repainting, drying green areas, roughcasting and gutters. Scotland lags light years behind other European countries in that area.

A year ago, a group of Swedish MPs visited the Parliament. For reasons that escape me, they had come to see what they could learn from us about housing policy. I took the opportunity to ask them how they organise common repairs in Sweden. It is not too much to say that they were bemused by the question. In Sweden, the culture of co-operative working is ingrained to the extent that it is taken for granted, in law and in practice. People

in flats have to make common decisions and owners have to pay periodically towards maintenance of their properties. The difference between ownership and tenancy, about which we make so much fuss in Scotland, is much less important in Sweden. We have abolished the feudal system in our law and it is high time that we reformed our prehistoric system of common ownership and made it fit for the modern age.

The title conditions bill and the tenement law reform bill are coming down the tracks. Those will be useful legal reforms. However, reform will be next to useless if it is not accompanied by the introduction of a compulsory standard regime for the maintenance of flats and other properties in multiple ownership. That regime must have a compulsory maintenance sinking fund at its heart.

The reality is—Margaret Curran touched on it, but only just—that, against the background of the funding requirements, owners will have to pay more for the maintenance of their houses than they do at the moment. Kenneth Gibson’s comments about Toryglen and the Thistle Housing Association hit the nail on the head.

However, the issue is not always about funding that has to be provided now. It is also about advanced planning so that funding is available when it is required. That is the key to the matter. About a year ago, the Chartered Institute of Housing said:

“The dream of home ownership is turning into a nightmare for thousands of Scots”.

That is a result of the difficulties caused by the right to buy—the rush towards home ownership has not been balanced by a proper appreciation of the needs and requirements of sustaining home ownership.

Mr Gibson: Does the member agree that one of the main issues is that the advice that is given to people who are exercising their right to buy is often inadequate? In particular, when elderly people on low incomes make a purchase, they are not advised of possible repair costs in future years.

Robert Brown: I entirely agree, but that is not the only issue. There is much pressure on people to buy houses and to take advantage of super funding deals, without any attention being paid to the other side of the coin.

Lawyers and the devotees of the untrammelled market will say that a regime such as I am proposing would be a gross interference with property rights and with the right of people to spend money according to their own priorities. However, there is already a model in the arrangements for standard security documentation, which prescribes a standard

pattern for loans secured over property and contains some compulsory elements and some that are optional or adaptable to individual circumstances.

There is a public interest in ensuring that our citizens live in good houses and in avoiding the massive cost to the public purse that occurred in the 1980s, to which Bill Aitken referred. Such a cost threatens if we do not tackle the shambles that is common ownership in the private sector. The problem comprises a number of factors. The report identifies that £3.93 billion—I suspect that the actual figure is more than that—is required to tackle the repairs backlog in private housing. Perhaps £2 billion a year would be required to sustain the stock in good condition after that.

The problem is getting bigger over time, as the analysis is based on 1996 figures. The withdrawal of ring fencing four or five years ago led to a fall of more than 40 per cent in expenditure on improvement and repair grants. There is a big chasm, on any view, between current requirements and what owners spend. Much of the problem is concentrated on the flatted sector. Margaret Curran touched on the various difficulties of title deed interests, for example. It is worth mentioning the problems and discontent that sometimes occur when council housing departments remain as factors after people have exercised the right to buy.

There is a growing view that a sinking fund is the way forward. Residents would pay a monthly amount, which would be used to build up funds to tackle major maintenance and renovation work, such as an annual clean of the gutters. That is similar to what a housing association would do. I suggest that some of the £10 million that Iain Gray recently announced as a gesture of intent towards the HITF recommendations could be spent on a couple of pilot sinking fund schemes. Perhaps he could even access some European money for that purpose.

An effective scheme would require an effective deed of conditions to set it up; transitional funding to allow residents to adjust their personal budgets to accommodate the scheme; regulation of and advice on the investment of the funds, perhaps including a link with the building societies to collect the money; attention to the problem of the elderly widow or person on incapacity benefit who might need state support; and the provision of information about competent local contractors. Such an arrangement could bring many benefits in empowering people, which would parallel what has happened in the housing association field. These are important matters, which we should not ignore for long. We are moving towards a situation where there will be a funding crisis. The problem must be dealt with quickly.

I have taken some time to concentrate on those matters. I do not want to spend any more time on them, because I have only seven seconds left. The HITF report is excellent. It documents the scale of the problem, which is one of the main challenges that the Parliament will have to address in this session—and probably the next session—if we are to build a Scotland where decent people have decent houses in which to live.

15:19

Johann Lamont (Glasgow Pollok) (Lab): I am conscious that as I rise to speak, someone else is waiting to rise to speak at Westminster. I do not expect that my words will be scrutinised as closely as the words of the Chancellor of the Exchequer, but it does make a difference—or perhaps it makes me, as a back bencher, feel better—to be upstaged by the Chancellor of the Exchequer, rather than simply being ignored, which too often is the fate of back benchers.

I welcome the opportunity to make this speech, both as the Social Justice Committee convener and as the MSP for Pollok constituency—a constituency which, with its variety of housing tenures, problems and issues, is a microcosm of the key issues and challenges that housing presents throughout Scotland.

First, I highlight the role of the Social Justice Committee, which has taken the decision to carry on with its responsibilities for housing by scrutinising the impact of the legislation that we dealt with last year. This morning, the committee discussed the housing improvement task force's report. We are keen to hear from groups about issues that they believe have been omitted from the report and would be worthy of further consideration.

It is clear in any discussion of problems in relation to the private sector that a gulf exists between the rights and roles of tenants in the social rented sector and those in the private sector. That gulf gives the lie to the argument that the transfer of council stock to community ownership is privatisation. I welcome the result of the Glasgow housing stock transfer ballot, which was announced during the recess. I acknowledge the key challenge for all of us in Glasgow and beyond to make that decision work for all the tenants of Glasgow.

I have time only to make some brief points. It would be remiss of me not to talk about the impact of the Glasgow tenants' decision on some owner-occupiers in the city, particularly those who bought their houses under right-to-buy legislation. Many people bought their houses because doing so was economically rational and a financially sensible

decision, given the lack of investment in housing and the problems with repair and the level of rent. However, the significant investment that is to be made in the social rented housing around such people will have an impact on them. That would be an issue regardless of how the investment was delivered, but it remains a problem for those who have confronted it. That is a cause of anxiety and distress. My constituents have spoken to me about that and I am sure that others have said the same thing. Concrete plans and proposals from the Scottish Executive must address that anxiety. I trust that the housing improvement task force expects to have a key role in that.

People in that position need improvement and repair grants to support them in meeting such impending costs. That group needs and deserves to be made a targeted priority. Some members discussed the consequences of not targeting sufficiently. People in that position are on relatively low incomes and their properties will be subject to improvement because of the decisions of others, not because of their own decisions. Information about grants must be provided speedily, because there is no doubt that people are wrestling with, and worrying about, that problem.

The other important and related issue, to which Robert Brown referred, is factoring, whether it involves the private sector or people who are struggling to get necessary work done because their neighbours are reluctant to co-operate. Factoring of right-to-buy properties by councils has been problematic in some circumstances, to say the least. Partnership must be emphasised. The responsibility that accompanies ownership must be recognised and that must be discussed more with people who are deciding whether to buy their homes.

In the private and owner-occupied sectors, the experience of contact with the construction industry is worrying and sometimes damaging. There are some well-reported instances of people being exploited and ripped off. That may not be the direct responsibility of the ministers present, but I seek reassurance that regulation of the construction industry for the benefit of customers and in the interests of a work force that is involved in a dangerous industry will be dealt with by the appropriate ministers. I emphasise the key role of construction unions in that work.

I will finish by talking about another important issue that relates directly to the privately rented sector—the regulations on houses in multiple occupation. Clear concerns are being expressed about how those regulations are operating in practice. A policy that sought to tackle bad and negligent landlords is pulling in groups that are regulated effectively elsewhere. The Social Justice Committee is taking an interest in that matter. It is

fair to say that the jury is still out on how the regulations can be developed.

I commend the task force's report. I welcome the fact that the Scottish Executive has taken seriously its responsibilities on housing in all its shapes and forms. I welcome the report as part of an area of work for us all that is of central importance to people's lives.

15:24

Mr Andrew Welsh (Angus) (SNP): The theme of justice ran through Johann Lamont's speech and finds echoes in all parts of the chamber.

Housing standards are fundamental to every man, woman and child, every day in Scotland. That is the true importance of the debate. Housing is and always has been one of the greatest on-going problems that faces the Government in Scotland. I assure members that that made Westminster debates frustrating activities. It is up to the Scottish Parliament to make a real difference. The housing improvement task force's report would make a good starting point. I congratulate the task force on the report, which has shed new light on major and important housing problems.

The evidence shows clearly the extent of the task in the private housing sector, in which 348,000 houses are in a state of critical disrepair and 26 per cent have repair defects in their building fabric that affect how watertight they are. The private housing sector also has a tolerable standard failure rate that is four times greater than that of the public sector. When recommendations are developed at the second stage, we expect the task force to make specific proposals to deal with those key issues.

The problems that face the private sector are not new and they are all too clear from the report. They include age, structure, low energy efficiency, lead in water supplies and failure to repair, improve and maintain the housing stock. Since the 1919 Addison act, central Government has concentrated on provision and maintenance of public housing and has largely neglected the private rented sector. The report is welcome and at least it acknowledges that omission. We now await the requisite action to match the needs of the situation.

Low energy efficiency problems, which are shared by housing stock across Scotland, are worse in the private sector, particularly in pre-1919 properties and in houses in multiple occupation. Those are the worst-case scenarios that involve the most vulnerable individuals and families and the problems should be tackled with urgency. Lead in water supplies is an old problem that should have been eradicated decades ago. To

allow people to be poisoned slowly by their daily water intake should not be part of the policy of any Government. I look today for assurances from the minister on that matter.

Problems always arise when shared or common elements are involved. However, on health and safety grounds, the Government must tackle and overcome urgently any technical difficulties. Children are especially vulnerable and should always be a priority. I want to make an especial plea for rural housing, which has long been a neglected area despite the fact that it contains some of the worst problems.

The minister mentioned the aspirational and practical goals that should be met when minimum tolerable standards are being set. Too often, particularly in the setting of minimum standards, the aspirational and practical targets have been set far too low—never mind what has been provided in practice. I hope that we will seek a minimum tolerable standard that is truly fit for the 21st century. I also hope that the Scottish Parliament will set out to deliver that standard.

I am happy to note that:

“eradicating below tolerable standard housing remains an important policy goal.”

I await proof that that will be delivered.

I note with great concern that:

“current levels and patterns of expenditure by owners on repair and maintenance may be inadequate to prevent deterioration of existing stock”.

Without positive action on that front, we will store up greater problems for the future. To improve building standards, we must stop the creation of future problems that are caused by non-traditional building methods. That would allow us to prevent any accelerated decline in the quality of existing housing stock. We have access to modern materials and easy-to-use modern equipment and those must be brought into play.

We need to attack the problem positively through appropriate Government investment and incentives for individuals and families. Solving housing problems will also solve unemployment problems and give a much-needed economic boost, as well as creating long-term and community assets.

The report demands action. It throws out a major challenge to us all. We await the second stage. We also wait to see whether the Government's proposals match up to that challenge.

The Deputy Presiding Officer (Mr George Reid): From now on, I am looking for speeches of closer to four minutes.

15:29

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): I, too, welcome the task force report and acknowledge the good work that the task force has undertaken.

The report sets out a number of key issues that we should address. Like Robert Brown, I hoped that, as the task force was composed of experts who came together to put their knowledge down on paper, all political parties would have been able to get behind the report. However, that does not seem to have happened today.

I will concentrate on the issues that face owner occupiers in Scotland. In particular, I will focus on houses and flats that have been bought under the right to buy. The report highlights the fact that, after the age of the property, the most significant factor that leads to houses falling into disrepair is common or shared repairing obligations. Furthermore, the report points out that many households, especially those in houses that were bought under the right to buy, do not receive adequate information about the condition of their homes when they buy them or about their financial obligations concerning common repairs.

The report acknowledges the link between right-to-buy owners and problems with shared repairs. However, although the report finds that such problems are more common with improvements than with emergency repairs, it is clear that owners who bought their homes under the right to buy were not well informed about the maintenance needs of their homes or about likely future repairs.

I have had some experience of that in the Cumbernauld area. The Cumbernauld Development Corporation, which was a Government-led quango, had an aggressive house sales policy which ran along the lines of “Pick up a form, fill in your name and we will do all the legal work, valuations, the lot.” People were buying property without being informed of their future obligations, and the local authority has had to deal with the resulting problems for a long time now.

We can put much of the blame for the current significant backlog of repairs on the way in which people were advised when they bought their properties in the past. I recognise that, as the minister mentioned in her speech, owners are responsible for their properties and that most of them can afford to pay for emergency repairs and to maintain their homes. However, as the report points out, many owners on low incomes are unable to afford such repairs. We must deal with that problem.

Unlike most Scottish constituencies, Cumbernauld and Kilsyth has a very high level—more than 70 per cent—of owner occupation in

high-rise flats. Furthermore, because the flats are high rise, the costs of common repairs to lifts, stairs and windows are much higher than such costs in tenemental properties. Recognising that they have a real problem, the homeowners have set up their own association which, although still in its infancy, follows Robert Brown's points about owners working together to tackle problems. Such local partnership working has the support of the local housing association, the local authority and the Scottish Executive, and I hope that we will continue to give that support.

We must have an effective grant mechanism that assists people who have already bought their homes, and the Housing (Scotland) Act 2001 goes a long way towards addressing that need. I look forward to the final task force report and its full findings. We also need a legal duty to ensure that owners contribute to the cost of repairs and that we do not find ourselves in the situation where one owner can effectively stop a whole modernisation and improvements programme.

The forthcoming title conditions bill contains a chapter on community burdens, and we will soon be discussing the law of the tenement when the proposed tenement bill is introduced. I hope that both bills will address the problems that I have highlighted. It is clear that we need a legal mechanism that requires owners, with support, to become involved in projects that will ensure that we have good-quality private and public sector housing stock. Because private owners have not become involved in such projects, public sector housing is also in danger of falling into disrepair.

15:34

Mr Keith Harding (Mid Scotland and Fife) (Con): At the risk of being accused of negativity—after all, I do not want to disappoint the minister—I question the justification of a two and a half hour debate to welcome the report. The report's contents are of valuable assistance in understanding the significant problems that Scotland faces in bringing private housing up to tolerable standard. However, as my colleague Bill Aitken pointed out, this debate is premature. It would have been more appropriate to have the debate when the task force had progressed its remit, reached its firm conclusions and drawn up recommendations on which we, the politicians, could determine our views.

Too much of our time is devoted to discussing costly glossy literature while the people of Scotland expect action to deliver policies that improve their lives. The Executive's motion proposes precisely nothing and, I believe, is a waste of parliamentary time. Having said that, the report identifies the problem and will provide a valuable tool.

I await the minister's response on how the solutions will be found. Must we wait another year before the issues begin to be addressed? In the early 1990s, the councils, through the Convention of Scottish Local Authorities, persuaded Michael Forsyth to trust them and to remove the ring fencing of resources for private housing grants. The result was that expenditure in that area plummeted, because councils used the moneys for their priorities. When the minister sums up, will he say whether he proposes to reintroduce ring fencing and whether, in view of the report's conclusions, more resources are to be made available for the grant regime? The report contains an implied criticism about care-and-repair schemes and small-grant schemes, which are targeted at vulnerable groups. Does the Executive propose to address that issue at an early date?

The report confirms much of what we already know. It is evident from the initial conclusions that the situation is not improving, but deteriorating. That is particularly true of the private rented sector, for which the worrying figures show that 38 per cent of the stock suffers from critical disrepair. Despite councils' efforts over the years to address the issue of lead in water supplies, 94,000 properties still have that problem. Of particular concern is the report's conclusion that, on the basis of current levels of activity, it could take up to 20 years to deal with all the houses that remain below tolerable standards. The task force rightly finds that unacceptable. I am interested to hear the minister's view on that matter and whether the Executive proposes to review the powers of local authorities to tackle poor-quality housing.

My colleague Bill Aitken covered some of the Conservatives' other concerns. I will conclude by expressing my fear that the work of the task force appears to be centred on a big-Government-interventionist attitude, which is aimed at further regulation and interfering in one of the most heavily regulated private housing markets in Europe. The report clearly identifies the problems; I call on the Executive to come up with an open system to address them. That system should be fair for all and should not favour certain competing interest groups over others.

I support Bill Aitken's amendment.

15:37

Ms Sandra White (Glasgow) (SNP): As someone who, along with other members, spent many hours poring over the Housing (Scotland) Bill, I welcome the debate and the report of the homelessness task force. Housing in Scotland is an issue that merits the attention of the Parliament. Unlike Bill Aitken and other Conservative members, I think that the issue merits even more time because of the massive

problems in all sectors of the housing stock and the appalling conditions in which some of our citizens have to live in the 21st century. In particular, solutions are urgently required for the problems in the private sector. The scandal of people living in Dickensian conditions is undeniable. It is ridiculous that the Parliament oversees that situation. The task force's report highlights that issue, and I hope that the second report will consider some solutions.

I want to highlight houses in multiple occupation, which are normally referred to as HMOs. Johann Lamont mentioned the issue, but I would like to take it further. It is estimated that there are around 12,500 HMOs in Scotland. In Glasgow alone, the figure is almost 3,000. HMOs are the main choice for people who require affordable accommodation, such as young people, students and low earners. However, such people's need for low-cost housing means that many of them are forced to live in poor, and often extremely dangerous, conditions. Members will know of the case of the two students in Melrose Street, which was a terrible tragedy.

In October 2000, the HMO licensing scheme, which replaced the existing discretionary scheme, was introduced. Many people welcomed the licensing scheme as a step in the right direction of eradicating the appalling conditions that many people who live in HMOs must endure. However, I and others—I think that Johann Lamont highlighted the matter in the Social Justice Committee—have raised concerns about whether the legislation is being backed up by the resources that are necessary to make the system effective. That issue has been raised with me and with various councils on many occasions.

Cathie Craigie: Does Ms White agree that the concerns that the Social Justice Committee raised about HMOs are not, in the main, about resources, but about conditions and the scope for the legislation to hit the wrong targets?

Ms White: I am not attacking what the Social Justice Committee said about HMOs—I am talking about councils and their concerns about moneys for the legislation. I am not attacking anything that the Social Justice Committee said and I am sorry that the member took what I said in that way. I am highlighting issues that the report and councils have raised. If Cathie Craigie lets me finish, I will let her know what I mean.

The University of Strathclyde's consultation response stated that it believed that the HMO unit in Glasgow lacked the skills and necessary resources to monitor and influence the worst excesses of the most unacceptable landlords, as did many local authorities. We all agree that there are unacceptable landlords in the city. The university stated that the worst landlords were deliberately evading the legislation.

The University of Glasgow supported that view and said that the practical and financial implications of the licence requirements were extremely onerous. I will skip some of those implications and consider the costs of licensing in places such as Glasgow, Dundee and Aberdeen. Glasgow charges 440 per cent more for a licence than Dundee and a massive 1,130 per cent more than Aberdeen.

Johann Lamont: Will the member give way?

Ms White: I am sorry, but I have only about a minute left. I would have given way if I had more time.

A licence for six to 10 tenants costs £295 in Aberdeen, £750 in Dundee and £1,700 in Glasgow. That situation must be looked at properly. Why are there such different charges? Most people have supported the improved safety and conditions for tenants in the legislation, but concerns have been raised over the costs of and differences in HMO licences. The task force report also raised such concerns. The minister should understand that nobody has targeted that problem. We want answers. Why is there such a vast difference in licensing costs for HMOs? The minister should answer that in his summing up.

15:42

Karen Whitefield (Airdrie and Shotts) (Lab): Unlike the Conservatives, I congratulate members of the housing improvement task force on completing the first stage of their work. It is important that not only MSPs, but those who work in the field are given an opportunity to discuss and define the issues that are faced by private sector housing in Scotland. We should start with a proper review of the current situation and the problems that we inherited from the Tories.

The first report, which we are debating today, provides a clear picture of the extent and nature of the problem of poor-quality housing and gives us a solid and substantial basis for establishing effective policies that will improve the standard of homes in Scotland.

The report contains an impressive array of facts and figures, some of which have been quoted. It is not surprising that some of the most depressing figures relate to the private rented sector. In that sector, 15 per cent of all properties have lead in their water supplies and 30 per cent have poor energy efficiency ratings. The rate of below tolerable standard failure for the sector is four times greater than that for the owner-occupied sector. The report concludes:

"Compared to other housing tenures, a high percentage of the private rented sector is in poor repair condition and has other quality defects".

Undoubtedly, much of the problem relates to the age of the properties in the sector, as the report points out, but poor maintenance is also a significant factor. Landlords are responsible for the condition of properties that they let. They generate profit from their properties and responsibility should go with that profit.

It is not surprising that the report concludes that, in the private rented sector, stock that is rented by high income tenants is generally of good quality whereas lower income and vulnerable tenants often live in poor-quality accommodation. In short, the market works for those who are better off, but does not for those on low incomes and vulnerable tenants. No one in Scotland should have to live in a sub-standard, damp or unsafe house. Private landlords must be held to account for the properties that they let.

I have sympathy with Shelter's views on the matter. Improving the rights of private sector tenants will help to increase their bargaining power and will help to reform the market so that it benefits not only the better-off, but those who are in need. Shelter is right to point out some problems that are associated with the private rented sector. It is also right to point out some real benefits that the flexibility and responsiveness of the private rented sector can bring to housing and employment in Scotland.

The task force report points out that private rented housing has the poorest energy efficiency levels within the private sector. The Housing (Scotland) Act 2001 introduced measures to tackle fuel poverty and improve energy efficiency. I hope that the task force will ensure that steps are taken to bring the private rented sector into line with the best practice of the socially rented sector.

The housing improvement task force has presented us with a better understanding of the challenges that we face in improving Scotland's homes. Thoughtful briefings from Shelter and CIHS have taken the first steps towards the development of policies that respond to the challenge. It is right that at this stage we should consider thoroughly issues such as tolerable standards, private sector tenancy agreements and the role of local government in monitoring and regulating the sector. All the people of Scotland deserve to live in decent quality damp-free homes, whether they rent their home from a social landlord or a private landlord, or own their own property. We in this Parliament have a duty to work tirelessly to achieve that goal.

15:46

Nora Radcliffe (Gordon) (LD): My speech will be fairly brief. I will begin with a quote from the Scottish Liberal Democrat "Charter for Scottish

Housing", which was produced a couple of years ago. It states:

"No-one should have to live on the streets. No-one should have to be homeless or roofless."

It also states:

"People should have homes which are a centre for living, and a safe refuge where they are financially and physically secure, free of disruptive neighbours, and in a pleasant environment. The houses should be free of condensation and dampness, wind and watertight and in an adequate state of repair."

I would have added to that statement that houses should also be well insulated. That is the ideal that we aspire to. No mention is made of "asset", "profit" or "investment". When we stop thinking of houses in terms of shelter and a home and start to treat them as economic units, we skew both the economy and the housing market. We have got too hung up in this country on owning and profiting from owning homes in a way that does not seem to happen in other countries, where people rent as readily as they buy and, incidentally, enjoy much easier mobility as a result. That has implications for the free movement of labour and skills and the appropriate use of accommodation, but that is a side issue so I will come back to the report.

The focus of the task force is where it should be: on improving the housing stock of Scotland by identifying where and why there is disrepair and by bringing to bear a wide range of experience and skills on the best way—or indeed the many ways—of dealing with the problem.

The list of disincentives to the repair and maintenance of the housing stock makes grim reading. One small initiative that might not seem to have a direct bearing on remedying the problem but which might be surprisingly effective would be a requirement to maintain a record of repairs and maintenance for every dwelling. We get a log book when we buy a car and a full service history is an important selling point when a car changes hands. It is absurd that there is no equivalent for a dwelling, which costs 10 times as much and is expected to last 20 times as long. Logically, having to make a record of doing something does not necessarily make it more likely that someone will choose to do it. However, having their sins of omission made glaringly obviously, or having incontrovertible evidence that the last time they had the external paintwork done was five years ago and not the two that they vaguely thought that it was, could be powerful incentives.

Bill Aitken: I am intrigued by Nora Radcliffe's idea, which on the face of it has some merit. However, does she agree that in a motor car service record a person is not required to log any major repairs that have been carried out, so the situation is not analogous? The idea has some merit, but it would work only if people were

prepared to be honest. I ask myself whether that would happen.

Nora Radcliffe: It is not an exact analogy and I take Bill Aitken's point. However, having to produce a record when properties change hands would have a significant effect over time.

The task force is doing the right job in the right way and it has made a good start. There is a lot of meat in the report, which is underpinned by good work and is to be welcomed.

15:50

Paul Martin (Glasgow Springburn) (Lab): I welcome the opportunity to debate the housing improvement task force's report. I recognise its importance for all our constituents, particularly for first-time buyers who find themselves trapped into staying in their properties because of the buildings' condition. It has been a difficult period for many first-time buyers.

I will focus on two main issues. The first is the information that is provided by solicitors when the owner-occupier or prospective owner-occupier shows interest in a property. It is clear that often—I am sure that many of us are aware of this from personal experience—solicitors do not advise the prospective owner of their communal responsibilities prior to purchase. Many owner-occupiers are not aware of those communal responsibilities until, for example, they receive a housing action notice or even an invoice for their communal share of any work that is required.

We should consider entering into discussions with the Law Society of Scotland with a view to implementing a clear protocol to ensure that solicitors pass information to their clients prior to purchase. That has been touched on in the task force's report, but I think that the Deputy Minister for Social Justice ought to address it in her response to the debate.

The second important issue, which currently faces Glasgow in the context of the stock transfer, is consultation of owner-occupiers. Far too often, owner-occupiers do not feel part of the process and the only time that they are involved in it is when they receive that dreaded invoice for the work to be carried out on their properties.

Robert Brown: Does Paul Martin have any thoughts about the possible need to build owner-occupier groups in the same way that we have tried to capacity build in other respects? Would that be of assistance?

Paul Martin: That is an issue for the minister to respond to, but I support that idea in principle as a possibility to be developed.

Consultation is an important part of the process

and of property management. If an owner is suddenly advised that they have received a bill for, say, £2,500, they clearly have not been involved. As owner-occupiers, many, if not all, of us must reflect on what it would mean for us to receive an invoice for £2,500 without having been consulted on whether the relevant work on our property should be carried out—as was the case with one of my constituents. That happens too often in the case of council-factored properties, where the council tends to hold a majority of properties in the building concerned and to carry out the works regardless of the views of owner-occupiers.

We have to ensure that owner-occupiers and absentee landlords are made well aware of their legal requirement to carry out improvements to their properties. That has been referred to in the report, which we should refer to absentee landlords, who in many cases show very little interest in the activities of their tenants and the needs of their property.

The minister should give serious consideration to those two issues. Once again, I welcome the report and commend the task force for what has been a very comprehensive piece of work.

15:54

Brian Adam (North-East Scotland) (SNP): I read the seventh section of the task force's report, on house buying and selling, with great interest. The provision of information for individual owners and the action taken on that information is key to maintaining and repairing our houses appropriately. However, judging from the information in the report, it seems that we are not too sure who is going to do what. A range of professionals are involved and it is a question whether we are to offload some responsibility on to those professionals—some of whom already perform some of the relevant functions—or whether we are to rely on the responsibility of individual owners to maintain and repair properties appropriately.

The lack of maintenance and repair in the private sector is a scandal. In recent times that problem has not been limited to our housing. The same attitude was prevalent in Government, which continually pared down the budgets for repairs and maintenance across a wide range of public services. If we point the finger at property owners and tell them that they are not accepting their responsibilities, they may rightly retort that we have not done so either. I welcome the tenor of the report, which identifies the problems, and look forward with interest to the suggested solutions.

At the moment, insufficient information is available to owners. The active involvement of professionals in directing owners and potential

owners to that information is one of the keys to improvement.

I would be concerned were we merely to place a responsibility on people to say what energy rating a house has, for example. That rating will not mean much to most owners or potential owners. Nora Radcliffe floated the suggestion that detailed information should be provided on what things have cost previously. Information not just on the cost of repairs, but on other running costs may be helpful to potential owners or purchasers of property. I do not know what the best way of dealing with that is—whether we should produce guidance, or whether indicative figures should be provided for running costs. I hope that we will address that issue as part of the review.

I also hope that we will come up with a positive solution to the problem of successive and recurrent surveys of properties. I am disappointed that tables 4 and 5 of the report show a significant discrepancy between the figures arrived at by different organisations. I do not suggest for a minute that the Law Society has got things wrong, but its figures are significantly different from those given by the other organisations cited. The Law Society suggests that the number of repeat surveys is much lower than the figures that are given by the Scottish Consumer Council and in the interim research report of the task force. We need to investigate why different organisations are arriving at different answers.

We need to address not only the additional cost of extra surveys but what those surveys consist of and how they are used. We need to consider not only whether a purchase will be made but what will happen to the property in the future. Acquiring a property is not just about a one-off payment and servicing a debt through a mortgage; it is also about upkeep and maintenance of the property. We need to consider how we go about doing surveys and the kind of information that appears in them. I believe that sellers should be responsible for carrying out surveys. We need to consider seriously what should appear in surveys. They should include information on the general running costs of a property—the cost of heating and lighting—and on the matters that Nora Radcliffe mentioned.

15:59

Mr Frank McAveety (Glasgow Shettleston) (Lab): I thank Kenny Gibson for the humility that he showed in his opening remarks. As Alex Ferguson said to Jim Leighton in the early '90s, "You'll no be playing again the next time."

I welcome the first report of the housing improvement task force. It is important to emphasise that it is only the task force's first

report. As such, it is a staging post in our attempt to change housing for the future. That is why I regret the ungracious remarks of Bill Aitken and the Tories, who suggested that the report had come too soon and that we should not waste our time talking about it today. I thought that Bill Aitken was going to come up with the medical invention of premature enunciation, but I thank him for his contribution.

The importance of a report such as this is that it says what many of us knew from experience but which had not been quantified. A number of us can talk about our personal or professional experience of housing issues, but the reality is that we have to identify the problem and find strategies to tackle it in future.

There have been haphazard approaches in the past and—so that I am not ungracious to Bill Aitken—elements of what the previous Conservative Government said about improvement and repairs grants were important. However, I do not think that that Government addressed many other issues in housing, one of which was addressed by the welcome decision that tenants in my area of Glasgow made about stock transfer and the opportunities to unlock investment for public sector housing.

The report tells us that one quarter of housing in the private sector is of particularly bad quality—in fact, the poorest quality in Scotland—and there is no doubt that we have to do something to address that in the next few years.

Like other members, I think that there is an issue to do with the powers that are available to local authorities and the relationship that local authorities have with tenants and other local agencies to try to deliver change. The evidence about the removal of ring fencing—much called for in local government circles—shows that in this arena it has resulted in significant underinvestment in areas such as the worst housing in the private sector and below tolerable standard housing.

There is an issue about how to address standards 33 years after the BTS rating was introduced in 1969. We need to deal with that in the next stage of the task force's review.

A substantial number of properties have been changed and improved in the Govanhill district of Glasgow. Some 1,800 units have been improved by the radical programme that the Govanhill Housing Association put forward in the 1970s, 1980s and early 1990s. At its height, the programme resulted in the improvement of 200 to 250 units a year. Sadly, that has slowed to between 15 and 30 units a year, which is clearly not acceptable if we want to tackle the 600 units that still need to be addressed.

We have to be serious about a difficult balancing act between all the competing interests relating to the reform of the improvement grant system, the BTS rating and the number of pressure groups that have different, sometimes conflicting, perspectives.

The next stage for the task force and Executive ministers is to work through that to deliver change. It is a reasonable ambition, over at least one if not two sessions of the Parliament to remove BTS housing from Scotland altogether. That identifies a key priority.

The resources can be delivered in an imaginative and effective way. Other members identified ways of releasing capital and equity to try to deliver some of the changes that are needed.

Given that landlords in Glasgow, which suffers from having 12,000 BTS houses, will have a strategic role that is as important as that of a local authority, they will need to work in partnership with all the major agencies locally. That is difficult in a place such as Glasgow. Anybody who has been engaged in the debate around stock transfer—tenants, practitioners and professionals in the system—can testify to how difficult it is to get common agreement even on basic issues.

We need to arrange for a concordat to be agreed by the different players in the field to deliver a common objective, which is to remove BTS housing from our landscape. That is a reasonably worthy aim of the Scottish Parliament, which I hope we can all share. Perhaps Bill Aitken and his Conservative colleagues will, on reflection, come with us on the journey to arrive at the destination of something that we all believe in—better housing for everyone in Scotland.

The Deputy Presiding Officer (Mr Murray Tosh): We move to closing speeches. I call Donald Gorrie for the Liberal Democrats.

16:04

Donald Gorrie (Central Scotland) (LD): Unlike some of the subjects that we debate, this important issue affects the whole of Scotland, in that there are very many defective houses in rural areas as well as in urban areas. Three sorts of people are involved: the owner-occupier, the owner of tenanted property and the tenant.

I will pick out a few things from the excellent report. I have never understood the system of buyer surveys, which are not worth the paper that they are printed on and give no consolation or help if something goes wrong. We must have a system which people found on one decent, in-depth and honest survey. Surely we can legislate or take whatever steps are necessary to achieve such a system.

In a liberal democracy—in a free country and all that—people are seen as having the right to neglect their property. However, that creates a conflict. If one neglects one's own property in a way that seriously disadvantages other people, that freedom must be constricted. When I was a councillor, people used to complain to me about the gross neglect of neighbouring houses or flats. I would tell them that they must see a rat because they could mobilise the council if they saw a rat—they were wasting their time without a rat. There is an issue to do with how far we can compel owner-occupiers to look after their property to prevent their neglect from causing harm to other people.

We must take a mixed, carrot-and-stick approach to owners of tenanted property. As the report makes clear, in crude financial terms, it is often not worth maintaining a property properly, which is an unhelpful situation. We must provide proper financial incentives, through the tax system or in other ways, to make it worth while for owners of tenanted properties to maintain their properties properly over a period.

As the report said, maintenance tends to be reactive. We should enforce the tolerable standard much more than happens at present. We should also raise the standard so that it becomes the stick in the carrot-and-stick approach. Given my experience, I believe that we should be much more vigorous about imposing and enforcing proper grant conditions. Some people get away with murder through a lack of proper scrutiny by the officials who are supposed to scrutinise the repairs that are carried out through grants. We must also ensure that grants lead to proper maintenance—that issue was also raised during the debate.

Energy efficiency is dear to my heart and to the hearts of some of my colleagues. In crude terms, energy efficiency measures often do not produce a rapid return on the money that they cost. Therefore, we must make proper incentives available so that people implement those measures.

As Shelter Scotland made clear in its paper, we must increase tenants' bargaining power. Many tenants feel disadvantaged and do not press for the maintenance and repairs that should be carried out. We must ensure that private tenants have the rights that tenants in other sectors are being given, and that they know their rights. We should also ensure that they know their duty, as they also have a duty to ensure that the property is properly looked after.

The report contains many good recommendations. We must prove the Tories wrong and do something about those good recommendations.

16:08

Mrs Lyndsay McIntosh (Central Scotland) (Con): I echo the deputy minister's thanks to the members of the task force and to those whom the task force in turn consulted for advice. I thank them for their endeavours. I would not like the minister to think that we did not appreciate their efforts. I apologise to those who contributed to the debate whom I fail to mention.

Time is short. Sandra White commented that she would have liked a longer debate—we should have a longer debate when the full report is available. The debate has certainly been lively. Despite Mr Gibson's view that my colleague's amendment was somewhat sour, I suspect that he is unaware of Mr Aitken's penchant for noising up the deputy minister. True to form, Ms Curran took Mr Aitken on—it is clear that that habit has formed over years of experience.

I regard the first report of the housing improvement task force as a work in progress. All members in the chamber have spent a lot of time on doorsteps, shoving literature through letterboxes or speaking to householders. We have seen for ourselves the condition of housing stock in constituencies throughout the country. We may not recognise it, but we are all able to make observations, which, although not expert, are not uninformed.

I listened to all the contributions and several features came up time after time. The fact that lead in drinking water was raised by the deputy minister and by Keith Harding, Andrew Welsh and—I think—Bill Aitken highlights what the report contains about the age of houses. Some housing is pre-war—pre-first world war—and some of it is even older than that. I grew up in a house that was more than 100 years old. I would never have imagined—nor would the original builders—that it would last as long as it did. The house served the test of time, but building was different in those days.

The most common feature of the debate has been comments about common repairs and property maintenance. I do not live in a flat, but my mother does. For many a long hour, I have listened to the difficulties of trying to get people to agree on what they want done. It does not matter how many arguments they have, even if they all agree that something needs to be done, they will disagree about the colour, the kind of doors and so on. The arguments that go on are intractable. I have much sympathy with people who find themselves in such a situation, which is frustrating beyond measure. Robert Brown, Johann Lamont and Cathie Craigie all commented on that.

The minister mentioned the natural tendency to invest in the obvious items, such as kitchens,

bathrooms and conservatories. People who have not availed themselves of the telephone preference service will be plagued by the wee courtesy call from a direct marketing company, which always has someone in the area to offer a kitchen, a bathroom or a conservatory. Out of wickedness, I sometimes say yes on behalf of my mother. She is two floors up—she lives in a tower block—but the marketing companies do not know that. Sometimes the devil in me comes out.

Other members of Parliament might not be aware that members of the Social Justice Committee had a group away day at which we discussed the timing of the debate in relation to the housing improvement task force briefing that will take place next week. Time was against us—we could not organise holding the briefing before the debate. The process is continuing and we will move on to part 2, which I believe is the most important part.

Robert Brown's suggestion of a sinking fund is wonderful. It always seems to be timeshare owners who know about sinking funds. As Cathie Craigie pointed out, the cost of common repairs is massive for those who live in high-rise flats. I understand the difficulties that are being experienced in Cumbernauld, particularly in the flat developments where there has been a fault. Tenants cannot possibly be expected to meet the likely cost. The massive cost will cause an intractable problem.

I look forward to the rest of the report. The report is a work in progress. Our consideration of the report was realistic rather than sour. I support my colleague's amendment.

16:14

Linda Fabiani (Central Scotland) (SNP): I must make a declaration because I own a flat in Rothesay, which is tenanted. I say to Bill Aitken that I am not an irresponsible landlord and I inform Karen Whitefield that I do not make a profit from letting my flat. It is in an area in which it is difficult to sell.

I welcome the report and the SNP welcomes the report. I did not welcome the fact that Lyndsay McIntosh closed for the Conservative party. She always throws me because she apologises for her colleagues, which takes my anger away and means that I cannot rant on about how awful I think they are.

Bill Aitken: Carry on.

Mrs McIntosh: Get stuck in.

Linda Fabiani: Bill Aitken and Keith Harding were wasting the Parliament's time. It is clear that neither of them had read the report, or if they had read it, they must have done so a long time ago.

Perhaps they have a short attention span and have forgotten what it said. They did not even seem to know the report's title.

Bill Aitken used the opportunity to rant on about his personal prejudices and gave no thought to the content of the report. I started off with a certain sympathy for what he said about the report not containing anything that we did not already know. He is right that most of us knew what the story is but, as Frank McAveety said, the problems need to be quantified before they can be addressed. I am pleased that the problems have at last been quantified. Over the piece, successive UK Governments of both hues have simply ignored the problems in the private sector, especially the problems in the private rented sector. Far be it from me to praise my colleagues, but I am glad that we at last have a quantified report of the problems that need to be addressed. We should all work together to address those problems for the benefit of everyone.

I agreed with one thing that Bill Aitken said, which was that the opening up of improvement grants in the early 1980s—and the 1970s—made a huge difference to the private sector in many cities and towns. I have a problem with the Tories' motivation in doing that but, nevertheless, the result was that many houses were improved. We should look again at the methods that were used to bring that about. The designation of housing action areas allowed a lot of grant funding to be provided for improvements to houses in such areas and wonderful improvements were made. Kenny Gibson mentioned the need for more grants. Even at my tender age, I can remember a regime under which 90 per cent grants were available for houses that were below tolerable standard in housing action areas. If we are serious about doing up our houses and making all the houses in our country fit to live in, we should look at that kind of thing again.

Many of the problems apply mainly to tenemental properties. As the minister said, we have a problem because people do not understand, or will not comply with, the shared obligations that arise in relation to properties where there are, so to speak, multiple properties under the one roof. Therefore, it is a great shame that tenement law reform has been bumped down the agenda since the Parliament came into being. On many occasions, I have asked when the Parliament will consider the issue, which was, after all, a manifesto commitment back in 1999. The answer that I have received is that we need to wait until the title conditions bill has been dealt with. We should push on with tenement law reform because it is absolutely crucial.

I reiterate that the problem concerns not only tenements and cities; rural housing is also full of

problems. Many of our rural properties are in an absolutely horrendous condition. Not that long ago, I worked in housing and we were still dealing with properties that had outside toilets. In this century and millennium, that is an absolute piece of nonsense. I imagine that there are still properties in rural areas which are in that condition.

Although I said that we now have a quantified report, I have a problem with one thing that it contains, which is the statement that there is not necessarily a link between low incomes and poor housing conditions. Many of us know that there is in fact a link and many studies have shown that the link exists. I would like that aspect of the report to be revisited. Whenever housing associations, which have experience over the piece, have looked at which properties they should do up, the poorest-quality properties have always been inhabited by people on low incomes.

Nora Radcliffe mentioned housing logbooks, which are another innovative idea that we should consider along with sellers surveys. In fact, under construction regulations that have been introduced within the past decade, developers who rehabilitate properties are already required to keep a formal logbook. Perhaps we could build on that and consider introducing the measure for people who buy properties further down the line.

I want to cut to the chase now, because I feel that nobody has done so thus far. We can talk all we like about the report and say all these things and know what way we need to go but, unless we are willing to make the resources available, we will not improve the private housing stock in this country. I think it was the Chartered Institute of Housing that said in its briefing—and I agree—that while it welcomed the £10 million for new policy initiatives, the money would not eradicate the severe problems of disrepair.

Housing is much more than just a matter of bricks and mortar; it affects many things in our society. We know that we could save money in the health service if everybody was in decent housing. That point was confirmed again by Professor Arbuthnott on news programmes this morning.

I do not want to be too pessimistic about this issue, because I hope very much that one of Kenny Gibson's dreams will come true in the budget today—I hope that we will leave here to find that Gordon Brown has made the sensible move of saying that housing improvement, repair and rehabilitation will not be subject to VAT. That would free up a wonderful amount of resources—so, fingers crossed.

In England and Wales, there is a target to eradicate poor housing by a certain date—I cannot remember the year. We have such a target for fuel

poverty, but I think that we should be imaginative and set a target for housing.

We must put our money where our mouth is. Before somebody asks me, I will talk about how to pay. I was quite disappointed in what the Minister for Social Justice said this morning about the fact that, if large-scale stock transfers take place, we will have more money in the Scottish block grant because the Treasury will write off residual housing debt. Why can we not ensure that any money that is freed up in our grant is put directly into housing? The minister said that it would not be and that it would be for the Cabinet to decide how the money is spent. I ask the minister to try to convince his colleagues to consider spending on housing any money that is freed up by stock transfers. It does not seem right that we are selling council house stock and then using the money to prop up budgets elsewhere.

We wanted all these issues to be discussed as part of a comprehensive housing bill. That did not happen, but we cannot lose the momentum now. I urge members to support the SNP amendment S1M-2982.1, which sets a timetable for the start of action by this Parliament, to ensure that the problems are addressed.

16:22

The Minister for Social Justice (Iain Gray): In closing this debate, I would like first to thank everyone who has contributed in a thoughtful and positive way. I thank the Tories for coming along as well. I note Mr Gibson's apology for his poor performance at football. My contribution to the game this year was also thoughtful and positive: I thought about it and positively sat it out. However, I should point out that when I played in the equivalent fixture last year, we won, so perhaps my decision this year was mistaken.

As has been demonstrated this afternoon, the work of the housing improvement task force covers a wide range of issues: housing quality in the private sector; problems faced by owners with common or shared maintenance obligations; making the house-buying process work better; and improving conditions in the private rented sector. All those problems are complex and dynamic. The housing market—which, of course, provides the context and drivers for the issues—is also diverse, complex and dynamic. There are no easy solutions or quick fixes. That was perhaps demonstrated by the fact that a number of members said that some of the problems have been known about for some time without any solutions being found.

Today's debate has demonstrated the breadth and complexity of the issues. It has also demonstrated the Parliament's ability to approach

such problems in a sophisticated, thoughtful and mature way. However, once again, I have to exclude the Tories from my remarks. They seem unable to grasp the fact that providing an opportunity for parliamentarians to intervene and take part in the development of recommendations and policy in such an important area is good, open and modern politics. That is exactly the kind of politics in which we should be engaging and is certainly not a waste of time. We acknowledge that, when they had the opportunity, the Tories did not waste a great deal of time on modern, open or constructive politics.

Elaine Smith (Coatbridge and Chryston) (Lab): I want to pursue the issue of repairs and maintenance. The problems of people who have used the right to buy were mentioned—specifically by Cathie Craigie. I would like the minister to comment on tenants who experience problems because of those who have exercised the right to buy.

I note the key conclusion on page 34 of the report, which states:

“The main distinctive features of the right to buy situation are that owners can in some cases frustrate repair and improvement programmes intended for the benefit of tenants of social landlords.”

Such problems, along with issues such as the ones with which I am dealing in my constituency about maintenance of common landscaping areas, can cause friction in communities. I trust that the next report will include recommendations to help to address such problems. I would be grateful if the minister would comment on that particular point.

Iain Gray: Later on, I want to say a little bit about those who have purchased under the right to buy and about improvement and repair grants. If the member bears with me, I hope to come to the issue.

A good feature of today's debate and the work of the task force is that issues are seen in the round. We are given the opportunity to look for innovative solutions that address Scotland-specific problems. I want to mention Robert Brown's speech, which urged an approach that pursues maintenance and repair. I know that he has given a great deal of thought to that and I am sympathetic to trying to find ways in which to change the culture of maintaining and improving property throughout Scotland. However, there is a difficult balance to be struck between compulsion and encouragement and that is something that I expect the task force to consider carefully. Nora Radcliffe talked about the idea of a logbook and that is an interesting approach. However, it also raises the question of compulsion. Nonetheless, those are the kind of innovative ideas that I expect the task force to investigate further.

I have no doubt that the task force will want to consider everything that has been said today as it formulates recommendations over the next year and tackles the problems that we have been discussing. That is the purpose of the past two hours. It might be a short time in which to discuss such diverse concerns, but it is not an unreasonable acknowledgement of the time and effort spent on our behalf—gratis—by the members of the housing improvement task force.

Several members raised the issue of right-to-buy purchasers. Cathie Craigie spoke on the subject and Johann Lamont described eloquently the problems and anxieties that can be created when such purchasers face large bills for maintenance. I suspect that all of us have constituents in that position. The task force acknowledges the issue—we can argue about the extent to which it does so—and I believe that it is a significant problem in many parts of Scotland. I look to the housing improvement task force for proposals on that.

Improvement and repair grants have a role and we are consulting on amendments to the scheme brought in by the Housing (Scotland) Act 2001, to allow grants of up to 100 per cent, with a ceiling of £20,000. The scheme is not being left unamended. There was an interesting exchange of views on the topic. We must acknowledge that when the ring fence was removed from resources for improvement and repair grants, resources plummeted to about 40 per cent of what had been available before.

One of the better moments in the debate was when the Tories acknowledged that they had removed ring fencing, but now saw that the impact had been poor. Similarly, it was good to hear others who often speak in support of local government say that, in that particular case, the effect of removing ring fencing was a reduction in resources and benefits.

Mr Gibson: This morning at the Social Justice Committee, in reference to the task force report, Iain Gray said that the Executive was coming to the issue late in the day and that the Executive should have taken action earlier in some areas. Will he be specific about where action could have been taken previously and whether any action can be taken now?

Iain Gray: The area that I am discussing now might be one of those areas, but we must wait for the task force properly to consider the overall scheme. We can and will make available additional resources for grants for those owner-occupiers who, as a result of stock transfer, have to pay a share for improvements and repairs. Of course, those owners are often people who have bought under the right to buy.

I do not know about the specific case of

Toryglen, which Kenny Gibson spoke about, and whether it will fit into the scheme. It is possible that it will.

Mr Gibson: In an answer to a question on 20 December, the Deputy Minister for Social Justice said that it would.

Iain Gray: I have no intention whatever of contradicting Ms Curran so I am delighted to hear that.

During the passage of the Housing (Scotland) Act 2001, Cathie Craigie was responsible for ensuring that, in the future, right-to-buy purchasers will be given advice on the liabilities that they are taking on. The task force must consider whether that is enough or whether we have to do more. Paul Martin made the important point that it is not just right-to-buy first-time buyers who need such information. Whatever part of the market they are buying in, first-time buyers often do not realise the liabilities that they are taking on.

That point leads me to multiple surveys and seller surveys. The issue is not only the cost to the purchaser but the level of information about the property that the purchaser is considering buying. There is often confusion between surveys and valuations, which means that buyers do not have all the information that they need. We have said that we will seek to improve the house-buying process and will support measures that avoid additional costs due to multiple surveys. The area is one where the solutions seem obvious, but the work of the task force shows that it is more complicated than folk thought. That is evidenced by the different survey results referred to earlier. One of those surveys was specifically commissioned because of that issue. It had a bigger sample than the others, to give more rigorous information and to get round the apparent anomalies.

Mrs McIntosh: Will the minister take an intervention?

Iain Gray: I need to move on.

The task force has already agreed that tolerable standards will be reviewed, so that the comments that have been made about a tolerable standard for the 21st century can be addressed over a period of time.

A couple of members mentioned cowboy builders. They might be interested to know that, on 12 April, the first formal meeting of the Scottish construction licensing executive took place. That scheme might help to give people confidence in the tradesmen that they use.

Sandra White asked a specific question about the costs of HMO licences. Sandra White might know the answer. The costs are set at the discretion of local authorities, which have set them

differently. We know that the Social Justice Committee is doing work on the issue. Margaret Curran will speak to the committee next week and we are committed to reviewing the first year of operation of the scheme. The matter will be discussed further.

In closing, I want to mention two things about the work of the task force. First, because more than 70 per cent of households are now in the private sector, it is incumbent on us to ensure that the system operates fairly for everyone. That is why the task force has taken seriously the issue of equality. Its work has shown that there are people who, for no reason apart from the community in which they live or were brought up, do not have full access to either the rental or buyer market. We must take that issue seriously and address it. It was disappointing that it was not taken seriously at all at one stage in the debate.

Andrew Welsh spoke about housing in rural Scotland. The task force refers to that and is aware of the specific issues in rural Scotland that must be addressed. That is the advantage of taking our time—we have time to consider all the issues and to come up with comprehensive solutions. Those solutions will have to include considering legislation such as the proposed tenement bill, which will also go a long way towards finding a legal framework to resolve the problems of common repairs.

Along with other colleagues, I look forward to seeing the recommendations once they are ready, and to debating them with members of the Parliament. We have a promise that the Tories will join in the debate at that stage. We all look forward to that. In the meantime, I place on record my thanks to the task force, I thank members for the interest that has been shown today, and I commend the motion to the Parliament.

Enterprise Bill

The Deputy Presiding Officer (Mr Murray Tosh): The next item of business is a short debate on motion S1M-2983, in the name of Jim Wallace, on the Enterprise Bill, which is United Kingdom legislation.

16:36

The Deputy Minister for Justice (Dr Richard Simpson): I would like to explain why we are recommending a Sewel motion in relation to part 10, clauses 239 and 241, of the Enterprise Bill—noted as part 8 in the memorandum—which was introduced in the Westminster Parliament on 26 March. I will explain why we have given the UK Government our support on the bill and why we have co-operated on the corporate insolvency aspects.

The bill is a substantial piece of work. The ground that it covers is mostly reserved, and I shall refer only briefly to those aspects. The aim of the Enterprise Bill—and the aim of the budget that is unfolding—is to improve productivity and competitiveness through reform of the UK's competition, insolvency and consumer protection regimes; to facilitate the rescue of companies; and to provide certainty and fairness to creditors and other stakeholders.

The first nine parts of the bill relate to the establishment of the Office of Fair Trading, the Competition Appeal Tribunal, a new merger regime and new market investigation arrangements, as well as miscellaneous competition provisions and consumer legislation matters.

Our focus today is on part 10 of the bill, which deals with insolvency. In this part, as well as proposals for change in relation to the law governing corporate insolvency, the bill sets out new regimes for personal bankruptcy. However, personal bankruptcy in Scotland is a devolved matter and is not covered in the bill. We will be consulting in Scotland on possible reforms to that aspect of the law in due course.

The core of the debate today is the changes that are proposed to corporate insolvency law, which again is largely a reserved area. The changes seek to abolish the Crown's preferential right to recover unpaid taxes ahead of other creditors; to provide for a new regime for company administration; and to restrict the future use of receivership which, except for existing arrangements, will remain only for the financial markets, as set out in the explanatory note.

I now come to the aspects of the bill that require the agreement of the Parliament. Administration is

reserved, but receivership is devolved. It might be helpful if I explain briefly the difference between administration and receivership. Administration is a comparatively new procedure, introduced in 1986 to facilitate company rescues by giving companies protection from their creditors while they are restructured and, it is to be hoped, saved. Members may know about chapter 11 bankruptcy in America, which is a similar procedure. Receivership, in contrast, is the mechanism by which a floating charge holder—usually a bank—enforces a security by seizing the assets of the company where there has been a default on an overdraft or loan.

The first step in the proposed reform is to streamline administration to make it quicker, more flexible, easier to access and fairer. The bill does so by providing out-of-court routes into administration for floating charge holders and for companies and their directors.

Brian Adam (North-East Scotland) (SNP): Some concerns have been raised by practitioners about the court part of administration, and about the fact that we may end up with a centralised system somewhere in Scotland. Can the minister assure us that in his discussions with those who are responsible at Westminster for the Enterprise Bill, he will ensure that court procedures will be dealt with through sheriff courts, which will allow local decisions to be made, rather than by setting up a national court for Scotland to deal with these matters?

Dr Simpson: I thank the member for that point, which I will address in summing up.

Brian Adam: That is fine.

Dr Simpson: The bill removes the need for a court hearing in most instances. We hope to reduce court involvement. It should also enhance accessibility and reduce costs. It removes bureaucracy and introduces clear time limits, so that administration is concluded quickly. It creates simpler and clearer objectives of administration that promote company rescue or, when that is not reasonably practicable, produce a better result for all creditors. If neither of those objectives is reasonably practicable, an administrator can realise a company's property to make a distribution to one or more secured or preferential creditors. The amendment of the administration process strikes a fair balance between the interests of all creditors. The changes in the Crown rules contribute to that.

The bill requires the use of the administration procedure by creditors who would previously have been entitled to appoint a receiver. It will ensure that all reasonably practicable options are considered, but without prejudicing the interests of floating charge holders.

The result of the changes is to shift the balance from a situation in which effective control is placed in the hands of a single secured creditor to one that takes account of the interests of unsecured creditors. In the place of receivership, the new system for administration will be an effective tool in encouraging company rescue.

The Enterprise Bill contains provisions that affect the devolved matters of floating charges and receivers as part of a wider package of rules that is aimed at promoting the law on administration. The Scottish Parliament could not legislate on the new administration regime, which dovetails into the new restricted receivership regime, so the Executive's view is that the simplest and most effective route is to legislate through the Enterprise Bill.

Although the Enterprise Bill as a whole relates to reserved matters, the corporate insolvency provisions cover devolved aspects of the law. The devolved matters are embedded in a wider package of provisions that will reform the reserved matter of administration. That is the basis for taking the Sewel motion approach to the bill. The bill modernises insolvency law, and we agree with the UK Government that, by doing so, it will improve corporate rescue.

I move,

That the Parliament agrees that provisions in the Enterprise Bill that relate to the devolved matter of receivership should be considered by the UK Parliament.

16:42

Mr Adam Ingram (South of Scotland) (SNP): The SNP broadly supports the thrust of the Enterprise Bill, which is to deal effectively with anti-competitive practices. The introduction of sanctions on individuals who breach competition law is welcome, as is the widening of rights and powers for competition authorities. I like the clout that is to be given to consumer organisations to present cases for competition investigation—so-called super-complaints, which the Office of Fair Trading will prioritise. Those organisations will also be empowered to bring representative actions on behalf of groups of consumers. That is good.

The SNP also agrees with the abolition of the right of a floating charge holder to appoint an administrative receiver. Too often, companies that might have survived or been sold after a period of administration have been put in the hands of receivers whose primary duty is to recover debts that are owed to floating charge holders, which are invariably banks. That measure will also ensure that all creditors—not just banks—are treated in a fairer and more equitable way. In worst-case scenarios, it should help to reduce the domino effect on businesses that supply a company that goes bust.

However, the SNP has a problem with the apparently arbitrary nature of what has and has not been devolved. By and large, insolvency is reserved, along with the rest of company law, but my understanding is that all forms of security, including floating charges, are devolved. The SNP believes that company law should be devolved, as should be all the other powers that are required to make the Scottish economy successful, instead of languishing as it is under Westminster control. That is a good note to close on.

The Deputy Presiding Officer: The member caught me out by undershooting his time.

16:45

Miss Annabel Goldie (West of Scotland) (Con): By way of a preliminary comment, I observe that the bill is rather quaintly termed. Following the bill's appearance at Westminster, the public perception of it has not been flattering. It purports to be an Enterprise Bill, but it has been described as a candy-floss measure. Indeed, the Confederation of British Industry considers the title of the bill to be something of a misnomer. I realise that the minister has limited influence on the terminology of legislation down south, but it is important that the minister and his department keep in mind the Scottish dimension that will be affected by the bill.

The Conservative party endorses the principle of the motion that there should be UK-wide consistency on such matters and, in particular, on the issue of receivership. This afternoon, I spoke with the Law Society of Scotland. It is the desire of the Law Society to lodge amendments to the bill. It is important that, during the progress of the bill at Westminster, the minister facilitates and coordinates the involvement of the Law Society and the Institute of Chartered Accountants of Scotland, should it wish to be involved. It should not be the case that everything is passed to Westminster and the Scottish Executive and its enterprise department keep their distance. The bill has integral features that affect directly the facility of commerce in Scotland. It is important that the Scottish Executive maintains a knowledge of and an interest in the changes that may be made to the bill.

The Conservative party supports the motion, but its support is subject to the matters that I have set out for the minister.

16:46

Tavish Scott (Shetland) (LD): I too welcome the introduction of the bill, which seeks to encourage entrepreneurship and strengthen consumer protection. In many ways, the manner in which the bill is being dealt with in the chamber

reflects the importance of Scottish MPs in the House of Commons doing an appropriate job of scrutinising Government proposals. I am sure that those who believe that the bill has and will have a profound effect on Scottish business and on insolvency law will make full use of their representatives in the Westminster Parliament. To do so will ensure that the bill is scrutinised adequately and amended appropriately.

The role of the Office of Fair Trading is a matter that is reserved, but I hope that that role is considered actively by MPs. Those of us who represent rural parts of Scotland have felt some disquiet about some of the issues surrounding the role of the Office of Fair Trading. I hope that there is an opportunity to examine that role.

In the minister's opening remarks, he mentioned in some depth the important insolvency provisions in part 10 of the bill. I am sure that he and his department will reflect on the significant differences in the way in which receivership and administration operate north and south of the border so as to ensure that, where appropriate, differences are reflected adequately in the final bill.

I want to make a general point about Sewel motions. It is clear that we are considering the bill in its current form. However, if the bill were to be amended, which is not impossible to imagine in the Westminster context, what mechanisms are open to the minister that will ensure that the Scottish Parliament can fully take into account amendments that may be lodged at Westminster? We should be able to scrutinise the final bill.

The Deputy Presiding Officer: We move to the open debate. Two members wish to speak and I can give them each three minutes.

16:48

Rhona Brankin (Midlothian) (Lab): I also welcome the Enterprise Bill that is currently before the House of Commons. The bill was designed to boost enterprise and competition in Britain, to make us more prosperous. The Labour party's 2001 manifesto set out that the party would extend our fair and robust competition regime. The manifesto further set out that that would be done by giving the competition authorities more independence; by toughening the laws on rogue traders; and by reforming the bankruptcy laws to ensure second chances for people who become bankrupt through no fault of their own. Those provisions are included in the bill.

The Sewel motion that is before us this afternoon makes specific mention of the part of the bill that governs receivership. The use of administrative receivership, which places effective control in the hands of a single secured creditor,

will in future be restricted. That means that the balance will be shifted in favour of a streamlined administration procedure, which will facilitate company rescue where that is reasonably practicable and ensure that account is taken of the interests of all creditors, including small firms. That is important. As the minister explained, although it would have been possible for the Scottish Executive to legislate itself to restrict receivership—that power is devolved to the Scottish Parliament under schedule 5 to the Scotland Act 1998—it makes more sense for that aspect to be covered by the Sewel motion. It ensures that the changes dovetail with the new administration regime that is contained in the Enterprise Bill.

I welcome the bill. Facilitating the rescue of companies, where that is reasonably practicable, and not driving them to the wall unnecessarily is good for business. If it is good for business, it is good for Scotland.

The Deputy Presiding Officer: I call Alex Neil. You have four minutes.

16:50

Alex Neil (Central Scotland) (SNP): Thank you, Presiding Officer. I am sure that I will not need all of them.

I want to put the importance of the Enterprise Bill into perspective. About 75 per cent of the businesses operating in Scotland are not incorporated, which means that the bill's provisions, although extremely important, apply only to about a quarter of all businesses in Scotland. I hope that, when he winds up, the minister will give us a timetable for the review of individual insolvency laws in Scotland. I am sure that he is aware of the representations made to the Executive by the Entrepreneurial Exchange and many others about the need for a comprehensive reform of the personal insolvency laws in Scotland.

It is always very difficult to achieve a balance between the needs and rights of the businessperson and the business and those of the creditors. Certainly the regime in the United States does not make being unsuccessful in business such a great personal humiliation, whereas the laws in this country are based on classing people whose businesses become bankrupt or insolvent almost as criminals. We must take a different approach in Scotland, not because we do not want to protect creditors but because we need to redress the balance which has perhaps gone too much the other way. We welcome the fact that the Enterprise Bill will do so.

The other major provision that we should welcome is the removal of the Crown's preferential

right. It has always been a source of great animosity in the business community that whenever a problem arises with a business, the VAT man and the Inland Revenue have first call on its resources. That has had two effects. First, many in the business community feel that some businesses have been brought to the point of bankruptcy by the harsh regime of the Inland Revenue and Customs and Excise at a very premature and sometimes unnecessary stage. I hope that one of the bill's major impacts will be to address that situation.

Secondly, the fact that such large organisations have first call on the resources of a failed business causes great resentment among all its other creditors. Indeed, we have often seen the Inland Revenue and Customs and Excise receiving cheques while small businesses go to the wall because another business has gone to the wall.

Brian Fitzpatrick (Strathkelvin and Bearsden) (Lab): I am sure that Alex Neil would not want to end his speech without recognising the advantages that are being afforded to Scotland's small businesses even as we speak through the measures on VAT streamlining being announced in another place. I would be interested to hear whether the nationalists welcome those measures.

Alex Neil: Actually, one of the measures that the Chancellor of the Exchequer announced in the budget this afternoon is extended bad debt relief for VAT payments. I hope that that measure will be part and parcel of a similar strategy here. I also hope that the additional 10 per cent in North sea oil revenues will be spent in Scotland this time instead of wasted south of the border.

I have finished my speech, Presiding Officer.

The Presiding Officer (Sir David Steel): Thank you for that information. I call Richard Simpson to wind up.

16:54

Dr Simpson: This has been a useful, if brief, debate. I particularly welcome the general support for the measures from all parts of the chamber and, despite some slight reservations from my nationalist colleagues, the acknowledgement that a Sewel motion is important on this occasion because of the interlinking between aspects of administration and receivership.

I welcome Adam Ingram's support, particularly for the changes in administration, which are important. We could debate at length the divisions in the Scotland Act 1998 between reserved and devolved matters, but in this case we are dealing with the outcome of that act in an appropriate way.

Fiona Hyslop (Lothians) (SNP): The minister may be aware that an order in council was used in

June 2001 during the passage of the Housing (Scotland) Bill to reverse some insolvency legislation and to bring back to Scotland some powers on insolvency in relation to registered social landlords and receivership. Where in the jigsaw of insolvency does the balance now lie?

Dr Simpson: The balance has not changed in the Scotland Act 1998. Receivership matters still lie with the Scottish Parliament and administration matters lie with the Westminster Parliament. That has not fundamentally changed, but there will be areas around any boundary that require discussion.

The bill aims to reinforce the matter of administration and to ensure that companies are indeed given the opportunity to survive, change and develop, rather than being put into receivership by the primary creditor or floating charge holder, which was the position before. There are no fundamental changes, but we need to watch what happens at the edges very closely to ensure that things are working in the best interests of businesses in Scotland, and indeed in other parts of the UK.

Rhona Brankin reflected the views of all speakers in the chamber when she said that the benefits of the bill are to improve the chances of rescuing companies. Alex Neil drew attention specifically to the question of the Crown's preferential treatment and how damaging that has been on occasion.

The Federation of Small Businesses said:

"We are particularly pleased with moves to abolish the Crown's preferential right to recover unpaid taxes ahead of unsecured small businesses. Whilst this will cost the Treasury around £90 million,"—

I think that £70 million is probably nearer the mark—

"it does mean that the small firms sector will benefit by the same amount, thus giving small businesses more chance to survive and prosper."

It went on to say:

"We do not see anything controversial in these proposals and would urge all party support".

The FSB will be pleased that we have a measure of universal agreement in the chamber this afternoon.

It is interesting to note that, in the initial debate on the bill, there was considerable concern about the primary creditor or floating charge holder, which is usually the bank. A bank's situation would be substantially undermined by the new provisions, but the British Bankers Association said in a letter of 26 March to the Secretary of State for Trade and Industry:

"We have enjoyed a dialogue with your Department in which we have had the opportunity to explain how banks

attempt to rescue businesses in severe difficulty ... The Enterprise Bill published today reflects that dialogue."

We have managed to achieve a unique situation, as the Federation of Small Businesses and the British Bankers Association both agree.

Alex Neil: As the FSB represents many unincorporated businesses, will the minister tell us when he hopes to complete his review of the personal insolvency laws?

Dr Simpson: The Executive will review the current law, consult interested parties such as the Law Society of Scotland and publish a consultation document. I am sorry that I cannot give a date for that, but it will be in our diary and is under review. Once consultation has taken place, we will move, probably during the course of the next session when we can find time in the legislative framework.

In response to her concerns, I can tell Annabel Goldie that officials from my department have already met the Law Society of Scotland on at least one occasion and will do so again. The Law Society expressed no specific concerns about the bill to my officials. If Miss Goldie is aware of specific concerns, I would be grateful if she could communicate them to us so that we can continue the dialogue that will undoubtedly take place. Officials in Scottish departments are in close contact with their counterparts at Whitehall on the effects that the bill might have.

Tavish Scott raised a more general question about Sewel motions, which I have to say concerned me when I was a back bencher. Problems have occurred on at least one occasion. The procedure is clear. If there is a substantial amendment to what the Parliament has approved, the Executive or an Opposition party should raise the matter in the chamber and lodge a fresh motion. If there is a substantial change, that must be done. I do not expect a substantial change in respect of this Sewel motion, but if there is, I am sure that Tavish Scott will advise me or Jim Wallace and we will take the appropriate action.

The Presiding Officer: The minister should wind up.

Dr Simpson: The Executive thinks that there must be a level playing field for enterprise in the UK. The bill provides an opportunity for that and the Sewel motion allows us to retain the integrated system of administration and receivership. We believe that the changes are important to Scottish business and to business in the rest of the UK.

Parliamentary Bureau Motion

17:00

The Presiding Officer (Sir David Steel): The next item of business is consideration of a Parliamentary Bureau motion. I ask Euan Robson to move S1M-2992, on the designation of lead committees.

Motion moved,

That the Parliament agrees the following designation of Lead Committees—

the Justice 1 Committee to consider the Combined Police Area Amalgamation Schemes 1995 (Amendment) (Scotland) Order 2002 (SSI 2002/140);

the Justice 1 Committee to consider the Combined Fire Services Area Administration Schemes (Variation) (Scotland) Order 2002 (SSI 2002/141); and

the Justice 2 Committee to consider the Police Act 1997 (Criminal Records) (Scotland) Regulations 2002 (SSI 2002/143).—[*Euan Robson.*]

Decision Time

17:00

The Presiding Officer (Sir David Steel): There are five questions to be put as a result of today's business.

The first question is, that amendment S1M-2982.1, in the name of Kenneth Gibson, which seeks to amend motion S1M-2982, in the name of Iain Gray, on the housing improvement task force, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (North-East Scotland) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Campbell, Colin (West of Scotland) (SNP)
 Canavan, Dennis (Falkirk West)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fergusson, Alex (South of Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Johnstone, Alex (North-East Scotland) (Con)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacDonald, Ms Margo (Lothians) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLeod, Fiona (West of Scotland) (SNP)
 McLetchie, David (Lothians) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Mr Murray (South of Scotland) (Con)
 Wallace, Ben (North-East Scotland) (Con)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Young, John (West of Scotland) (Con)

AGAINST

Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Etrick and Lauderdale) (LD)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Wallace, Mr Jim (Orkney) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)

ABSTENTIONS

Harper, Robin (Lothians) (Green)

The Presiding Officer: The result of the division is: For 48, Against 61, Abstentions 1.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S1M-2982.2, in the name of Bill Aitken, which seeks to amend motion S1M-2982, in the name of Iain Gray, on the housing improvement task force, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Fergusson, Alex (South of Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Johnstone, Alex (North-East Scotland) (Con)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLetchie, David (Lothians) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Tosh, Mr Murray (South of Scotland) (Con)
 Wallace, Ben (North-East Scotland) (Con)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Young, John (West of Scotland) (Con)

AGAINST

Brian (North-East Scotland) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Campbell, Colin (West of Scotland) (SNP)
 Canavan, Dennis (Falkirk West)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Harper, Robin (Lothians) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)

Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lochhead, Richard (North-East Scotland) (SNP)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 MacDonald, Ms Margo (Lothians) (SNP)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 Matheson, Michael (Central Scotland) (SNP)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGugan, Irene (North-East Scotland) (SNP)
 McLeod, Fiona (West of Scotland) (SNP)
 McMahan, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Russell, Michael (South of Scotland) (SNP)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Thomson, Elaine (Aberdeen North) (Lab)
 Wallace, Mr Jim (Orkney) (LD)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)

The Presiding Officer: Order. There is too much noise during the divisions and some members are having difficulty hearing what I am saying. There should be silence.

The result of the division is: For 19, Against 93, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The question is, that

motion S1M-2982, in the name of Iain Gray, on the housing improvement task force, be agreed to.

Motion agreed to.

That the Parliament welcomes the publication of the first report of the Housing Improvement Task Force, *Issues in Improving Quality in Private Housing*, as an important step in meeting the Scottish Executive's commitment, as set out in *Working Together for Scotland: A Programme for Government*, to address the significant problems of housing quality in the private sector stock.

The Presiding Officer: The fourth question is, that motion S1M-2983, in the name of Jim Wallace, on the Enterprise Bill, which is UK Legislation, be agreed to. Are we all agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North-East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (South of Scotland) (Con)
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Harper, Robin (Lothians) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Johnstone, Alex (North-East Scotland) (Con)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)

McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLetchie, David (Lothians) (Con)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Tosh, Mr Murray (South of Scotland) (Con)
 Wallace, Ben (North-East Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Young, John (West of Scotland) (Con)

AGAINST

Canavan, Dennis (Falkirk West)

ABSTENTIONS

Adam, Brian (North-East Scotland) (SNP)
 Campbell, Colin (West of Scotland) (SNP)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacDonald, Ms Margo (Lothians) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McGugan, Irene (North-East Scotland) (SNP)
 McLeod, Fiona (West of Scotland) (SNP)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

The Presiding Officer: The result of the division

is: For 82, Against 1, Abstentions 29.

Motion agreed to.

That the Parliament agrees that provisions in the Enterprise Bill that relate to the devolved matter of receivership should be considered by the UK Parliament.

The Presiding Officer: The final question is, that motion S1M-2992, in the name of Patricia Ferguson, on behalf of the Parliamentary Bureau, on the designation of lead committees, be agreed to.

Motion agreed to.

That the Parliament agrees the following designation of Lead Committees—

the Justice 1 Committee to consider the Combined Police Area Amalgamation Schemes 1995 (Amendment) (Scotland) Order 2002 (SSI 2002/140);

the Justice 1 Committee to consider the Combined Fire Services Area Administration Schemes (Variation) (Scotland) Order 2002 (SSI 2002/141); and

the Justice 2 Committee to consider the Police Act 1997 (Criminal Records) (Scotland) Regulations 2002 (SSI 2002/143).

Children's Hospice Association Scotland

The Deputy Presiding Officer (Mr George Reid): The final item of business today is a members' business debate on motion S1M-2852, in the name of Susan Deacon, on the 10th anniversary of the Children's Hospice Association Scotland.

Motion debated,

That the Parliament congratulates the Children's Hospice Association Scotland (CHAS) on its 10th anniversary; pays tribute to the excellent work carried out by staff at the children's hospice, Rachel House, in providing care and support for terminally ill children and their families from across Scotland; notes that the development of a second children's hospice is currently under way; recognises the efforts of the many individuals and organisations who have contributed to the development of this project, and considers that the Scottish Executive should work in partnership with CHAS, NHS boards, local authorities and the Scottish Partnership for Palliative Care to ensure that these services are supported effectively.

17:06

Susan Deacon (Edinburgh East and Musselburgh) (Lab): I am grateful for the opportunity to open the debate and to acknowledge the achievements of the Children's Hospice Association Scotland—CHAS—in its 10th anniversary year.

I am grateful also to the large number of members from across the political spectrum who have signed the motion—more than half the membership of the Parliament has done so. Much as I would like to claim that that is a product of my lobbying skills, the truth is that members signed up without being prompted. That is testament to the regard in which CHAS is held.

I am particularly pleased that a number of staff and volunteers from CHAS, as well as families who use its services, are in the public gallery. I am sure that we would all like to extend to them a very warm welcome. [*Applause.*]

CHAS's story is one of determination, hard work and commitment. It is about people who saw a need and did something about it. Those qualities go unrecognised all too often. I would like to pay tribute to some of those unsung heroes.

It is, sadly, a fact that a small number of children are born with, or later develop, conditions that will cut their young lives short. In the 1980s, there was a growing recognition that children with life-limiting and life-threatening conditions require special care and support and that their families also had particular needs. Indeed, in the 1980s Britain pioneered the development of dedicated children's

hospices. However, although during that period children's hospices were developed in other parts of the UK, Scotland missed out. Therefore, for many years families in Scotland who wanted access to specialist child hospice care had to make the long journey south to Yorkshire or to other parts of England.

In the early 1990s, a small group of people came together to change that. One of those people was Nancy Blaik, who is in the public gallery. At the age of two, Nancy's son Daniel was diagnosed as having Leigh's encephalopathy, which is a rare and life-threatening metabolic disease. He could not speak or move without help and suffered daily spasms.

Nancy Blaik began a regime of round-the-clock nursing, yet still found time to establish the Edinburgh branch of the Research Trust for Metabolic Diseases in Children, which was later to become Children Living with Inherited Metabolic Diseases—CLIMB. Nancy's work eventually won her a disabled Scot of the year award—she has been registered blind for more than 30 years.

Despite her husband's death and her own and her son's ill health, Nancy also became a founder member of a new charity. Along with a small group of other committed parents and professionals, she began campaigning for Scotland to have its own children's hospice and so ten years ago, in February 1992, CHAS was born.

In September 1993, the *Daily Record* launched a major £10 million fundraising appeal. The response from the public was dramatic. In just 17 months, £4 million was raised. That was followed by major contributions from the MacRobert Trusts and from Government.

The money having been raised, a site was identified and building began. In March 1996, the dream became a reality and Rachel House in Kinross, Scotland's first ever children's hospice, opened its doors. Since then, Rachel House has provided care and support to more than 200 families from throughout Scotland.

Sadly, more than 100 children have died in the intervening time. Rachel House has offered continuing support to bereaved families. Over the past six years, Rachel House has also developed a range of other services including, increasingly, home care.

CHAS has not stopped there. Now in its 10th anniversary year, it is on the brink of building Scotland's second children's hospice, which is a tremendous achievement after only a decade. CHAS's success in its financial appeals and building projects masks the breadth and depth of its work. It has done so much more than simply work as a good fundraiser. It has been at the forefront of developing a model of palliative care

and support that is truly responsive to the needs of children and families. It has recognised and addressed the needs of the whole family, including brothers and sisters and mums and dads, as well as the sick children themselves.

CHAS has done much to raise awareness and build understanding among the public and health professionals of the needs of children who have life limiting and life-threatening conditions. At all times, its approach has been sensitive and dignified. Now recognised as a centre of excellence, Rachel House has attracted international acclaim and has received inquiries and visits from China, Germany, the United States of America, Romania and India to name but a few countries.

I know that a number of MSPs have visited Rachel House. The First Minister was there only a few weeks ago. All of us who have visited Rachel House have been greatly affected by the experience. I can honestly say that my visit there was one of the most profound and moving experiences I have ever had. Rachel House is a first-class facility, run by skilled and caring staff and backed up by an army of committed volunteers. It is more than that, however; it is a very special place. As anyone who has witnessed its work at close quarters will testify, a visit to Rachel House somehow manages to bring a smile to the face as well as a tear to the eye.

Step into Rachel House and, most likely, it will ring with smiles and laughter. Children are to be found enjoying themselves in the playground, the garden, the soft play area or the jacuzzi. Mums and dads relax over a cup of tea and a chat. Children go on outings and some receive therapies, from music and art therapies to physiotherapy. A visitor might drop in at the same time that Dr Pavlova and Superdoc, of the clown doctors, are visiting. The point is that Rachel House is a happy place—it is fun, especially for the youngsters, as it should be.

Aside from the smiles, there is a quiet room, containing a special book, "Children of Love", which records every child known to Rachel House who has died. In that room there is also a book in which bereaved families can record photos and memories of their children. The room resonates with the huge sense of loss that so many have experienced. The list of names and ages in that book is a sad and palpable reminder of why Rachel House exists.

Rachel House's capacity to combine those different facets of its work is its most special and striking feature. Much of the credit for that goes to its staff and volunteers, but its philosophy is also key to that. That philosophy allows families to shape the care and support that they receive, so that the care that is provided is what the families

say they want, not what others think they should get.

Children's palliative care is a complex and sensitive area. Getting the right treatment, medication, equipment and clinical care for terminally ill children is vital but so, too, is ensuring that children and their families—their parents and siblings—get the wider support that they need. Rachel House has led the way in addressing those wider needs during the lives and, sadly, following the deaths of children. There is much to learn and share from its experience.

Families' needs are often surprisingly simple and include things that many of us take for granted. For example, for the parent or sibling of a very sick child, getting a good night's sleep can be a rare luxury, as can being able to finish uninterrupted a cup of tea, or relaxing, dozing or watching television for a wee while, knowing that there is someone else there to take care of your child, to amuse them, to administer their medication, to check their breathing equipment, to take them to the toilet or to change their clothes if necessary. Rachel House is special in the way in which it combines first-class medical and nursing care and clinical support with meeting the wider needs that I have described.

Most of us can barely imagine what it must be like to lose a child or to contemplate the prospect of their child's life being cut short. For some, sadly, that is the reality that they must face and it is vital that the right facilities exist so that children and their families can get the best possible care and support when they need it.

Scotland needs Rachel House. We need a second children's hospice too and, in time, possibly even a third. The financial appeal for a second children's hospice at Balloch is now well under way. The public has again responded well to appeals that were led by the *Daily Record* and, most recently, by the *Sunday Post*. Recently the Scottish Executive pledged £1 million to support the start-up costs of the hospice, and an impressive array of celebrities and organisations have lent their support to the campaign.

However, more needs to be done to provide the stability that is needed to develop and maintain the facilities in future. Government, local authorities and local NHS boards, as well as business, the public and the media, have a role to play. As with other hospice care, a substantial proportion of funding will continue to come from charitable donations or bequests, but it is important that public funding is put on as stable and secure a footing as possible. At present, each NHS board and local authority makes an annual contribution to CHAS, but that involves an annual round of negotiations between CHAS and no fewer than 47 public bodies. I know that for some time CHAS

has been in discussion with the Executive in a bid to streamline and improve those arrangements. I hope that today the minister will be able to give a commitment that that will happen.

Let me be clear: this is not about appealing for more money—although I am sure that that would be welcome—but about ensuring that public funds are channelled to CHAS in as effective, efficient and reliable a way as possible.

A children's hospice is a national resource that we must nurture and treasure. We owe a great debt of gratitude to Nancy Blaik and those like her who had the vision and commitment to make a children's hospice in Scotland a reality. In marking CHAS's 10th anniversary, I hope that today, as Scotland's Parliament, we can contribute to its work. Happy 10th anniversary, CHAS. We thank you for all that you have done and offer our very best wishes for all that you will do in the next 10 years and beyond.

17:16

Mrs Margaret Smith (Edinburgh West) (LD): I begin by congratulating Susan Deacon on securing this debate. The fact that she received so much support from throughout the chamber is a sign of the support that we all give to CHAS.

We congratulate the whole CHAS family on its 10th anniversary. It is six years since CHAS opened its doors at Kinross—the doors to Scotland's first much needed and currently only children's hospice. Susan Deacon has already mentioned the journeys that parents and children had to endure prior to the campaign for a children's hospice in Scotland. It is essential that we build on that and support the continuing campaign to build a much-needed second hospice.

As members of the Parliament, we are privileged to have access to people and places that members of the general public might not have a chance to see. One of the most memorable visits that I have made in my time as convener of the Health and Community Care Committee and as an MSP was to the children's hospice at Rachel House. I must confess that—selfishly, small-mindedly and rather stupidly—I was worried, as the mother of two young children, about what I would see and experience at a children's hospice. That now seems like a ridiculous thought to have had. The reality at Rachel House was very different from what I had anticipated and worried about. I found it to be the most caring place imaginable where parents, staff, volunteers and children all support one another. However, to my great surprise I also found a great deal of laughter. As the CHAS leaflet says:

“Rachel House is not a sad place, it is a place for living.”

It seemed to me that Rachel House was a place where people got the most out of what was left of their very young and often very tragic lives. The hospice looks and feels like a house, rather than an institution. It is a home from home—a place where people support one another. That support is given not only to children who have life-limiting conditions, but to their parents, to their brothers and sisters and to their wider families.

From the beginning—from the *Daily Record's* record-breaking appeal, which harnessed the support of the people of Scotland, to the Scottish Office funding, support from stars such as Ewan McGregor and on-going fundraising for the annual £1.36 million running costs of the hospital—CHAS has been a team effort. It seeks to get together the money that is needed and to work behind the great team of people who provide care within the house and the outreach services.

I was struck also by the special thought that is given to the needs of teenagers. As the mother of a teenager, I know that at the best of times teenagers require a great deal of support and special thought. However, the children at Rachel House struggle in what are nowhere near the best of times. There are difficult decisions to be taken about their futures and they have difficult counselling needs. I am delighted that the new centre will do even more to address that specific need.

Scotland has a worldwide reputation for its palliative care. If I ever doubted that, it was made clear to me when I chaired a cancer conference in New York last week. We have to thank CHAS not only for its input into the national care standards for hospice services but, fundamentally, for 10 years of innovative care for children. We have to thank it for caring for the 20 per cent of children in its care who might die each year, for caring for the many others who receive emergency and respite care and regular short-term breaks and for caring for the families who rely on it for counselling and support, including bereavement counselling.

This country owes a great debt to those who have given so much care and support over the past 10 years. We should give them an even better future. That is why I am delighted that the Executive has announced £1 million for the proposed second hospice, which will address the great demand for such services.

I hope that all members will do all that they can to get behind the fundraising efforts, not only to build the new centre, but to support the continuing efforts.

I wholeheartedly echo the comments that Susan Deacon made about streamlining the Executive and council funding streams so that we can maximise public sector funding for what is a truly

remarkable and amazing story. I echo her comments in saying thank you to CHAS for the work that it has done and in sending a big “happy birthday and happy anniversary” to all its staff.

17:21

Bruce Crawford (Mid Scotland and Fife) (SNP): I sincerely congratulate Susan Deacon on bringing this motion before the Parliament today. I was glad to sign the motion and I think that Susan did a great job in her speech of presenting the feeling about CHAS. That makes it very difficult for the rest of us to follow her, because she did such a magnificent job of explaining to people exactly what Rachel House is all about.

It is hard to believe that CHAS has been in existence for 10 years and it is even harder for me to believe that Rachel House in Kinross has been open since 1996.

Susan Deacon talked, quite rightly, about the hard work and commitment of the staff and the people who are involved with CHAS and Rachel House. The hard work and commitment that went into the establishment of Rachel House before it was built are a tribute to those who are involved now and those who were involved in the past.

I was lucky enough to be the local councillor at the time that CHAS decided to come to Kinross and Margaret, with whom I was involved at the very beginning of the project, was a magnificent human being who put a lot of work into making the site work.

The hunt for the site in Kinross was not easy. It was a bit of a struggle and it was a long hunt, which was supported superbly by the *Daily Record*. CHAS settled on an old orchard in the grounds of Kinross house, owned by Sir David Montgomery, who contributed significantly to ensuring that it could be a successful operation. There were a range of problems, such as those with the sewage works, which were unable to deal with the capacity that the place would produce because Kinross had sewerage problems. There were also problems with access, but all those problems were overcome because everyone understood the significance of what CHAS was trying to achieve in Kinross. Many unsung heroes have opened doors and worked tirelessly for years to ensure that the project works.

Susan Deacon said rightly that many MSPs have visited the site; I know that the Deputy Presiding Officer, George Reid, has been there on a number of occasions. Members are always struck by the fact that it is a special place. The building won an award for its design soon after it opened. Its location on the banks of Loch Leven is also special. People know that they are entering a special place even before they get through the

front door, because of the location and the feel of what goes on there. Once they get inside the front door, they feel the aura of the place, which Margaret Smith described well.

I am not trying to draw direct comparisons, but the only place that had the same impact on me was the island of Iona. I know that the two places have different ethos, but I got the same feeling of happiness, togetherness, help and support on Iona that I got when I visited Rachel House.

I am delighted to support CHAS. The minister has heard members talk about funding problems, such as the 47 different funding streams. It is incumbent upon us to ensure that we get those problems sorted out before the second hospice is up and running. Somewhere along the line, some organisation will be unable to contribute the amount that it contributed in the past, which will cause a hiatus in funding. The quicker we get those problems sorted out and put CHAS on a firm footing, where it knows exactly where its funding will come from over a reasonable period of time, the quicker it will be able to plan successfully for the future to develop the new hospice on the banks of Loch Lomond. I am sure that the new hospice will be an equal success to that of the hospice on the banks of Loch Leven. I wish everyone involved all the best for the future.

17:25

Mary Scanlon (Highlands and Islands) (Con): I am delighted to support Susan Deacon. I congratulate her on securing this debate and on her moving and highly informative speech.

Before I visited Rachel House this week, I did not know what to expect. As I drove down the road, my expectations—if I had any—were that I was going to enter an intensive nursing hospital for very ill children, probably in a highly clinical and formal setting. However, as other members have said, that perception was far from the reality. As Bruce Crawford said, before one enters Rachel House, one notices that the gardens, the structures and the environment are in a wonderful, colourful and welcoming setting. Rachel House is happy, friendly and relaxing. As the leaflet says, Rachel House is

“a home from home, offering a place where families can relax, recharge their batteries and have fun with their children. Expert care is on hand to help them to make the most of each day and live life to the full.

Rachel House is not a sad place, it is a place for living ... of fun and laughter, enjoyment, love and support.”

I found the definition of a hospice as a

“place of rest and refreshment for those on a journey”

one that changed my views and my understanding.

I am delighted that Rachel House exists—there should be a place that families can choose to go to during the different stages of illnesses. Like other members, I would like all families in Scotland who have children with a life-limiting condition to have access to the rest and refreshment that is provided by CHAS at Rachel House.

However, Rachel House is struggling to meet the demand for its services. As one of the CHAS publications says:

“Demand at Rachel House is so high that family visits may soon have to be restricted. The only solution is to create additional services”—

as there are only eight beds.

Rachel House supports 130 families and more than 100 bereaved families. As Susan Deacon said, the increased demand for services has led to the establishment of a pilot project for a home support co-ordinator to work alongside CHAS nurses in order to help people at home. I understand that there could be as many as 2,000 children in Scotland who suffer from life-limiting conditions. As a representative of the Highlands and Islands, I particularly welcome and support such home services.

It is interesting to note that Rachel House came about after several parents from Scotland took their children to Martin House in Wetherby. Martin House opened in 1987 and, five years later, Rachel House opened. We should take the lead from Bruce Crawford, who commented on the work that was done to find the site, the problems that were associated with it and the huge fundraising effort that was made—the five years that that initiative took was not too long. I was amazed by the number of volunteers at Rachel House—500 volunteers is an incredible number. One volunteer even comes from Orkney.

I finish on a point raised by Susan Deacon. Rachel House gets £125,000 from the 15 health boards, and the same amount comes from all the local authorities. Although the children’s hospice serves all of Scotland, some councils and health boards do not contribute to it. Therefore, given that the money is all public money, it would make sense to have a one-door funding mechanism, rather than CHAS having to spend time and administrative effort on funding. That would ensure that future funding would be consistent, for both the house in Balloch and Rachel House.

17:30

Jackie Baillie (Dumbarton) (Lab): I join other members in congratulating Susan Deacon on securing the debate, which provides us with an opportunity to recognise the achievements of CHAS over the years.

Very few of us can imagine the emotional pain that is experienced by parents whose children suffer from a terminal illness. It is probably even harder to imagine the mix of feelings that such young people must cope with, and the impact on brothers, sisters, grandparents and the extended family.

We know that time with the family is precious and families invariably want the time that remains with their children to be filled with laughter and joy. Caring for a seriously ill child puts immense emotional and physical strain on the whole family and absorbs what little energy and time it has to enjoy life to the full. Ten years ago, a family would have struggled without support. Thankfully that is no longer the case, which is why the work of the Children’s Hospice Association Scotland is so important. I am delighted that we have an opportunity not only to reflect on the achievements of the past, but to look forward to the future.

CHAS has changed the landscape of Scottish care. The organisation was founded 10 years ago, when there were no hospices for children in Scotland. As we have heard, CHAS opened its first hospice at Rachel House in Kinross in 1996, after four years of hard work. For the first time, Rachel House provided a place where children and their families can relax and feel secure in the company of staff and volunteers who work tirelessly to support them. I add my tribute to their commitment and dedication.

As Susan Deacon said, children are able to make friends, to play games and to enjoy life, and parents can take a well-earned break. However, that does not begin to capture the atmosphere of Rachel House. It is a place that is filled with love, laughter and sometimes sorrow; more often than not, it is about celebrating life. Anyone who has been to Rachel House—I am privileged to have done so—will say that it is inspirational and a truly special place.

Ever since the doors of Rachel House were opened, the service has gone from strength to strength. More than 200 families use Rachel House and CHAS has decided that it is time to build a second hospice to cope with demand. I am particularly pleased that the new hospice will be in Balloch—gateway to the new national park—and will be sited on the banks of Loch Lomond. I am immensely proud to welcome an organisation of such excellence, which will provide a much-needed service to the area that I represent.

I pay tribute to the efforts that those in the local community have made to help raise funds for the hospice. That demonstrates their real sense of pride in the fact that the hospice is coming to the local area. I also pay tribute to our local newspapers, which have led a remarkable fundraising campaign. The district has probably

never seen quite so many cake sales and social events. Even a sponsored abseil has been organised, although I confess that I have not volunteered. Local people—from primary school children to policemen and from brownies to quilting clubs—are keen to extend a warm welcome to CHAS. Many of those people are in the visitors gallery.

Perhaps without knowing it, CHAS has given us a gift among all the fundraising by bringing the community closer together. I congratulate CHAS on 10 years of hard work and wish the organisation every success for the future.

17:34

Shona Robison (North-East Scotland) (SNP): I join other members in commending Susan Deacon for securing an important debate. The attendance in the public gallery is one of the best that I can remember for a members' business debate. Our visitors are most welcome.

I can think of no more deserving cause than Rachel House, although I admit that I have not as yet visited it. Having heard what Susan Deacon said in tonight's debate, I fully intend to do that. However, I have met families who have used the services at Rachel House and, for them, Rachel House was a real lifeline. Had it not been for Rachel House, their lives would have been a lot more difficult.

It is fitting that we highlight the achievements of CHAS on its 10th anniversary and in the fifth year of Rachel House opening its doors. As we have heard, Rachel House provides a much-needed specialist facility that provides support to hundreds of families. As Susan Deacon outlined, CHAS provides services to families within their own homes as well. That is important. CHAS also helps families who are bereaved. At a difficult time, when the last thing that families need is to be cut off from the support network that they have had, CHAS provides an important service.

I pay tribute to the work of the staff and volunteers at Rachel House, many of whom come from the local community. It is worth noting the good relationship that Rachel House has with the people of Kinross and the support that it receives from that community.

Apart from that, all that I will say is that we need to support the work of Rachel House. We do that by supporting it financially, as is happening. Susan Deacon made the important point that we can also support Rachel House by removing any unnecessary existing barriers, such as the need to negotiate with 47 different public bodies. We must sort that out so that Rachel House can be allowed to get on with the important work of supporting terminally ill children and their families.

17:37

Mr David Davidson (North-East Scotland) (Con): I congratulate Susan Deacon on a moving opening speech that encapsulated something that I came across some years ago.

We had not been long back in Scotland when my wife bumped into somebody in Stirling. Out of that cup of tea and a conversation, she ended up becoming the founding chairman of a funding group for west Perthshire, which included Stirling at that time. She found that she was pushing at an open door and that it was easy to get people to come and work with her. The fact that she had a background in medical research and that we had five children—as everybody knows, children have problems that come in different shapes and forms—meant that she was very much aware of what was going on. About half of the people who joined her in that early stage had had difficulty in getting care for their children. However, for the other half, the idea just caught their imagination.

I congratulate those who were inspirational enough to push out the idea and do something about it. The thing that we must realise is that, despite the fact that the demand existed, such things did not start within mainstream health care but were started by volunteers. I am not sure that the services that Rachel House currently provides should be provided as a mainstream service because Rachel House might then lose its individuality. The place has a unique atmosphere of comfort, care and compassion that extends to the families as well as to the sufferers themselves. That is the vital part.

It is scandalous that Rachel House, which is special in Scotland and which, albeit that it employs professional staff, is a model of excellence in what ordinary people have done, must be part of the annual begging-bowl round. Rachel House provides an inspiration of what can be achieved. I was delighted to hear that the Executive is providing money for the Balloch fund. However, in the answer to a parliamentary question in 1990, it came to light that the hospices in Scotland received about 50 per cent of their funding from the public purse. A parliamentary question last year revealed that that had dropped to around 40 per cent. The percentage of Rachel House's funding that comes from the public purse—which was about 25 per cent in the early days—has dropped from 18 to 16 per cent over the past two years.

The service that Rachel House provides has raised the expectations of many families. We cannot expect that sort of service to continue without sustainable funding to allow those who run this excellent association the freedom and choice to continue to deliver. We need to be able to guarantee that, over time, great efforts will go into

providing and extending the service. At the moment, 17 out of the 124 users of the service are from the region that I represent. The service covers all of Scotland. We must provide the resources to give individuals the care, the attention and the dignity that they require, so that they can see out whatever time they have left in a manner that is enjoyable and that leaves pleasant memories for everyone, despite their long-term pain. We must ensure that the CHAS movement is given the support that Scotland should give it.

17:41

Dorothy-Grace Elder (Glasgow) (SNP): I thank Susan Deacon for initiating this debate, a debate that reminds us of the frailty of children. There are not just a few hundred metabolic diseases, for instance, but a few thousand. We have still to solve them—we are not quite as smart as we might have thought—so the hospice service becomes more and more important in Scottish life.

I remember the beginnings of the *Daily Record* and *Sunday Mail* campaign—I was one of those who lobbied for it. I remember those who made the correct decisions—editors with heart. Endell Laird was then the editor-in-chief of the *Daily Record* and the *Sunday Mail* and Jim Cassidy was the editor of the *Sunday Mail*. The journalist who bore the greatest weight of the massive administration was Archie McKay. All those people deserve an honoured place in the history of an achievement that was, at the time, the single greatest newspaper fundraising campaign.

I also remember from that period, with the greatest affection and respect, Nancy Blaik. Nancy was not long widowed when we first met. She had been left with Daniel, who was utterly helpless from the age of two. Daniel had to be carried around bodily and it took perhaps two hours to feed him at every meal. Here was Nancy, alone in the world—and blind—and yet she went out on the pavements of Edinburgh collecting. Almost every day, she could be seen with her collecting can, collecting for her great dream—to help other parents and not just herself. Her son Daniel would not have survived but for Nancy's great love.

Ten years ago, Nancy's story became a BBC documentary, which I was involved in. The story has a happy ending for her. She phoned me up one day and said that the social work department had done the most terrible thing. "For the first time," she said, "they've sent someone to help me. But do you know who it is? There's a huge giant of a man on my doorstep. A giant of a man is the last person I need to help with a very frail child." Well, of course, the giant did marvellously, and Nancy and the giant were married a few years later. Jack Blaik has also been a marvellous supporter of the movement. They are a very happy family indeed.

As we move on in Scotland, much more help is needed—especially for teenagers. Members have rightly referred to the very special needs of teenagers, who realise what is happening to them. We must renew our efforts and our support for CHAS and this very great movement. There are parents around today who remember all too clearly what it was like in Scotland before CHAS existed. If members think back just 10 years, they will remember and find unbelievable the extra suffering that people were going through without the care, love and skill of the medical staff and the many others who are involved.

I say to CHAS, thank you very much for what you have done for Scotland, for Nancy and Jack and for all who are here today. And to Daniel, the inspiration, I say thank you for what you did for your country.

17:45

The Deputy Minister for Health and Community Care (Mrs Mary Mulligan): I congratulate Susan Deacon on securing the debate. I was moved by her thoughtful speech, which set the tone for all the other speeches that we heard. I am pleased to have the opportunity to express the Executive's continuing commitment to the Children's Hospice Association Scotland and its work at Rachel House.

The Scottish Executive was delighted to demonstrate our support for CHAS's proposals to establish a second children's hospice in the west of Scotland through Malcolm Chisholm's announcement last month of an award of £1 million in grant for that exciting new development. We have undertaken to provide £500,000 towards the building costs of the new hospice when construction gets under way and we will also provide £250,000 in each of the first two years to help to establish the hospice in the early stages of operation. That is similar to the support that the Government provided for Rachel House when it was set up in 1996.

The Executive is maintaining its annual grant support for CHAS's organisational costs to ensure that the association continues to prosper. I noted the comments that Susan Deacon and others made about funding streams and I will clarify the current situation. NHS Tayside co-ordinates funding from the 15 national health boards and pays the money to CHAS. Stirling Council has a similar arrangement for co-ordinating funding from the local authorities. However, I accept that the system for the local authorities is not working as well. I am pleased to say that the Scottish Executive has undertaken to facilitate more constructive discussion about local statutory funding. We hope that those discussions will result in a more efficient funding allocation.

CHAS's success in harnessing public support and in raising funds is a model for other organisations. All those involved deserve great credit. Recently, like many MSPs who have spoken this evening, the First Minister visited Rachel House. He was deeply impressed by the skill and commitment of the staff and the courage of the children and their families who use the service. Rachel House is an inspiring and happy place, despite the tragedy that the families face. It is a place where children and their families come for support when they need it most; it provides an opportunity for families to enjoy new experiences together and for carers to take a well-earned break. The high standards of care and support show just what can be delivered.

As well as applauding the very special care that CHAS provides, we should pay tribute to the efforts of other services that provide respite and palliative care for children and adults with life-limiting and life-threatening conditions. In respite services and palliative care, as in all other aspects of health care, we must strive to provide the best possible service for the children—they deserve nothing less. Children are a priority for the Executive and our health and social services in Scotland. We are determined that our young people should have high-quality services across the board—in health, education, social work and other areas. The Executive is determined to drive up standards of care through better-integrated services for families who need support.

We have invested £63.5 million in our changing children's services fund to enable local authorities and NHS boards to work together in reshaping services and support for our most vulnerable children. One of the fund's key priorities is to develop support packages for children with disabilities or special physical, emotional, mental health or educational needs. That should include respite care. We are currently reviewing local proposals for expenditure.

We have also allocated more money to local authorities—rising to an extra £11 million a year—to increase respite provision across Scotland by an additional 22,000 weeks per annum by 2003-04. The new opportunities fund is also bringing £5.4 million of national lottery money to invest in palliative care in Scotland over the next three years.

The national health service in Scotland has learned a great deal from the hospice movement. We are encouraging local authorities and NHS boards to work closely with voluntary organisations to identify and plan how best to meet the needs of their local communities. We want close collaboration and consultation between statutory and voluntary organisations.

We acknowledge the pressures that voluntary

organisations face. The Executive is committed to strengthening the sector through the Scottish compact. We are carrying out a strategic review of funding for voluntary organisations. We have reviewed our national funding arrangements and are now consulting the sector about the next stage, which will take a closer look at local arrangements. On palliative care, the Executive is working closely with NHS boards, the Scottish Partnership for Palliative Care and the Scottish hospices forum to ensure that respite and palliative care services are properly planned and funded locally.

In summary, the Executive will continue to work in partnership with organisations such as CHAS that provide such excellent services. In light of our continuing commitment to the independent hospice movement in Scotland, I add my congratulations to those of Susan Deacon and fellow MSPs to CHAS on its 10th anniversary. From the many comments that have been made in the debate and outwith the chamber, I know how highly people value the service that CHAS provides and how grateful families are to the individuals concerned. I wish the organisation continuing success in the years to come.

Meeting closed at 17:52.

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