

MEETING OF THE PARLIAMENT

Wednesday 4 February 2004
(*Afternoon*)

Session 2

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Scottish Parliament

Wednesday 4 February 2004

(Afternoon)

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

Time for Reflection

The Presiding Officer (Mr George Reid): Good afternoon. Our first item of business is time for reflection, for which our leader is the Right Rev Professor Iain Torrance, who is the moderator of the General Assembly of the Church of Scotland.

The Right Rev Professor Iain Torrance (Moderator of the General Assembly of the Church of Scotland): All the older churches face a decline in membership and an apparent loss of voice, influence and prestige. I am three quarters through a year of practical exploration of the boundary between being a member and being an outsider. Why, I ask, does the category have to be so either/or? Rather than for ever being obliged to be either pro or con a simplified dictum or test of approved behaviour, why may we not envisage our dilemmas as presenting something that is more like a spectrum?

With a few notable exceptions, there is still a deeply inscribed mindset of being verbal rather than visual in the inherited Scottish Christian tradition, yet by opting to be adversarial rather than visual, we insulate ourselves from much of the distinctive richness of contemporary Scottish secular culture in novels and art, and thereby deny ourselves deeper insight and more distant vision.

My concern is about the retention of a hard boundary between being a member and being an outsider. Scots have always been travellers, and Scotland has no town of any size that does not boast a museum that is stocked with objects that were collected by Scottish sailors, soldiers, missionaries, traders and doctors. For generations, no Scottish schoolchild could avoid a school-sponsored visit to such a museum. Habitual sight of the unfamiliar accustomed all of us to being tolerant to strangeness.

Is it not worth while to reaffirm that hospitality of spirit? In the Bible, the book of Deuteronomy binds together as closely as possible love for God and love for the one who does not belong to Israel. Can we glimpse the astonishing truth that, before this God, the way in which we treat outsiders may be the single most important factor in the quality of our core community of insiders?

Shortly before his death in 1997, Michael Vasey, the Durham theologian, gave me this prayer:

“Blessed are you, Holy One, friend of humanity,
scourge of injustice, creator of peace:
all that is hidden proclaims your glory.
Your wisdom offers insight to the foolish,
delight to the meek and counsel to rulers.
You give knowledge through the discourse of the wise,
the integrity of the righteous, and the trust of the childlike.
From you comes that pure and peaceable wisdom
which is gentle, open to reason,
full of mercy, fruitful for good.
Blessed are you, Sovereign God, source of all wisdom.
Blessed be God for ever.”

Business Motion

14:34

The Presiding Officer (Mr George Reid): The next item of business is consideration of business motion S2M-852, in the name of Patricia Ferguson, on behalf of the Parliamentary Bureau, setting out a revised programme for this afternoon's business.

Motion moved,

That the Parliament agrees a revision to the following programme of business for Wednesday 4 February 2004, as follows—

after,

2.30 pm Time for Reflection – The Rt Rev Prof Iain Torrance, Moderator of the Church of Scotland

followed by Parliamentary Bureau Motions

insert,

followed by Ministerial Statement on Fatal Fire at Rosepark Care Home—[*Tavish Scott.*]

Motion agreed to.

Rosepark Care Home

The Presiding Officer (Mr George Reid): The next item of business is a statement by Cathy Jamieson on the fatal fire at Rosepark care home. The minister will take questions at the end of her statement, so there should be no interventions.

14:35

The Minister for Justice (Cathy Jamieson): It is with deep sadness that I report on the tragic events that took place at Rosepark care home in Uddingston, early on the morning of Saturday 31 January. Before I do so, I say first that our thoughts, of course, must be with the families of those who died and were injured as a result of the fire. I know that members will want me to record the fact that our deepest sympathies are with all of them at this time.

The tragedy is one for the whole community in Lanarkshire and now is a time of great sensitivity for the bereaved, their families and the other residents and staff of Rosepark care home. I know that we will all want to conduct our discussions today on the basis of shared sympathy and respect for all those who have been affected.

Members will be aware that an investigation into the fire is now under way, and I hope that they will understand that it would not be appropriate for me to speculate on the possible causes. However, I will take a few moments to state the facts as we currently understand them.

At 4.37 am on Saturday morning, a 999 call was received by Strathclyde fire brigade, which reported smoke from a lift area at Rosepark care home and requested fire crews to attend. An immediate mobilisation call was made to Bellshill fire station, which is about three quarters of a mile from the care home. The first appliance arrived within four minutes of being mobilised and a second appliance, which was mobilised from Hamilton, arrived in just over eight minutes.

Rosepark care home has two floors. Staff had begun to alert and gather together residents on the lower floor. It was apparent to the firefighters that residents required to be evacuated immediately and that access and rescue would require the use of breathing apparatus teams. In all, four teams were involved. Over the next 40 minutes, a number of residents and members of staff were rescued or were led from the building.

Strathclyde police were given a preliminary alert by the fire brigade at 4.39 am—such alerts ensure that the police are aware of all incidents in their area. At 4.50 am, the fire service officer who was in attendance at Rosepark advised his control room that people were affected by the fire. On

receipt of that message, the fire control room staff alerted the Scottish Ambulance Service at 4.51 am and gave the additional information to the police at 4.52 am. The police and ambulance service attended and all three emergency services then worked together at the scene.

Police responsibilities at such incidents include identifying casualties and informing next of kin. That was a major exercise, but I understand that Strathclyde police completed the task of informing the next of kin of those who were immediately affected by 6 pm on Saturday.

Forensic examination of the scene began almost immediately. Ten people were found to have died at the scene of the fire and four people have subsequently died. I pay tribute to the work of our emergency services and North Lanarkshire Council. This has been a difficult time for them, the residents and staff of the care home and the families of those who have been affected.

I should add that the home was registered with the care commission under the Regulation of Care (Scotland) Act 2001 and had been subject to statutory inspections on 20 March 2003 and on 17 November 2003. A further statutory inspection was scheduled for 24 February. No concerns were identified in the earlier inspections about the systems that were in place—including fire precautions—to protect the safety of residents. The fire brigade also carried out a familiarisation visit to the home in July 2003 as part of its duty to ensure that it would be able to respond operationally to reported incidents at the home, as—sadly—it was obliged to do on 31 January.

Members might find it helpful to have an explanation of how investigations of such tragedies proceed. Responsibility for directing the investigation into the incident lies with the area procurator fiscal, to whom the police will report. The procurator fiscal will be concerned with the cause of the fire and the adequacy of the response to it. He will also be required to establish whether there are any grounds for considering criminal proceedings in relation to what took place. I am not making any prejudgment but am offering the factual steps of the process, and in the investigation of any deaths the question of whether any criminal offence has been committed must be investigated carefully. The procurator fiscal's report will be sent to the Crown Office. Members will understand that a decision whether to initiate a prosecution is one for the Lord Advocate to make independently.

The Lord Advocate is also responsible for the investigation of sudden, suspicious or unexplained deaths in Scotland. It is for the Lord Advocate to determine whether a fatal accident inquiry should be held into the circumstances of the deaths. A fatal accident inquiry is a public inquiry that is held

before a sheriff or sheriff principal. It has the full powers of a court and a wide remit to examine the circumstances of deaths and whether steps might have been taken to avoid them. In the case of the Rosepark fire, the investigations of the police and the fire service are not yet complete. It is our responsibility not to jump to conclusions at this stage, in advance of any necessary inquiry or legal proceedings.

The investigation will be substantial and complex. Both the precise seat of the fire and the cause will have to be established. The fire was a relatively small one. Those who died at the scene were in rooms in an area that was separated from the rest of the upper floor by fire doors. The area in which the fire started was also within those fire doors. It appeared that smoke from the fire had penetrated the bedrooms in that area and that those who had died had been overcome by the smoke. There has inevitably been much speculation since the weekend about the cause of the fire and action that might be taken to prevent such an incident from occurring in the future. However, answers can be arrived at only after careful investigation, and we must not prejudge the conclusion.

It might be helpful if I describe some of the matters that will provide the key to answering those questions on which conclusions have still to be reached. Those include exactly how the fire started; the effect of the fire on the residents and on the building; how the staff responded to the alarm; and whether the fire safety systems, including the alarm system, were working and operated properly. Those are questions to which we do not yet know the full answers, and that is what the investigators are currently looking into.

Once the area fiscal is satisfied that the investigation is as complete as it can be in the circumstances, he will report to the Crown Office, which will determine what action to take. As I said, in any investigation of a sudden death, an important decision is whether any criminal prosecution should take place. That is an independent decision for our public prosecutor and it is not possible to anticipate what the outcome will be. However, having consulted the Lord Advocate, I assure members that any inquiries—including public inquiries—that are necessary to establish the cause of the fire will be undertaken, their results made public and appropriate action taken to minimise the risk of such a fire in future. However, until the investigation is complete and the full extent of the issues that might require to be examined by a public inquiry has been identified, it would be premature to decide on the precise form that an inquiry should take. That is for the future.

We appreciate the seriousness of the situation and the concerns that many people are feeling.

We believe that, in the circumstances, it is not sufficient to await the outcome of the process of investigation before taking any action. Those who reside in care homes and their relatives and friends will undoubtedly be concerned about the safety of existing premises.

I stress that, at this time, we have no grounds for specific concerns about the adequacy of fire precautions in other care homes in Scotland. Nonetheless, following our discussion at Cabinet this morning, we have decided that the 1,800 or so care homes in Scotland should be visited to confirm that there are no obvious deficiencies in the fire safety measures in those homes. That must be done to provide reassurance to all those who are involved. Therefore, I have asked the care commission to remind all care providers of the need for effective fire precautions and to seek the assistance of their local fire authorities and brigades in offering advice and reassurance to care home operators, residents and their families.

The care commission is writing to all care homes to remind them of the vital importance of ensuring that residents are as safe as possible. It is also requesting the support of fire authorities in arranging for brigades to contact and visit homes in their areas to provide reassurance to staff and residents while assessing fire safety. I believe that it is important that the visits should take place outside normal daytime hours to offer reassurance and any necessary advice at a time when residents and staff might feel most vulnerable.

I believe that those actions provide the quickest and most effective way of dealing with any concerns that care home residents, staff and families may have in the aftermath of the tragedy.

Of course, I am aware of suggestions that the installation of sprinklers, either selectively or more generally across categories of building, should be undertaken as a preventive measure. Let me repeat what I said earlier about not jumping to conclusions in advance of the results of the detailed investigations that are now under way. Until the precise cause of the fire is known, it is impossible to say whether sprinklers would have prevented it or even reduced the number of casualties. However, I believe that further detailed and practical work needs to be done to establish whether, in some types of buildings, the installation of sprinklers is an effective and appropriate addition to safety precautions.

Jointly with our colleagues in the Office of the Deputy Prime Minister—who are responsible for fire safety issues in England—we have been sponsoring research into sprinklers in residential properties. That work has been undertaken by Building Research Establishment Ltd. The first phase of the work has been completed and I expect to receive the final report shortly.

It is clear that further detailed work will now need to be done on the effectiveness of sprinklers in particular categories of premises, including care homes such as Rosepark. Therefore, I have agreed with my UK colleague Nicholas Raynsford, who is the minister responsible, that the next phase of the research should proceed urgently and, importantly, should take account of the particular circumstances of the Rosepark tragedy.

This is a tragic event and there is nothing that we can say or do today that will lessen the grief felt by the bereaved families, the distress of those directly affected or the wider impact on the community. Those who have suffered personal loss must be allowed to grieve. We owe it to them and to the others who have been affected to discharge our responsibilities with care, thoroughness and respect so that we can do whatever is right to reduce the risk of future tragedies of this kind.

First of all, it is important to let the investigation by the police and the procurator fiscal reach its conclusion, so that our decisions can be based on the best evidence of the facts of the tragedy. There will be an inquiry into those events and it will be public. The form of the inquiry should be decided when the investigation is completed.

In the meantime, as I have outlined, there is action that we can take. First, we can provide reassurance to the residents of care homes and their families throughout the country that we take fire safety and fire prevention extremely seriously. The action that I have asked the care commission and fire authorities to take will help to do that.

We can also take forward further practical research into the potential effectiveness of sprinkler systems in such premises—that, too, we have now done.

Faced with such an event, all our reactions have been of shock and sympathy. In the darkness of last Saturday morning, the quality of our public services was demonstrated in the speed of their response. We will do justice to those who lost their lives by taking the time and the care to establish the facts and the best approach to identifying and making improvements.

I know that the sympathy of all Scottish ministers and, I am sure, of all members of the Parliament is with the community in Uddingston.

The Presiding Officer: The minister will now take questions on the issues raised in her statement. I will allow around 25 minutes for that process.

Michael McMahon (Hamilton North and Bellshill) (Lab): I extend my condolences to the families in my constituency who have been bereaved by Saturday's events. I also extend my sympathy to the families of those who were injured

and to those who remain in hospital. I thank all the members of the emergency services whom I witnessed at work on Saturday. They conducted themselves with exemplary professionalism in difficult circumstances. I thank those ministers and parliamentary colleagues who have offered their condolences and support to my constituents and to me, as the local MSP for Fallside in Uddingston. I mention in particular the Minister for Justice, the First Minister, Hugh Henry, Tom McCabe and John Swinney, the leader of the Scottish National Party.

I ask the minister whether she is aware that, although investigations began on Saturday, the detailed forensic investigation into the fire at Rosepark care home began only yesterday and that its outcome might not be known for some time. Will the minister reiterate that it is important that speculation on the tragedy at the Rosepark care home is resisted as much as possible? Does she agree that, although experts and others will have opinions on the cause and effect of the fire on Saturday and on the potential solutions, it would be better if assessment of the tragedy were conducted on the basis of the facts not assumptions?

Will the minister also comment on the current situation whereby fire service involvement in safety assessments in effect ends when safety certificates are issued? Does she agree that, although the care commission should retain the primary role in relation to care home standards, there should be more on-going involvement from fire services and that the maintenance of fire safety equipment and standards should not be left entirely to the care commission and to owners of care homes, as is currently the case?

Cathy Jamieson: First of all, I agree with Michael McMahon's comments on the necessity to establish the facts of this tragic set of circumstances. When something like this happens, people always want to know immediately what happened and speculate on the possible causes. However, it is vital that we understand properly what happened in order to put the correct measures in place to try to prevent such a tragedy from happening in the future.

Michael McMahon also raised the need for the care commission and fire authorities to work together to ensure the highest safety standards. I expect that, after learning the lessons from this set of circumstances, the care commission and the fire authorities will get together to examine the processes that are currently in place and to consider whether additional guidance is required. I must reiterate that, until we have the factual information on which to base future deliberations, it is important that we avoid jumping to conclusions that might turn out later to have been based on a false premise.

Michael Matheson (Central Scotland) (SNP): I welcome the comments made by the Minister for Justice in her statement. Although I accept what she said about it being too early to say whether a fire suppressant system—such as a sprinkler system—would have prevented the tragedy from occurring and am sure that a number of other concerns will be highlighted in the course of the investigation, is the minister aware of the legislation that was recently passed by the House of Keys in the Isle of Man on the installation of residential fire sprinklers in care homes? Is she also aware of the report that was published by a House of Commons committee on 21 January, in which the committee strongly recommended the installation of residential fire sprinklers in care home establishments? Does the minister believe that we should ensure that we have fire suppressant systems, at the very least, in our care homes, particularly in new homes that are being built or established now?

Cathy Jamieson: I will look closely at the report to which Michael Matheson referred. Members will want to know that, in Westminster this morning, a statement was made regarding the report that I mentioned in my statement. It indicated that we require to do further work to establish in which circumstances the use of sprinklers might provide an effective method of dealing with the outbreak of fires. We must also spend time ensuring that prevention measures exist in the first place. As a result, a key part of the work that we will undertake and in which I expect the care commission and the fire authorities to be involved is to ensure that appropriate preventive measures have been put in place and that we have done everything possible on that score.

We will consider the current reports, the research and the report that are about to be published and the further research that is being commissioned, which will be of a practical nature and will examine the types of buildings and situations in which sprinkler systems might provide a solution. However, I stress that we need to take other measures and that fire prevention and ensuring safety must be at the top of our agenda.

Miss Annabel Goldie (West of Scotland) (Con): I concur with the minister's sentiments on this tragedy. My colleagues and I extend our condolences to the families and friends of those who died and pay tribute to the work of the emergency services and related local agencies. Our thoughts are certainly with the management and staff of the care home.

As the minister has indicated, an inquiry or inquiries will require to be held. If we are to learn lessons from this tragedy, it is vital that they emerge from a professional, thorough and informed investigation of the facts surrounding the fire. I suggest to the minister that the sooner an

inquiry can be announced, the greater the sense of public reassurance will be. As a result, I urge early consideration of a fatal accident inquiry, although I appreciate that the minister does not want to be precipitate or premature in announcing the form that an inquiry might take.

I should point out that there is a precedent for such tragedies. For example, in 1960, 19 firemen were killed in the Cheapside Street warehouse tragedy and, in 1968, 22 workers died in the James Watt Street tragedy. Will the minister confirm that such examples offer some instruction as to the appropriate model of an inquiry? Will she also confirm that the soundness and respected structure of a fatal accident inquiry will not be overlooked as a suitable model?

Cathy Jamieson: I confirm that that model will not be overlooked. Of course, the Lord Advocate is responsible for any such decision. However, I should point out that there are arguments for and against the various methods of holding an inquiry. The important thing is to establish the facts and evidence before deciding the scope of any inquiry, as that will allow us to get to the bottom of the problems, to answer any questions and—just as important—to take appropriate action in future. I will continue to liaise very closely with the Lord Advocate in considering the possible options.

I reassure the member that we want to do that as quickly as possible. However, although there is no sense in delaying decisions, we need to take our time to establish the facts on which to base them.

Donald Gorrie (Central Scotland) (LD): I return to a point that Michael McMahon raised. I was astonished to hear from someone in the care sector that the care commission, not the fire brigade, conducts fire inspections of places such as care homes. Will the minister consider pursuing that general issue without any prejudice to this particular case? I understand that in England the fire brigade conducts such inspections and I regret to suggest that, in this instance, the English have got it right.

Cathy Jamieson: I reassure Donald Gorrie that, although there are differences between the operation of the system in England and Wales and in Scotland and although the English and Welsh regulations are more specific, the intent behind both remains the same. In the Scottish context, the care commission is required to inspect premises on the basis that they are fit for purpose, which involves finding out whether the requirements for fire safety precautions are being met, are kept up to date and are appropriate for the type of building in which residents live.

That said, we acknowledge that some questions merit further consideration. That is why, as I

outlined in my response to Michael McMahon, I expect the care commission and the fire authorities to discuss the matter further and to consider whether it might be appropriate to introduce some form of guidance or different standards in Scotland. However, we must again acknowledge that such measures might not have prevented the tragic set of circumstances that we are discussing.

Carolyn Leckie (Central Scotland) (SSP): I add my sympathies and condolences to the residents and staff of Rosepark, the victims' families and, indeed, to the local community over what is a terrible tragedy. I agree with the minister that it would not be right to speculate on the causes of the tragedy and the circumstances that surround it and that we should await the outcome of a full, transparent, robust, public inquiry. However, I have a couple of general questions and a specific question.

Will the minister guarantee that the level of fire service response to alarmed premises such as Rosepark will not be reduced under plans to change fire cover? As a minimum, will she assure me that, in the short term, two appliances—the first with a minimum crew of five and the second with a minimum crew of four—will continue to attend in response to automatic fire alarms in care homes and other premises across all fire board areas in Scotland?

More specifically, the minister said in her statement that the care commission would visit and write to all care homes in the short term and that there would be fire brigade visits outwith daytime hours. Will she say what resources are being allocated to support those organisations to undertake that work?

Cathy Jamieson: Perhaps there is some misunderstanding about what a response to an automatic alarm is. Rosepark's alarm was not connected to a fire service control room; the fire service's response was to a 999 call.

I give the assurance that any changes to the fire services will be considered on the basis of ensuring the public's safety. It is vital that any risk assessment takes account of the number of people in a building and the type of building—in the case of a care home, for example, residents could need additional support in the event of a fire.

I do not believe that this is the appropriate time simply to give guarantees about what might happen in the future. I say to Carolyn Leckie that, in some instances, the appropriate response in terms of numbers or speed may require to be improved in the future. That is the whole point of undertaking the risk assessments on the basis of protecting life.

Carolyn Leckie referred to the care commission and fire authorities. I believe that we will have the co-operation of those organisations and their staff in carrying out the additional work. In the short term, that may mean that they adjust their patterns of working or look to ensure that people carry out inspections out of their normal daytime hours. Of course, some inspections would be carried out outwith daytime hours in any case and we know that firefighters are on duty at those times. I expect that we will be able to secure the co-operation of everyone in order to reassure the residents and staff of, and everyone else who is involved with, care homes.

Mr Kenneth Macintosh (Eastwood) (Lab): I, too, extend my sympathy to those who have been bereaved in the tragedy. I thank the minister for recognising the concern that is felt in care homes, sheltered housing and similar accommodation across Scotland, not least in my constituency, about the safety of premises. I also thank her for her remarks on the use of sprinklers, both in her statement and in her response to our colleague Michael Matheson. Will she assure me that she will continue to support research into the effectiveness of sprinklers and that, when it is established how much benefit and protection they can provide, she will act on the findings?

Cathy Jamieson: I hope that I indicated in my statement and in subsequent answers that I believe that research on sprinklers is vital. For the avoidance of doubt, I emphasise that we are not talking about a paper-based, academic exercise. We are talking about research that examines and tests sprinkler systems and other options in situations that might be found in different types of buildings and establishments. Therefore, the reports and the on-going work that we have commissioned will give us an indication of the type of circumstances in which sprinklers would be a useful addition to measures that are already in place. Again, I stress that we must not see sprinkler systems as the only solution. It is better to put the correct preventive measures in place, rather than to have to deal with the situation that arises because of a fire.

Shona Robison (Dundee East) (SNP): I add my voice to those passing on their deepest sympathies and condolences to the families and, of course, the staff and residents at Rosepark. In her statement, the minister referred to the visits that the fire brigade will make to the 1,800 care homes in Scotland not only to check on fire safety, but to provide reassurance, which is important. How quickly does she expect that to be done? Without prejudging the investigation, will she tell us whether specific attention will be given to the practice of keeping residents' doors open? Does she think that, as a precautionary measure, the advice should be that residents' doors should be

closed, as I understand fire safety experts recommend?

Cathy Jamieson: Perhaps I can deal first with the issue of keeping doors open or closed. There is always a fine balance to be struck in establishments that are people's homes. Everyone who works in the care sector wants to ensure, particularly in relation to elderly residents, that people have a decent quality of life. I do not want immediately to instruct people how to run their care homes if that might detract from the quality of life of residents. It is appropriate that we strike the right balance. That is why I want the care commission and the fire authorities to work together to look at basic safety implications and to give advice in the appropriate setting.

Each care home will be different in its layout and design. In the case of Rosepark, we have seen how a tragedy has occurred even in a relatively modern building with relatively good specifications. I should not at this stage issue an inappropriate, blanket response, but it is important that the issues are addressed. I expect the visits to get under way as quickly as possible, but it is also important to recognise that the tragedy has not so far given rise to undue concerns in other care homes about implications in their areas. We must ensure that we do not create a situation in which elderly residents or staff are overburdened with worry about the surroundings in which they live. We must strike the right balance and we must do so sensitively.

Margaret Mitchell (Central Scotland) (Con): As someone who lives close to Rosepark, I add my condolences to the families and friends of those who died. The relatives, along with the local community, are still reeling with shock and horror at the nature and scale of the tragedy.

I welcome the minister's statement. As she said, our main concern and attention must now focus on the welfare of the surviving residents and on residents in nursing homes throughout Scotland. I would be grateful if she could give me details of the provision that is being made for the surviving residents in the short term and in the longer term, particularly with regard to accommodation and any counselling that may be needed to help them to deal with the trauma that they have experienced.

Cathy Jamieson: Those matters will obviously have to be addressed with the co-operation of the local authority, the care providers and the health board. I understand that immediate action was taken to put in place the initial responses in relation to counselling. It is important that the views of residents who have been temporarily relocated, and of their families, are taken into account in decisions on what happens in the long term. Those matters must be dealt with at the local level and I have received assurances that they will be taken care of.

Robert Brown (Glasgow) (LD): The minister will be aware that Strathclyde fire board's draft integrated risk management plan was published earlier this week. In the light of the terrible event in Uddingston and of the recent fatal fire at Clarendon Street in Glasgow, will she assure the Parliament that any lessons to be learned from the fatal accident inquiries that I imagine will be carried out into both episodes will be taken into account in the development of the risk management plan? If necessary, will decisions be held over to allow that to be done? Will she also comment on smoke-inhalation fires, which have been mentioned in the press in relation to the recent incidents? Is research being undertaken into the use of respirators by victims as well as by fire service staff?

Cathy Jamieson: Robert Brown has identified a number of points. On integrated risk management plans, I restate that any lessons that can be learned from the events that he mentions will, of course, be taken into account. However, I hope that we will not wait until the final reports of the inquiries before we begin to learn lessons. If we can take things into account now, we should do so.

The events have highlighted the fact that integrated risk management plans must take account of the vulnerability of particular groups and particular types of buildings at particular times of the day. All those points will be taken into account.

The events have also highlighted the problems of situations in which smoke is the main cause of death. I will consider the points that Robert Brown has made to see whether anything can be learned for the future. Prevention measures—such as smoke alarms—to highlight risks as early as possible are, of course, vital.

John Swinburne (Central Scotland) (SSCUP): May I compliment the minister on the sensitive and compassionate way in which she is addressing this problem? I assure her that she has the full backing of everyone in my organisation and our best wishes for a successful conclusion to the inquiry.

Cathy Jamieson: I am not sure that that requires much of a response other than for me to thank the member.

Karen Whitefield (Airdrie and Shotts) (Lab): I add my condolences to the families who are suffering a loss. I thank the minister for her detailed statement. Will she confirm that the inquiry into events at Rosepark will assess the effectiveness of cross-agency liaison and working and any improvements that may be necessary as a result of lessons that will be learned?

Cathy Jamieson: As I said in my statement, the fire services, the police, the Scottish Ambulance

Service and, of course, the local authority and the health board all mobilised services in different ways during the tragedy. Karen Whitefield highlights an important point, not only in relation to fire tragedy but, for example, in relation to road accidents such as the one that, sadly, we heard of yesterday in Airdrie. We will want to consider how agencies work together and, if there are lessons to be learned, we will consider them during the inquiry.

Housing

The Presiding Officer (Mr George Reid): The next item of business is a statement by Ms Margaret Curran on a housing standard for the 21st century. The minister will take questions at the end of her statement. There should therefore be no interventions.

15:13

The Minister for Communities (Ms Margaret Curran): Just over a year ago, I made a statement outlining the considerable progress that has been made in delivering our policy objectives for affordable housing, homelessness and social justice. I then set out further measures to build on those achievements. I can announce today what progress we have made and the next steps that we will take.

I have previously brought before Parliament measures such as the Executive's response to the housing improvement task force, the Building (Scotland) Act 2003 and, just this week, the Tenements (Scotland) Bill. Each of those represents an important step forward in our policy of improving the quality of Scotland's housing. The cornerstone of that policy is our commitment to introduce a new housing quality standard for the social housing sector—a commitment that is in the partnership agreement. As a country, we have been searching for decades for the answer to how we can have housing that is free from damp and that gives our children the best possible start in life. Together with the other measures that we have introduced, the new standard will provide that answer.

Today I am pleased to announce that we are, after extensive consultation, publishing the final definition of the cross-tenure Scottish housing quality standard, copies of which will be available in the Scottish Parliament information centre. The new standard forms a critical part of our long-term vision for fundamental improvement of the physical quality of social housing in this country, and of the quality of service that tenants receive.

As well as its requiring that housing meets the statutory tolerable standard and that it is free from any serious disrepair, the new standard sets out some really exciting developments that will lead to significant improvements in the quality of our social housing. For example, the standard makes major commitments to improving energy efficiency: landlords must ensure that their houses have an efficient system of full-house central heating and effective insulation. In this day and age, it is simply no longer acceptable to expect families to live and thrive in houses that are cold, damp and difficult to heat.

As I am sure many members are aware, there has been a significant reduction in the number of families who live in fuel poverty, but we cannot be complacent. In making energy efficiency a central element of the standard, we are clearly demonstrating our on-going commitment to tackling one of the most unacceptable aspects of social housing in this country. The standard will also improve the health and safety of residents through measures such as ventilation to address condensation and double-glazing to help to shut out external noise.

We consulted widely on the target date for meeting the standard and we know that we must balance aspiration with realism. On the basis of the recent Scottish house condition survey, we estimate that about 70 per cent of Scotland's social housing falls beneath the new standard, although many houses may be missing it only marginally. We have asked landlords to let us have by April 2005 their plans for meeting the standard. I believe that an achievable, but challenging, date for meeting the standard should be 10 years from submission of the plans. Therefore, I can announce that the national target for achieving the standard throughout Scotland will be 2015. The onus will be on local authorities and registered social landlords to plan how they will deliver the improvements for their tenants by the due date. Failure to deliver the standard will be unacceptable and landlords who do not deliver can expect some hard questioning from ministers and from our regulator, Communities Scotland, about why they are denying their tenants better housing and better services.

I will move on to discuss how local authorities can fund the necessary work to meet the new standard. As I have said before, I want to get beyond debates about ownership to focus on the key objective of meeting the new standard. It is for each local authority to choose the option that meets its circumstances. Some local authorities will use the flexibility of the prudential regime to generate the necessary investment, as long as that is affordable in the long term.

I am pleased to announce a further significant change—I will give councils flexibility in the use of their housing receipts. I am pleased to announce that the rules that require councils to set aside some of their housing capital receipts to repay debt will be abolished from April 2004. Councils will be free to make their own decisions about how they use their housing capital receipts so, depending on their circumstances, they will have a choice about whether to use their receipts to invest in houses or to repay debt. The Convention of Scottish Local Authorities and councils will welcome the proposal, which they have pressed hard for—as have a number of members—over a number of years; they have argued that that

choice is necessary to allow them to make that investment in their stock. In future, we will keep a close eye on how the abolition of set-aside affects local authority housing debt and, if necessary, we will act within the rules of the prudential regime.

All of that will free up considerably the financing options that are open to local authorities. It is now up to them to maximise the investment opportunities that have been made available to them. In making such decisions, they will need to take a hard look at the opportunities that are available for securing investment. Doing that will include examination of how they deal with their housing debt in the long term, but it will not be acceptable to burden current or future tenants with excessive rent increases simply to allow the housing stock to be retained under local authority control. As part of the monitoring arrangements for the prudential regime, rent levels and the level of debt will be kept under review.

We have reviewed the community ownership process in order to improve and streamline it and we have been ably supported in that work by a group of external advisers, whose contribution I acknowledge gratefully. The group's report is being published today and copies are being placed in the Scottish Parliament information centre.

At the centre of the new approach will be the community ownership programme through which local authorities that wish to undertake either whole or partial stock transfers will progress. For them to get on the programme, local authorities will need to have a political commitment to community ownership, a timetable that has been agreed with the Executive, the skills to deliver a complex process, an assessment of the financial requirements and evidence of tenant involvement. The Executive will work with local authorities that want to get on to the programme and once they are on it, authorities can expect detailed help and support from Communities Scotland.

Although undertaking transfers will be challenging for all involved, the process will bring considerable opportunities for new investment in housing and communities. The new approach should allow the complexities to be managed effectively within tight but realistic timetables. That approach should also more quickly bring benefits to tenants in two ways: by creating a reliable process to reach transfer and, as I will describe, by allowing investment to take place in advance of transfer.

As the review group emphasised, major investment in housing in disadvantaged areas needs to be accompanied by wider regeneration efforts to produce sustainable change. That is why I announced last year that we will provide funding of up to £175 million to support wider regeneration

as part of a community ownership proposal, which will be available to authorities that are planning either whole or partial stock transfer.

The priority for use of the funding will be regeneration activity that is linked directly to the transfer, such as new affordable housing or environmental improvements. When local authorities have got on to the community ownership programme, funding will be made available to them straight away to start work. Of course, each transfer will have its own particular needs and the regeneration funding will be available to support other initiatives in order to ensure sustainable regeneration of the broader neighbourhood.

I am very keen to make progress, so for those authorities that want to access the funding in support of a community ownership proposal, my message is clear: the funding is there and the framework for accessing it is now in place. The next stage is for local authorities to decide whether they want to go for community ownership.

If authorities want to be part of the next wave of community ownership and to benefit from this significant funding, they need to decide, and quickly, on the way ahead. They will need to keep up the momentum and to be disciplined in using the funding, because allocation that is not used within the agreed time will be withdrawn.

As I am sure would be expected of me, I have listened carefully to the views of the local authorities that can improve housing quality without having to transfer their housing, but which find that the scale of their regeneration needs are beyond their resources. I have decided that, subject to clear criteria, we should widen access to the new regeneration funding. The funding will be available to authorities that have a robust delivery plan to achieve the new housing quality standard for the housing stock that they retain. Importantly, those authorities will have significant areas of deprivation that have wider regeneration needs.

By linking housing investment to wider regeneration, we will be more able to ensure that funding reaches the areas of greatest need. We all share an interest in ensuring best value in the use of public sector funds, so local authorities must be able to show that they are maximising the opportunities that are offered by the combination of investment in their stock and the regeneration funding. Bids for the funding will be considered in early 2005 when we see local authorities' delivery plans on how to achieve the new quality standard.

Our policy of allowing local authorities to take on management of Communities Scotland's development funding remains in place. If authorities wish to take over that funding, however, or to retain it once it transfers, they will

need to produce delivery strategies that meet standards that are acceptable to the Executive.

Today's announcement puts in place the framework for driving up the quality of Scotland's social housing, and it puts in place a streamlined community ownership process that will allow authorities access to the substantial funding that will be available for wider regeneration. The Executive has delivered a coherent and comprehensive policy framework that offers viable alternatives for local authorities against an immovable commitment to deliver our new quality standard.

I expect local authorities to decide, and to decide soon, how they will use this comprehensive framework to deliver what is in the best interests of their tenants. Presiding Officer, the approach to housing that I have presented is fit for the 21st century.

The Deputy Presiding Officer (Trish Godman): A considerable number of members wish to question the minister, not all of whom I will be able to call.

Ms Sandra White (Glasgow) (SNP): I welcome most of the minister's statement, in particular the relaxation on capital receipts, which is long overdue. My question is on the £175 million regeneration fund. The minister said that priority would be given to local authorities that wish to engage in stock transfer and she then said that access would be extended to other local authorities that do not wish to transfer their stock. Who will have first priority? Will local authorities that wish to transfer their stock have first access to the £175 million regeneration fund, followed by local authorities that do not wish to transfer their stock?

Ms Curran: I laid out some of the detail in the statement, which Sandra White may wish to reflect upon. I am sure that we can discuss the matter further. Broadly speaking, priority will be given to local authorities that are on the community ownership programme, because they will have detailed strategies on how to meet the standard and how to deliver. All local authorities will be required to present robust delivery plans and within that context decisions will be made about how retaining local authorities can access the funding. I will be happy to report appropriately to the Parliament on progress in that matter.

Mary Scanlon (Highlands and Islands) (Con): I welcome the minister's commitment to council housing stock transfer and I hope that the size of the new associations will ensure that the tenant's voice is heard. I also welcome the commitment to protect tenants from the high rents that are levied simply to allow councils to retain their housing stock. I highlight the fact that the weekly rent in

Highland Council area is £12 higher than in Moray Council area.

Although the minister mentioned the cross-tenure Scottish housing quality standard on page 2 of her statement, the rest of the statement concentrated on social housing and local authority housing. What is being done to assist the private sector and, as I have asked before, the agricultural and landowning sector to meet that housing standard?

My second question is about what the minister read from page 3 of her statement. She said:

"Failure to deliver the standard will be unacceptable and landlords who do not deliver can expect some hard questioning from ministers".

That could apply to many council functions. It is a serious matter. What sanctions will the minister apply if councils that retain their housing stock, and other landlords, do not meet the housing quality standard?

Ms Curran: Mary Scanlon asked a range of questions, as usual. I will work my way through them. If I do not address them fully I will correspond with her as appropriate.

Mary Scanlon's first broad question properly drew attention to our policy in Scotland to have a cross-tenure standard. The resources that are at my disposal will be targeted at the social rented sector. I think that Mary Scanlon would support that. She will be aware of the comprehensive framework that we are introducing as a result of the housing improvement task force, which provides a way forward that will meet some of the challenges in the private rented sector and the private sector broadly. I am sure that she will agree that we cannot substitute government for personal responsibilities, particularly when people have substantial resources of their own to meet the standard. I hope that that in some way answers Mary Scanlon's point.

I concur strongly with the view that tenants should have as many choices as possible so that they can have the benefits of the opportunities that we provide for them and I encourage them strongly to make such decisions. We see community ownership as being a constructive model, but we openly acknowledge that some tenants do not wish to have that model, and that it is not appropriate for some local authorities, which is why we have moved matters forward as we have.

Mary Scanlon will also be aware that we have in recent years developed the operation of Communities Scotland, which we see as having an arm's-length role in regulation and inspection. Recent events indicate that some people are just beginning to come to terms with that fairly new development within housing in Scotland, but I am

sure that strict words from me would be a deterrent for most people. Nonetheless, we view attending to the regulatory regime as part of the answer to the question.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): I was pleased to welcome the minister to my constituency last week to meet registered social landlords and the local authority to address housing issues in the Borders and to see the close working between all the agencies and the council. One of the difficulties that Scottish Borders Housing Association has with regeneration is the higher than average proportion of small blocks of flats of which it has part ownership. If the target is to meet the tolerable standard for common stairwells, lift lobby courts and drying areas, that will put a burden on community landlords such as SBHA. I hope that we will have a follow-up meeting, but will she consider the target flexibly and give support to SBHA in that area?

Ms Curran: I do not know whether I can give the direct commitment that Jeremy Purvis might wish me to give this afternoon on that matter.

There are two key points. We have found that, as a result of community ownership, landlords were in some ways achieving higher standards than the standard that we have laid down. That is possible. We would need to examine the standard that was proposed in SBHA's business plan when it undertook the stock transfer.

Nonetheless, I accept Jeremy Purvis's broader point about regeneration of the community and linking housing standards into the broader strategic planning of community use and land and all that goes with that. In my visit to the Borders, I found some very interesting issues for discussion. When we talk about regeneration, we do not think of it purely in an urban context—I am sure that Jeremy Purvis is glad to hear me say that. There are stereotypes of the meaning of deprivation and need, which are strong in urban Scotland and remain a key priority for us, but we know that regeneration comes in many shapes and sizes, and that is why we have flexibility within the programme.

Marilyn Livingstone (Kirkcaldy) (Lab): I welcome the minister's statement. In particular, I welcome the relaxation on capital receipts. Many of my colleagues in Fife Council will welcome the statement.

The minister went a long way to answering part of my question and I am glad to hear her say that there will be flexibility in individual approaches to regeneration because, as I have discussed with her, I would like a different approach from that which has been taken until now to be taken in the regeneration area in my constituency in order to

move regeneration forward. I am happy to talk to the minister individually about that, but what day-to-day difference will the quality standard make to tenants throughout Scotland?

Ms Curran: I thank Marilyn Livingstone for that and I recognise the strong efforts that she has made in developing housing policy in Scotland in recent years. She has been a strong campaigner for her constituency, often to my cost, and I look forward to discussing with her how the new approach applies in those circumstances.

The introduction of the standard will make a considerable difference to the ordinary lives of tenants in Scotland. I will emphasise three themes that are highly significant. The quality standard will make houses energy efficient, with a high standard of insulation and efficient full-house central heating, which is a significant step forward. The standard will also ensure that houses are equipped with modern, good-quality bathrooms and kitchens and, fundamentally, that they are safe and secure, as it will include smoke detectors, secure access doors, safe electrical and gas systems and common areas and facilities that are in good and safe order. I could go into some of the detail of that, but in and of itself, it is a strong statement for the future of Scotland's housing.

Patrick Harvie (Glasgow) (Green): I, too, welcome much in the minister's statement, but I confess to being a little disappointed because, although I read in the housing improvement task force's report that the

"Scottish Housing Quality Standard will also apply across all tenures",

we now see that it focuses specifically on the social rented sector. Has the minister included in her thinking on the standard the concept of regulation of private landlords, which would allow the same high quality in housing standards—accessibility, home energy efficiency and so on—to apply to them? That has come up in proposals, promoted by Cathie Craigie among others, for the Antisocial Behaviour etc (Scotland) Bill.

Ms Curran: I thank Patrick Harvie for that question. I recognise his interest in housing standards, particularly in respect of how they relate to energy efficiency. When I was giving my answer about cross-tenure issues and the focus on the social rented sector, I did not want to diminish the significance of the people who live in the private sector and of the standards that they, too, properly deserve. I was merely pointing out that we need to develop a variety of frameworks, and the housing improvement task force is particularly important in that regard. That is what I have been concentrating on this afternoon.

As members will be aware, we are examining the issue of private landlords as we develop and

respond to the task force's work. The issue in that regard is whether or not to regulate under the Antisocial Behaviour etc (Scotland) Bill, although that bill deals with a very specific area. When we—I hope—introduce further housing legislation, we will consider the issue that Patrick Harvie raises. In any event, I acknowledge the point that he makes.

Stewart Stevenson (Banff and Buchan) (SNP): I listened with great care to the minister's statement and will read it with even more. I heard little in it about the involvement of tenants. Clearly, the minister's objective is to make life easier for tenants and I very much welcome the changes that will deliver that. However, the policy rings of something that is being done to tenants and, perhaps, for tenants, but hardly with tenants. I heard nothing whatever to suggest that tenants will be at the heart of, and leading, the policy. What role will there be for tenants? Will it simply be a matter of organisations—once again—doing things to tenants and for tenants?

Ms Curran: I have many faults, but I would not have thought that my commitment to tenant involvement was one of them. Stewart Stevenson will know that I am a strong advocate of community ownership. That is partly because of the financial sense that it makes, but it is primarily because it allows for a whole model of tenant involvement, which I think offers solutions to housing issues. It is about a drive to improve standards. The people who live in a house will have a real motive to sort out the fundamental problems that can arise. I can give Stewart Stevenson a categorical assurance about my commitment to ensuring that tenants are involved in as many processes as can be facilitated.

We should not forget that our proposals are being developed within the context of the Housing (Scotland) Act 2001, which was passed during the previous session. That act laid down the highest standards possible for tenant involvement, through financial support as well as by ensuring that tenants are involved appropriately in issues that affect their housing. I would never wish to imply that just because a particular point is not particularly emphasised at a given time it might somehow be allowed to be neglected at another time.

In bringing forward the policy, we have engaged in widespread consultation with a variety of housing interests—as members would expect—and tenants organisations were involved. A number of the organisations that we consulted involve tenants in their own processes. I would never wish to indicate that we expect landlords' services simply to be done to tenants; they should always be done with tenants and with tenants' involvement.

Murray Tosh (West of Scotland) (Con): I take what the minister has just said absolutely seriously and I believe her implicitly. She will know that much of the need for housing exists not among tenants, but among housing applicants. I think that the minister referred in her statement to £175 million of new money for regeneration, and she indicated that that would be available for new and replacement buildings for those who live in the worst housing in the social sector.

Based on the research on housing need that she has cited, does the minister accept that any such development for regeneration purposes should not count against her quantitative target that there should be 6,000 new houses per year? Does the minister accept that the research that she has cited shows that that target is driven by household formation needs in a relatively narrow range of council areas, and that there is therefore a need to resource the programme at the levels that the research shows are required?

Ms Curran: That was interesting, as ever—Mr Tosh really does his research. A number of strands would be involved in answering his question. I should say that I am not announcing a new £175 million—I have to be honest and clear about that. That is money that was announced previously; the statement was about how we will spend it.

We have our partnership commitments, which we will honour and which we will ensure are fulfilled. We have acknowledged that we also need to consider some deeper issues if we are to meet the range of housing needs in Scotland. It is partly a question of quality and standards, which is one aspect of what today's announcement is about. It is a matter of ensuring that we deliver on quality and standards which—I am sure that Murray Tosh would agree—remain a central plank of any effective housing policy.

We must also ensure that we understand supply and affordability so that people can access the housing choices that they want. If we are aiming for economic growth, we must ensure that we have a complementary housing policy that works with that. I will resist the temptation that Murray Tosh offers me to get into a battle about specific numbers, because that is not where we need to be at the moment. We must understand the supply demands that we have, and the geographic pattern of need: Jeremy Purvis and Murray Tosh have had many discussions with me about that.

We need to understand the opportunities and challenges that exist as we try to progress. Someone might want housing to be built in an area in which that might not be possible because of various constraints. The Executive has instituted a review of affordable housing and we are engaging with key sectors and stakeholders to

map out the challenges and options. I assure Murray Tosh that the issue is serious for us and that we will pursue it. I look forward to our debating numbers in the future.

Johann Lamont (Glasgow Pollok) (Lab): How will the new housing standard be monitored in order that it can be sustained once it has been established? How will the minister ensure that the standard and the system of monitoring will not be unwieldy, given the significant regulation that exists, particularly in the social rented sector, which one could argue might on occasion take away from important work that is being done with tenants? I want to press the minister a little on her plans to extend the standard to the private rented sector, given how important the issue is if the broader community regeneration that she mentioned is not to be undermined. Does she recognise that a first step would be to consider connecting the entitlement of the private sector to publicly funded rental income to the establishment of standards for that entitlement?

Ms Curran: I am glad that Johann Lamont is my friend; I do not know what she would say to me if she were my enemy. I will go through what she said and if I do not answer all that she asked I will be happy to correspond with her. We plan to monitor progress towards meeting the standard as we go through the next 11 years to the delivery date. All social landlords will be required to prepare standard delivery plans, which must be submitted by April 2005. There will be a monitoring arrangement to ensure that those plans are implemented and Communities Scotland will, of course, play that role on behalf of Scottish ministers. I emphasise to Communities Scotland that I am sure that it is capable of managing the balance between effective monitoring and accountability in order to ensure effective implementation and to facilitate other tasks that landlords will have to undertake. Of course there will have to be appropriate engagement with landlords on that.

I know that Johann Lamont has a strong interest, which she has pursued, in private landlords. We are examining possibilities for how we will in future legislate in relation to private landlords. We are considering the standards in various aspects of housing that is provided by private landlords, and we are considering their responsibilities. Again, we will engage appropriately with Parliament and the Communities Committee as we proceed.

Shona Robison (Dundee East) (SNP): I congratulate the minister on at long last adopting Scottish National Party policy on housing capital receipts. However, has she visited councils that are using those resources to invest in their stock and, perhaps, to add to their stock by once again

building quality homes for rent to help meet the Executive's pledge that there will be 18,000 new homes for social rent by 2006?

Ms Curran: I will resist the temptation to answer back on Shona Robison's party-political point. Members should not encourage me, because I am running out of time. My answer to her point about supply is similar to the answer that I gave Murray Tosh. Obviously she will agree with Labour's policy of ensuring that there are proper standards for Scotland's housing and I am sure that she would congratulate us on our drive to deliver those standards, which is what I am focusing on today. The supply of housing is obviously of importance to the development of housing policy and the delivery of housing in future. We are developing various strategies on that.

Furthermore, I could of course tell the member about the size of the community development programme, the substantial resources that it liberates for local authorities and the prudential regime that will open up all sorts of investment opportunities. I am sure that, in the light of all of that, the member will congratulate us on our policy.

The Deputy Presiding Officer: I regret that I have not been able to call everyone—I note that I still have a considerable number of names on my screen.

Elaine Smith (Coatbridge and Chryston) (Lab): On a point of order, Presiding Officer. Under standing orders, should members, when they want to ask questions following a ministerial statement, wait until the minister has finished the statement and the Presiding Officer invites them to press their request-to-speak buttons, or should they press their request-to-speak buttons at any time during the statement?

The Deputy Presiding Officer: I was in the chamber when the Presiding Officer indicated what to do—you should have pressed your button when the minister rose to speak.

Energy Bill

The Deputy Presiding Officer (Trish Godman): The next item of business is a debate on motion S2M-788, in the name of Jim Wallace, on the Energy Bill, which is UK legislation, and one amendment to that motion.

15:46

The Deputy Minister for Enterprise and Lifelong Learning (Lewis Macdonald): Members will be aware that the Enterprise and Culture Committee considered a Sewel memorandum on the UK Energy Bill last week, when Allan Wilson and I set out the many reasons why we believe that the UK Energy Bill should be widely welcomed in Scotland. We also addressed the issue of just what is devolved, or executively devolved, and therefore part of the Sewel process. I regret that the amendment in the name of Chris Ballance means that that issue must be addressed again today.

Mr Ballance's amendment would have us believe that the Energy Bill as proposed will disadvantage the Scottish renewables industry and endanger our renewable energy targets. In fact, the clauses in the bill that deal with renewable energy in areas that are devolved are entirely supportive of the aspirations of the industry and the Executive. I will return to those in a moment.

Another part of the bill establishes the British electricity trading and transmission arrangements—BETTA. This is the first time that there will be such arrangements for the whole of Great Britain; at the moment, the status quo involves separate markets for Scotland and for England and Wales. I suspect that that is the focus of Mr Ballance's concerns.

Let me make two fundamental points. First, on the part of the bill that establishes BETTA, the matter is entirely reserved. It is not covered by the Sewel memorandum or the motion that we have lodged today. That is not a pedantic point. Because the matter is reserved, the UK Parliament does not require our consent in order to legislate to set up BETTA. If this Parliament declined to agree to the Sewel motion, we would lose the benefits to be had for renewable energy in devolved areas without making the slightest difference to the part of the bill that establishes BETTA.

Chris Ballance (South of Scotland) (Green): Does the minister accept that that part has an extremely disadvantageous effect on devolved issues and is therefore relevant for this Parliament to debate?

Lewis Macdonald: I do not accept that for a moment. I will return to devolved issues in a moment but the amendment that Mr Ballance has lodged is fundamentally flawed because it claims that there will be a disadvantage to renewable energy.

I know that people have concerns about BETTA, so I will stress that the part of the Energy Bill that establishes BETTA is enabling. The matters that cause concern to the energy industry do not lie in the bill—even in those parts of it that deal with reserved matters. The bill simply allows BETTA to be established. Before the part that establishes BETTA can come into force next April, the Office of Gas and Electricity Markets will have to resolve key issues such as transmission charging and connections for small generators before it issues a licence to the grid operator.

Therefore, even if this Parliament had and exercised powers to delay the BETTA legislation, it would just delay the establishment of a single British market for electricity. I remind members that that single market will be hugely helpful to Scottish electricity generators and renewables exporters. What the industry needs most is the best possible implementation of BETTA; what it needs least is any delay in the bill. However, as I have said, this Parliament has no powers in relation to BETTA, which is why Mr Ballance's amendment is wide of the mark.

We have the ability to influence the final content of the licence conditions and we also have very positive support for our renewable energy policy from our colleagues at the Department of Trade and Industry. It was thanks to our representations and the support of the DTI that, last June, Ofgem abandoned proposals on zonal distribution charges under BETTA that would have disadvantaged the Scottish industry. That is the combination that we believe will resolve the outstanding issues favourably before BETTA comes into force. I reassure members of all parties that we will continue to give high priority to resolving those issues in a way that ensures that Scottish renewables producers are not disadvantaged in the new British market.

The Sewel motion deals with two main issues that relate to devolved matters or matters that are executively devolved to the Scottish ministers. The first is renewable energy and the second is nuclear decommissioning.

The bill contains provisions to establish renewable energy zones in the parts of the United Kingdom continental shelf that are beyond territorial waters. The forum for renewable energy development in Scotland, which I chair, is considering how to maximise the opportunities for Scottish scientists and Scottish companies to lead the next stage of the renewables revolution, in

marine energy; wave, tide and deepwater offshore wind. In establishing the zones, the Energy Bill provides the necessary legal and planning framework to allow those technologies to be rolled out. That cannot come a moment too soon.

Legislative authority is reserved in the Electricity Act 1989, but the process of consenting to or refusing large generating plant onshore is executively devolved to the Scottish ministers, and the bill will extend the same executive devolution to waters further offshore. That is hugely important to us.

Another important matter is the provision to have the millions of pounds that Ofgem raised from the auction of certificates under the Scottish renewables obligation paid into the Scottish consolidated fund. The Scottish ministers can make budgetary provision that that money should be used only to promote renewable energy. That is extremely helpful to achieving our targets. Perhaps £4 million or £5 million a year for several years will be devoted to such promotional work. The bill will also extend the market in renewables obligation certificates to Northern Ireland, which is also helpful.

I know that Allan Wilson will say a fair bit about nuclear decommissioning when he responds to the debate. The nuclear decommissioning provisions are also to be welcomed. The bill will create a nuclear decommissioning authority, which will be accountable to UK and Scottish ministers, to oversee the decommissioning of public sector nuclear sites. The NDA will report to ministers in both Parliaments. It will have a statutory duty to have regard to the need to safeguard the environment and it will have key performance indicators on health, safety and the environment, for which it will be accountable. On the environment, the NDA will be accountable to the Scottish Environment Protection Agency, which will remain the regulator for waste management and discharges in Scotland.

On all those matters, reserved and devolved, and on renewables and dealing with nuclear waste, the Energy Bill will bring real benefits to Scotland. My response to Mr Ballance's intervention is that the provisions that relate to renewables create renewable energy zones offshore, allow money from auctioning certificates to be given to us to promote renewable energy and extend the market to Northern Ireland. Those are the devolved matters in the bill.

Alasdair Morgan (South of Scotland) (SNP): Will the minister give way?

Lewis Macdonald: I am happy to take Mr Morgan's intervention if the Presiding Officer permits me to.

The Deputy Presiding Officer: If it is very quick, I will allow the intervention.

Alasdair Morgan: It will be quick. Does the minister think that the benefits to Scotland would be more enhanced if provisions about consultation were extended to the reprocessing of spent or irradiated nuclear fuel?

Lewis Macdonald: It is clear that the bill and the Sewel process address the matters for which powers have been devolved legislatively or executively. Fuel reprocessing is not executively or legislatively devolved, which is why the Sewel memorandum does not cover it. Therefore, neither the memorandum nor the bill includes such a consultation provision.

We are clear that, in co-operation with Westminster, we are seeking to make the most use of the devolved powers that we have through the bill, which is going through the Westminster Parliament. The bill will give us funds, access to the market and opportunities to promote renewable energy and to improve the disposal and management of nuclear waste for many years to come.

I move,

That the Parliament agrees that those provisions in the Energy Bill that relate to devolved matters and those that confer executive powers and functions on the Scottish Ministers should be considered by the UK Parliament.

15:54

Shiona Baird (North East Scotland) (Green): The reason for having a Scottish Parliament was to allow debate and decisions on matters that have a direct effect on Scotland. A decision to hand responsibility back to Westminster through a Sewel motion must be taken with careful and transparent deliberation.

If we rush to agree to the Sewel motion, serious issues in the UK Energy Bill may well be glossed over. How can we be assured that the minister is as concerned as we are about the strength of Scottish powers to influence decisions, especially in the light of the Government's response to Lord Gray of Contin's amendment, which would have required the secretary of state to gain the Scottish ministers' approval before issuing a direction to the proposed nuclear decommissioning authority? The Government's reply was:

"We could not require agreement to be reached as a result of consultation; otherwise, we would be involving joint powers, not consultation."—[*Official Report, House of Lords, Grand Committee on the Energy Bill [HL], 20 January 2004; Vol 656, c GC259.*]

Surely the Executive does not want to absolve itself of such a vital function where there are serious concerns for the people of Scotland. We really would then lay ourselves open to being called mere puppets.

The Deputy Minister for Environment and Rural Development (Allan Wilson): Will the member take an intervention?

Shiona Baird: I am sorry, but I do not have a lot of time. The minister will get a chance to speak when he sums up. I am being allowed only four minutes, so I had better keep going.

The Parliament should not allow itself to be treated like a mere consultee, but should insist on joint powers for handling radioactive waste, for example.

I gather that at least 10 consultation, guidance and policy documents on setting up the nuclear decommissioning authority are in various stages of preparation and consultation. How can we agree with any confidence to the proposals relating to the work of the NDA when there is still so much detail to be decided on?

It is worrying that the UK Energy Bill does not give the new NDA any overarching environmental objectives that are based on a clear set of environmental principles. Currently, it seems that the NDA's strategy development is based more on meeting "regulatory requirements", with no clear environmental principles enshrined in the bill. In our country, there could be truck loads of nuclear waste going down the A9 daily from Dounreay to Sellafield without our having any say about that.

I turn to other serious concerns with the UK Energy Bill as it stands. There are concerns about the cost implications of the proposed new British electricity trading and transmission arrangements and how those could have a major impact on the development of renewables of all kinds in the north of Scotland. Unless that matter is resolved satisfactorily, we could well see the first working wave machine heading for the much more responsive economic climate in Portugal. If that was allowed to happen, we really would have to ask serious questions about the Executive's commitment to the fledgling renewables industry. There must be a much more robust investigation into the reality of the differing electricity transmission lines and the costing differentials between distribution and transmission lines.

Those are just a few areas of concern that we and many others have about a very incomplete bill. We cannot possibly sign away our responsibility to the people of Scotland in such a casual and cavalier fashion. I ask members to support the amendment and ensure that the Parliament plays its rightful role in deciding what is best for Scotland in Scotland.

I move amendment S2M-788.1, to leave out "agrees" and insert:

"believes that the Energy Bill as proposed will disadvantage the Scottish renewables industry, endanger the Scottish Executive's targets for renewable energy development, establish a UK Nuclear Decommissioning Agency for the management and handling of radioactive waste with no environmental objectives and maintain the current lack of Executive powers over stored radioactive

waste; considers that these issues of concern could be resolved through consultation with Her Majesty's Government to the satisfaction of this Parliament, and therefore until those issues have been resolved does not agree".

15:58

Roseanna Cunningham (Perth) (SNP): The UK Energy Bill will effectively set up a new cross-border public body—the nuclear decommissioning authority—which, as Shiona Baird has said, will not have any statement whatsoever of environmental principles at its inception. What is there instead? There is a clear statement of what is required—duties regarding maintenance of skills, promoting competition and value for money—but the NDA must only have regard to the need to safeguard the environment. Given that the waste material that we are discussing has implications for the environment that will continue for thousands—indeed, for tens of thousands—of years, it is astonishing that concern for the environment is not at the heart of the new authority. The SNP believes that it should be.

Allan Wilson: The member correctly refers to the NDA having a statutory obligation—indeed, a duty—to have particular regard to the need to safeguard the environment. To fulfil that obligation, will it not have to demonstrate that it has carried out that duty to the satisfaction of the independent regulators?

Roseanna Cunningham: Why, then, are the environmental principles not enshrined in the bill?

The current UK nuclear regulatory system is in chaos, but the NDA will be required only to meet quite inadequate regulatory requirements. Instead of statutory guidance for SEPA, there will be memorandums of understanding, which will probably not be worth the paper that they are written on, especially when commercial and economic considerations seem to be more important than environmental considerations. Given that statutory guidance for SEPA is long overdue, can we expect the minister to publish draft guidance on radioactive discharges in the near future?

To give a direction in Scotland, the Secretary of State for Trade and Industry will have only to consult the Scottish ministers. Many of us here might suspect that, in that context, the so-called consultation with the Scottish ministers will smack more of telling them than of consulting them. Certainly, the ministers should not rule out the possibility of being overruled. Frankly, I do not see anything in the bill that ensures any accountability at all, despite what the minister said in his opening speech.

Nuclear waste storage is currently regulated by Her Majesty's nuclear installations inspectorate,

and SEPA gets responsibility only when the waste is to be disposed of. The NII has no duty of public consultation, but SEPA has. Shifting NII responsibilities to SEPA would increase public involvement; therefore, I ask that, instead of agreeing to this Sewel motion, we should seek the transfer of responsibility for the regulation of waste storage from the NII to SEPA, so that SEPA deals with both storage and disposal.

The bill will allow fast-tracking of the transfer of radioactive discharge authorisations, which process has been one of the few opportunities for public consultation on the operation of a nuclear site. Clause 3 of the Energy Bill also allows for the NDA being allocated responsibility for the decommissioning and cleaning up of Ministry of Defence sites, which may end up including the management of nuclear submarine decommissioning. Can the minister point me to anything in the bill that, if that should happen, will prevent the imposition of a nuclear waste storage site in Scotland for nuclear submarine waste?

As for British Energy, this is obviously a massive Government bail-out in the course of which the bill appears to open the door to public funding for future private nuclear operators. That is being discussed even at the European level. What we need is a Scotland-wide debate on the best option for dealing with spent nuclear waste and on the nuclear industry as a whole. Does the minister intend to initiate such a debate any time soon? We need to be vigilant when these issues are being discussed, especially when they are being discussed outwith Scotland and a long way away from any public involvement.

We know that, through the years, a large number of sites for nuclear waste disposal have been identified, the majority of which have been in Scotland. We also know—and any conversation with Nirex will confirm this as fact—that there exists a secret list of 12 sites, of which only two were ever made public: Sellafield and Dounreay. That list has been in existence since 1988 but Nirex is not permitted to publish it. Given that background, it is vital that Scotland should retain as much control and public involvement as it can in this area. Of course, I would argue for total control. Westminster has created a mess, is erecting a smokescreen of consultation documents, has produced and continues to produce nuclear waste that it cannot deal with satisfactorily, and is bailing out British Energy at a cost to the taxpayer. How can that be allowed to continue with only the fig-leaf of consultation for Scotland? The minister should be ashamed of himself. In fact, both ministers should be ashamed of themselves, as I assume that the closing remarks will simply echo the opening remarks.

I listened to what the minister had to say about BETTA, but I am afraid that the concerns in the

industry mean that it is not so sanguine. I have great sympathy for the substance of the Green amendment; however, notwithstanding what Shiona Baird said, it unfortunately implicitly accepts a Sewel procedure that we do not accept.

16:03

Murdo Fraser (Mid Scotland and Fife) (Con): Energy is an area that is largely reserved, but of which specific aspects are devolved. The UK Energy Bill deals with matters that affect the UK but impact on Scotland. We believe that, as we have an effective single energy market throughout the UK, it makes sense for measures to apply equally north and south of the border. We therefore have no difficulty in supporting the principle of the Sewel motion on the bill. For the same reason, we will oppose the Green amendment.

I take issue with what Shiona Baird said about our having no say in what is going to happen. We still send members of Parliament to Westminster to represent Scottish interests. I appreciate that that may be an uncomfortable fact for the Greens and the Scottish nationalists, who wish that situation to come to an end, but it is a fact that we have members of Parliament at Westminster to represent our views, and that will continue to be the case.

Nonetheless, we have some reservations about some of the proposals in the bill, and I will take a moment to draw members' attention to those. The largest fault with the bill is a fault of omission in the serious lack of a clear energy strategy for the future of our country. We know about the Government's target for renewable energy: 40 per cent by 2020. It is interesting that even the former Minister for Energy and Construction, Brian Wilson, is now questioning whether that is achievable. Up and down the land, local communities are faced with the threat of large onshore wind farm developments on their doorsteps, which will potentially radically alter our rural landscape. I am sure that all members have received concerns in their mailbags about those developments.

However, even if the target is met, the real question for the Government is, where will the other 60 per cent come from? Virtually every conventional or nuclear power station in Scotland is expected to have reached the end of its life before 2020. How will we generate the other 60 per cent to keep the lights on and keep us warm? Will it come from fossil fuels? If so, where will new gas-burning stations be built? Will it come from nuclear power? If so, what are the Government's proposals to extend the life of Torness and Hunterston or to replace Chapelcross? We heard from British Nuclear Fuels Ltd at the Enterprise

and Culture Committee yesterday that the last nuclear plant in Scotland will close by 2023 at the latest.

Lewis Macdonald: Does Mr Fraser accept that the position that Governments have taken on the matter is that the issue of nuclear power cannot be properly and adequately addressed until the issue of nuclear waste has been successfully and adequately resolved, and that the Energy Bill is moving us firmly in that direction?

Murdo Fraser: I hear what the minister is saying, but a serious supply gap needs to be addressed. The evidence that we heard at the committee yesterday was to the effect that decisions need to be made now and that the threat of nuclear waste is much diminished, in comparison with what it was in the past. A gap must be filled and the Government must plan now to fill that gap, otherwise we will not have energy for the future.

Chris Ballance: Will the member give way?

Murdo Fraser: No. I am sorry, but I am short of time.

The bill talks about creating a nuclear decommissioning authority. Radioactive waste policy is devolved and responsibility for its implementation lies with the Scottish Environment Protection Agency, so there is a case for Scottish input into the completion of the legislation. Let us not forget that there are economic opportunities from decommissioning and that we have skills in Scotland that can be used, not least at Dounreay.

We have also heard about BETTA and I welcome what the Deputy Minister for Enterprise and Lifelong Learning had to say about that matter. However, I say to him that he has some way to go to convince the renewables industry that the situation is as he pointed out. There is still widespread concern out there about the impact of the new arrangements.

In the north of Scotland, the hydro subsidy is to go as a result of changes in European Union rules. I am pleased that, in the bill, the Government recognises the need to share the higher transmission costs in the north of Scotland across the rest of the United Kingdom. We are entering a period when the north will contribute even more than its fair share of generation as the renewables industry develops, so it seems only fair that there is no financial disadvantage to customers there.

The bill raises important issues that affect Scotland, but as energy policy needs to be considered across the whole of the UK—not just in Scotland in isolation—a Sewel motion is the correct way forward. Nevertheless, I hope that the points made in the debate will be taken on board by the DTI and that, in particular, we will see a real

commitment to a sensible energy policy to meet our needs in the years to come.

The Deputy Presiding Officer (Murray Tosh): I advise members who wish to speak in the open part of the debate that I will give them only four minutes.

16:08

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): While the Energy Bill is of the greatest importance to Scotland, I personally have two concerns that I believe the Executive must pursue with the DTI. Those, as the minister has indicated, relate specifically to transmission charges. Obviously, I welcome the fact that cost-reflective charging for transmission will now be standard following the recent review of Ofgem's plans. That has removed one potential barrier to the Scottish renewables industry.

One key concern is with the considerable powers that the bill will give to Ofgem. I understand the principle of cost-reflective charging: it encourages electricity generation to occur closer to the market that uses it and therefore reduces transmission losses. However, the way in which Ofgem proposes to apply the principle threatens Scotland's renewable energy industry, which is important to my constituency and to many other remote rural areas.

As members know, the transmission access charges scheme being proposed by Ofgem will result in a charge of about £21 per kilowatt generated in Scotland, while in the south-east of England, where the market is centred, subsidies of about £20 per kilowatt will be available for renewables generation. That clearly threatens to strangle at birth any wave or tidal energy developments where the resource is greatest—off the north and west coasts of Scotland.

The solution that I hope the minister will pursue is to ensure that the UK Government—in this case, as the minister has indicated, the DTI—is given the power through the Energy Bill to cap the charging mechanism put forward by Ofgem.

Lewis Macdonald: I respond by pointing out that clause 106 of the Energy Bill, as it currently stands before Westminster, gives the secretary of state powers to modify licence conditions where he feels that it is necessary or expedient to do so. That power allows the DTI to direct Ofgem if necessary on the licence conditions that apply.

Mr Stone: I welcome what the minister has said, but we will need to keep an eye on the issue. As I have outlined, the issue is crucial to some of Scotland's remotest areas. Such a provision will simply allow the DTI to step in to solve any problems that might arise in future.

The second point that I want to make concerns the notorious 132kV issue, which is another matter that the Executive must pursue. The key issue concerns the classification of 132kV lines, which are classified as transmission lines in Scotland, whereas in England and Wales—as the minister knows—they are classified as distribution lines. That means that smaller generators that connect into or make use of the 132kV network will face different charging regimes. That could fly in the face of all that we are trying to do.

In my opinion, the current Ofgem proposals to offer a rebate will not be sufficient to offset the discrimination that Scottish generators will suffer. As the minister has outlined, that re-emphasises the importance of ensuring that the UK Government will be able to step in to adjust Ofgem schemes if they disadvantage the renewables sector. I support the solution suggested by the Scottish renewables forum, which has said that any solution must remove discrimination between the way in which generators and consumers are treated in England and Wales and the way in which they are treated in Scotland. I also suggest to the minister that the solution must be what I call time robust, in that it must be able to reflect the changing nature of the Great Britain grid and the increasing levels of renewables generation.

It is appropriate that the Parliament is dealing with the matter through a Sewel motion. The problem with going down the route that has been proposed by my good friends the Greens is that it would, I am afraid, require revisiting the Scotland Act 1998. As Jim Wallace used to say, that would be like pulling the plant out to have a look at the roots again. I commend the Sewel motion to the Parliament.

The Deputy Presiding Officer: We move to open debate. I call Christine May, who will speak from a sedentary position.

16:12

Christine May (Central Fife) (Lab): I am grateful for the permission to speak seated. I did not know that folk would stick knives in my back quite so low down, but let us hope that my back improves.

I welcome the opportunity to debate the motion because the bill contains several measures that are important to Scotland and to the renewable energy industry. I was pleased to have the opportunity to question the minister at last week's meeting of the Enterprise and Culture Committee, at which I received reassurances about the money that Ofgem will pay into the Scottish consolidated fund following the passage of the bill. I particularly welcome that because I hope that the more I mention it, the more chance there will be that some of the money will be spent in my

constituency. If the money is used properly, it will be extremely useful for the promotion of renewable energy. I hope that a significant amount of it will be spent on manufacturing infrastructure and training and on the support industries, which I feel are sometimes overlooked.

Another important feature of the bill is its introduction of renewable energy zones, which will allow offshore development of renewable resources. That could include wind, wave and tidal power, all of which will form an important part of the energy mix if we are to meet our targets. The bill will legislate for applications for Scottish parts of the renewable energy zones to be approved by the Scottish Executive. That will enable us to decide which applications are good for Scotland and which are not.

Although a reserved matter, BETTA will have a profound effect on electricity consumers and generators in Scotland. Once again, I am grateful for the minister's response in the committee that that matter will be Ofgem's responsibility. The minister confirmed that when he responded to the Green member, Chris Ballance. The fact that we have an Ofgem office in Glasgow has proved extremely helpful to those of us who have been carrying out research into renewable energy. I hope that that relationship can improve. As Jamie Stone and the minister himself have mentioned, there are issues about distance from the market and so on.

Perhaps things will not work out in quite the way that we envisage, but we will watch and lobby and bend the minister's ear whenever we feel that generators or fuel suppliers have a genuine case. A UK-wide energy market can only be good for Scotland. It will be good both for customers and for generators, which will be able to expand down south.

The terms in which provision is made for the formation of a nuclear decommissioning authority are significant because they give us more say in the way in which Scottish nuclear power stations are decommissioned. That will ensure that we can achieve the safest and most practicable solution for us.

The Green party amendment suggests that the proposals

“endanger the Scottish Executive's targets for renewable energy development”

and that agreeing to the Sewel motion will somehow put the brake on such development. However, the amendment provides no examples in that respect and I fail to see how Green party members can justify that statement from the proposals before us.

The amendment also mentions the lack of environmental measures. I refer members to

clause 9(1)(b) of the bill, which, as Allan Wilson has pointed out clearly talks about “the need to safeguard the environment”.

The targets will have to be achievable and, indeed, met if that duty is to be carried out.

I really do not think that the industry can wait while we revisit and tear up the Scotland Act 1998 so that we secure rights for ministers to deal with waste. After all, members of the UK Parliament are perfectly able to do that on our behalf.

16:16

Alex Neil (Central Scotland) (SNP): I should first wish Christine May a speedy recovery. I always seem to follow her in these debates, although I must point out that I am in no way responsible for sticking the knife in—as she put it at the beginning of her speech.

I also want to correct a comment that Christine May made at the end of her speech. We do not require a primary amendment to the Scotland Act 1998 to ensure that responsibility not just for the matters covered in the bill but for the whole field of energy is devolved to us; we merely require an order in council to change schedule 5 on reserved powers. The quicker that we secure that order in council to make energy a wholly devolved responsibility, the better. From what Shiona Baird said, I think that the Greens share that view.

I remember the days of the South of Scotland Electricity Board and the North of Scotland Hydro-Electric Board. Both bodies had major advantages for the Scottish consumer, because they were what economists call vertically integrated organisations. In other words, they were responsible for transmitting electricity and distributing the energy that they created. Indeed, both even had retail functions. They represented an A to Z of electricity production, distribution and—if I can use a word that might have been common to Allan Wilson and his predecessors—exchange.

I am concerned about BETTA, which will affect that situation and make us susceptible to changes in regulation that are dictated not by the interests of the Scottish electricity industry or the Scottish economy but by a bunch of bureaucrats in London. I want to concentrate on two of the objectives of the BETTA proposals, the first of which is, according to our briefing from the Scottish Parliament information centre, the establishment of

“A common set of trading rules so that electricity can be traded freely across Great Britain”.

Why do we need common rules for that to happen? After all, we trade freely in electricity with France. Moreover, we in Scotland send electricity

to Northern Ireland without having to observe such trading rules. The idea that it all has to be controlled by a central bureaucracy in London in order to sustain a free market is nonsense. The free market that we are looking for is right across Europe.

Lewis Macdonald: Will the member give way?

Alex Neil: Unfortunately, I do not have the time to give way.

The Deputy Presiding Officer: And you have only one minute left.

Alex Neil: I would love to engage the minister—indeed, I am sure that I will at some stage—but the Parliament’s silly rules mean that I have only one minute left.

Members: Ooh.

Alex Neil: That is not your fault, Presiding Officer. I am sure that you would want me to go on a bit longer.

The Deputy Presiding Officer: You are rapidly consuming what is left of your time.

Alex Neil: The second objective behind the BETTA proposals is the establishment of

“A common set of rules for access to, and charging for the use of, the transmission network.”

As that takes no account of Scotland’s interests, it is little surprise to find not only that Scottish Power criticised those daft proposals but that Scottish and Southern Energy criticised them heavily. Further, the Scottish Renewables Forum said that the proposals as they stand will damage the development of renewables rather than encourage it. Therefore, let us not endorse the bill and let us give the thumbs down in particular to BETTA.

The Deputy Presiding Officer: It always amazes me what you can do with four minutes, Mr Neil.

16:20

Sarah Boyack (Edinburgh Central) (Lab): I welcome the bill because it will provide a new framework for energy policy. However, a couple of things must be said about areas in which I believe more work can be done.

I thought that what Christine May said about the importance of our environmental principles underpinning the bill was right. It is critical for the regulation of electricity trading arrangements and for the operation of the nuclear decommissioning authority that environmental principles are written into the bill. If we are to get the right decisions for the long term, it is not good enough to have a best-value approach that adds on the environment after how things will be done has been sorted out,

when only minor tweaks can be made. Environmental principles must be right up there at the front of the bill.

I read the minister's comments to the Enterprise and Culture Committee—

Shiona Baird: Will the member give way?

Sarah Boyack: No, I have only four minutes.

I want the minister to state more strongly that he will ensure that if we approve the Sewel motion, he will put environmental principles on the UK ministers' agenda. Emphasising those principles is part of our job of protecting the Scottish environment, but I believe that they are utterly consistent with the UK Government's principles on the environment. The UK Government has done a huge amount of work to change UK policy on energy during the past six or seven years. The environmental principles must be in the system.

When we come to deal with the regulation of nuclear waste, it is critical that the framework that is set up enables SEPA to continue to do its important work, which is based on the principle of protecting the Scottish environment. The bill will set up a framework for that. The key thing is to ensure that the detail of the bill is watched as it goes through committee. It is also important to set a framework for cleaning up our old nuclear facilities and sites and moving to a wide-ranging decommissioning programme. That programme has started at Dounreay under the existing regime.

The discussions that have taken place between two grown-up Governments show the way that we must go in the future. The Sewel motion is part of that negotiated system for the future.

It is vital for our economic and environmental future that the bill gets renewables right. I welcome the Enterprise and Culture Committee's commitment to ensuring that the Scottish Executive is fully aware of the representations from the Scottish renewables industry and the whole issue of how we develop the grid in the future. That is critical for the delivery of our target for Scottish renewables and the UK's global aspirations.

I believe that the Greens' amendment totally misses the target. If they want to be critical, they should know that it is not the bill that is the problem but the nature of the BETTA system that is being developed outwith the bill. Changing the bill or refusing to pass the Sewel motion will not make any difference to that at all. What we need to do is to get stuck in and negotiate to ensure that our Scottish ministers are fighting our corner, as they have been doing. We have already had changes for Ofgem on the issue and we want more of that work to be done.

The cross-party renewable energy group is working on this issue. Jamie Stone's detailed

comments on the expansion of the grid and on a fair financial regime that does not discriminate against the vast opportunities that we have in Scotland for renewables were spot on. It is important that Scottish ministers are at the heart of the process and the Sewel motion will let us ensure that. We will need to do other things in the future, such as managing intermittency so that we can deliver on the 40 per cent target by 2020. We must also look at the issue of small-scale and micro-scale renewables, which have not been mentioned during the debate but which are critical. It is vital that we have a regulatory framework that enables us to do that in Scotland, so I add that to the list of issues that I want ministers to take up with their UK colleagues.

It is important that we take the benefits that will come from the bill—the new renewable energy zones and the opportunities for Scottish operators to export to the national grid—but only if we get the framework right through BETTA. That is not in the bill, but the bill enables it. However, the detailed work will come in consultation with Ofgem. Some progress has been made, but much more needs to be made. I ask the minister to address that in his summing-up.

16:24

Phil Gallie (South of Scotland) (Con): It is interesting that I follow on from Sarah Boyack. I do not see a place in the bill for the environmental principles to which she referred. However, I believe that the issue must be addressed because we have set environmental targets. More important, however, are the Executive's aims for Scotland as a whole—for Scotland as a country with a thriving and dynamic economy. That is an important objective that the Executive has set and it is addressed in glossy booklets such as "The Way Forward: Framework for Economic Development in Scotland" and "A Smart, Successful Scotland: Ambitions for the Enterprise Network". The energy industry in Scotland plays a key role in trying to attain the objectives set out in those documents.

Another of the Executive's objectives is the elimination of fuel poverty. Once again, the energy industry plays a crucial part in that. Since privatisation, electricity unit costs have fallen by some 50 per cent. Whatever we do in the energy industry in the future, we must not jeopardise the advantage that individuals and businesses have achieved from that.

I note that at a recent economic and financial affairs council meeting, which was attended by Gordon Brown, there was emphasis on freeing up energy markets, which lies at the heart of the Energy Bill. At the same time, we must all pay tribute to Margaret Thatcher, who led Europe on that aim of achieving freer energy markets.

Alasdair Morgan: Will Phil Gallie give way?

Phil Gallie: I am sorry, but I do not have time to give way.

When I look further into the matter and into the point that Sarah Boyack made about environmental issues, I feel that we are being led by the nose—by Europe, to an extent, and by wider agreements. I refer members to a statutory instrument that we are expected to approve at parliamentary level on European greenhouse gas emissions. It suggests that, across the UK, we must reduce our carbon emissions by some 12.5 per cent, while across Europe the average figure is 8 per cent. I cannot understand why that should be the case, given that we started from a very low base in 1990. I believe that that offers a threat to costs for individuals and businesses.

Mr John Home Robertson (East Lothian) (Lab): Will Phil Gallie give way?

Phil Gallie: I do not have time to give way at the moment.

When I consider other aspects of the issue, I feel that I have to challenge the minister directly, as I have done in recent questions, on the targets set for renewables in Scotland. The target to be achieved by 2010 is 18 per cent, and the target to be achieved by 2020 is 40 per cent. I believe that those targets are unsustainable.

I cannot understand why people in this Parliament take such a negative view of the nuclear industry in Scotland. The generation record at Hunterston and Torness is unsurpassed by any. The nuclear industry has been seen to be the safest of all the means of energy generation. I believe that the Energy Bill will represent a lost opportunity if the Government does not grasp the nettle and develop nuclear stations that will last us the next 20 or 30 years, bearing in mind the fact that other stations will be being phased out by that time.

16:28

Susan Deacon (Edinburgh East and Musselburgh) (Lab): I would like to take this opportunity to comment on the policy-making process that we are discussing today. First, on the issue of the Sewel procedure, I regret that, once again, we have seen a degree of constitutional absolutism coming from the SNP benches in particular. The Sewel procedure is a perfectly valid and appropriate one, which reflects our constitutional settlement. In this area and in others, it is a practical and pragmatic way forward. The fact that certain members continue to be anti-Sewel almost on principle is wearing very thin and becoming very dull to listen to.

However, there are still improvements needed to the process. Today's motion on the Energy Bill is

one of two Sewel motions before the Parliament this week, and in each case the Parliament has had limited time to scrutinise the bills effectively. There are real issues there, and I strongly urge the Minister for Parliamentary Business, although she is not with us at the moment, and the Procedures Committee—I know that both are active in the area—to continue to consider how the Parliament can seek to influence more effectively the development of legislation through the Sewel process.

That said, Sewel motions are but one aspect of the interface between Scotland and the United Kingdom—in energy policy and in policies on a range of other issues that involve complex interrelationships between the Scottish Parliament and Westminster. I venture to suggest that one of the biggest tests that we face, as we move further into the second session of this Parliament, will be to get bigger and better and a wee bit more mature in the way in which we manage that interface. We will not have an effective energy policy, nor will we make effective progress on wider economic and environmental objectives, unless we can get better at working co-operatively, within our constitutional settlement, with our UK partners.

Like others, I acknowledge that good progress has been made by ministers on energy policy. I acknowledge, too, Lewis Macdonald's recent answer to me on this issue at the Enterprise and Culture Committee. However, I am not sure that we have gone as far as we might in seeking to influence policy in this area. We will have to do that on a range of issues that lie ahead, some of which have been touched on today.

I urge colleagues to get away from viewing this kind of debate through a constitutional prism. We do that all too often. The Scottish National Party, as ever, is obsessed with talking about achieving more powers for the Parliament. The party always seeks to provoke constitutional turf wars. However, we should be self-critical. On these benches, we sometimes tread on a few too many eggshells and are not as confident as we ought to be in expressing our opinions. There is a distinction between seeking powers and seeking to influence. Legislation may make it clear that powers are reserved in certain areas, but our analysis and thinking have to be broader.

A number of witnesses in the Enterprise and Culture Committee's current inquiry have floated the suggestion of having some form of Scottish energy strategy policy or framework—call it what you will. We should at least be able to debate that idea with an open mind and to think about what is in Scotland's best interests. We have been prepared to develop a distinctive approach on renewables, to set our own targets and to have

our own committee inquiry. It should not be too threatening or difficult—or too open to political opportunism from people in other places—for us to have constructive discussions on this issue. There are lessons to be learned from the way in which policies in this bill have been framed. I hope that we learn those lessons and improve the process in future.

The Deputy Presiding Officer: I call Richard Lochhead to make a brief contribution.

16:32

Richard Lochhead (North East Scotland) (SNP): As you have given me only two minutes, Presiding Officer, I shall follow Susan Deacon's example and depart from the substance of today's debate. I will talk about energy policy in general and the subject of Sewel motions. If Susan looks at a recent issue of *Holyrood*, she will see that Professor Thomas W Wälde, who is a professor of international economic, energy and natural resources law at the University of Dundee, is calling for the Scottish Parliament to have more responsibility over energy matters. In the article, he says that it is imperative that the Parliament should get more power over offshore resources such as oil and gas. The trend is therefore going against what Susan Deacon is saying. More and more people are arguing for more powers to come to the Parliament.

On issues such as renewable energy and the offshore industry, it is ridiculous that so much power is still reserved to London. Renewable energy is a huge topic in Scotland. We are in the vanguard of the renewables revolution. We should have full responsibilities over all those matters. When it comes to the continental shelf, we should be getting powers not just over offshore wind farms but over the offshore industry in general. Just about every federal state in the developed world devolves responsibility for energy to its constituent parts. This is the only Parliament with primary responsibilities that are similar to the powers of federal Parliaments elsewhere in the world that finds that most energy policy is reserved to the central authority—in our case, Westminster. Only in underdeveloped countries is energy not devolved to federal Parliaments.

We have to address those points. Susan Deacon has to face reality. Energy is a huge issue and we in this country are in the vanguard of energy technology—whether in oil and gas or renewables. That is why the SNP and others in the chamber think that it is important to oppose the use of Sewel motions. We should be taking the decisions here. When people voted for a Scottish Parliament in the referendum of 1997, they expected us to have decision-making powers over the biggest issues that were relevant to their jobs. The oil and gas sector, for instance, has more

than 100,000 jobs in Scotland. It has its own crisis at the moment, but Lewis Macdonald, the minister responsible for energy, who is vice-chair of PILOT, never reports back to the chamber on what he is doing to help the oil and gas sector. We get not one squeak from him about what he is up to.

Lewis Macdonald rose—

The Deputy Presiding Officer: There is no time.

Richard Lochhead: In response to parliamentary questions, all we get back are answers that say that there are on-going discussions between the Scottish Executive and the UK Government. We cannot even scrutinise the Executive on what little power it has over energy policy and perhaps we should address that.

The Deputy Presiding Officer: I am sorry; we just do not have enough time for the normal exchanges. We must go to the closing speeches.

16:35

Chris Ballance (South of Scotland) (Green): The Energy Bill seeks to put into place arrangements for the management of radioactive waste over the following decades. Even though it will affect our children, their children and their grandchildren more than any other piece of legislation that we will debate in this parliamentary session, we are agreeing its proposals without any in-depth scrutiny, any clause-by-clause debate or any chance to lodge amendments. An off-the-cuff remark by Lord Sewel has turned him into a verb in this place—"to Sewel" means to abrogate one's responsibilities, to fail to consider and to avoid discussion; that is what we are doing by agreeing to the bill's provisions through a Sewel motion. One and a quarter hour's discussion is not proper consideration for such a vital piece of legislation.

The minister must accept the Greens' contention that genuine concerns exist, which members of all parties—the Conservatives, the Liberals, the SNP and even the Labour Party—have mentioned. There are concerns that BETTA will disadvantage Scotland. We need a commitment to stronger negotiations and effective consultations.

Lewis Macdonald: Does Mr Ballance accept the fundamental point that I made in my opening remarks, which was that renewables generators' concerns relate to the potential conditions in the licences, not to the bill's provisions?

Chris Ballance: I accept that the concerns about which all the generators have lobbied us relate to the setting up of BETTA. Those concerns have not yet been addressed and we want the minister to give a commitment that he will argue the case for Scotland and its generators successfully.

Christine May mentioned the bill's reference to the word "environment". It is true that the bill says that the NDA shall have regard to

"the need to safeguard the environment",

along with policy,

"the need to protect ... health and safety"

and

"the need to preserve nuclear security."

However, that does not amount to the overarching, overriding concern for the environment that we in the Green party are looking for from the bill.

I contend that the bill's concern for the environment is not as strong as the obligation on the NDA to secure the best value for money that is consistent with regulatory requirements. The Executive's partnership agreement states:

"Where decommissioning of nuclear power stations occurs, we will aim to use and develop best practice in decommissioning".

That is not the same thing—the cheapest is not the best.

Sarah Boyack has mentioned that it is vital that the bill gets things right. We agree that that is vital, but in our view the bill does not get things right and we are not getting the chance to examine it clause by clause or to debate it in the proper fashion.

Phil Gallie talked about the need for new nuclear power stations, but I remind him that, when Mrs Thatcher was in power, she promised 20 new nuclear power stations in the succeeding 20 years. Not one of those stations was delivered, because the free market discovered that nuclear power is uneconomic. Nuclear power has failed economically.

The UK Energy Bill is a bad bill, which will disadvantage Scotland and fail to protect our environment. Therefore, I call on anyone who has concern for Scotland and our environment—I am disappointed that the SNP feels that Sewel motions are more important than the environment to Scotland and I am not convinced that the Scottish public would agree—to vote for the amendment in my name.

16:39

Nora Radcliffe (Gordon) (LD): The UK Energy Bill is undoubtedly important for the future of the Scottish energy industry. That is especially the case for our renewable energy sector, which has much potential. In that regard, I must say that the bill could have done much more for renewable energy. The bill deals with a range of issues, across reserved and devolved areas. It makes sense to deal with those issues in a coherent way.

The Sewel mechanism offers benefits. That said, I endorse completely Susan Deacon's remarks.

It is advantageous, for example, that the Scottish Executive can have input to and influence on the early stages of setting up the nuclear decommissioning authority instead of having to set up operating protocols at a later stage with a body that is fully developed. Liberal Democrats would like the environmental duties of the NDA to be enhanced. We do not want to see the NDA being used as a means of diverting public money towards the bailing out of our failing private nuclear liabilities.

I will return to home matters. The Scottish Executive must do all that it can to ensure that BETTA is better. If the detail of the new arrangements is not right, there is a serious danger that there could be a significant disadvantage to Scottish generators, particularly the smaller generators and renewable energy generators. Simply to roll out the new electricity trading arrangements would throw away the opportunity to tailor electricity trading arrangements to be more renewable-friendly.

I hope that the Scottish Executive will exert what influence it can on the proposition that the Crown Estate should be the licensing authority for offshore marine energy installations. The overriding and, indeed, statutory duty of the Crown Estate is to maximise the return from its resource; I do not see that duty as one that will provide the best framework in which to foster a fledgling industry. In addition to the conflict of interest, there is the issue of the Government paying out with one hand and taking in with the other. Liberal Democrat colleagues at Westminster have pursued the issue in both Houses of Parliament and they will continue to do so.

The Executive's partnership agreement includes a commitment to consult on

"current management and rental arrangements for the seabed".

I ask the Executive to begin that consultation as rapidly as possible. Marine energy will be a globally competitive marketplace. We must ensure that Scottish firms, which are currently in the vanguard, are not hindered by excessive charges.

We should not forget that we have 72 Scottish MPs who can protect and argue for Scotland's interests at Westminster. We should also not forget the benefits for us as a devolved Parliament when we choose to use the Sewel mechanism. The nuclear decommissioning authority will happen. BETTA is not a devolved matter and it will happen whether or not the Greens' amendment is agreed to. Through the Sewel mechanism, the Scottish Executive can have an input and can exert influence instead of having to accept a

purely Westminster-shaped NDA or BETTA. I support the Executive motion.

16:43

David Mundell (South of Scotland) (Con): As Norah Radcliffe suggested, not only do the Greens not have a solution to Scotland's energy needs in the future, but they do not understand the constitution of the United Kingdom. Agreeing to the Sewel motion today will not result in the passing of the bill. The bill has to go through the full procedures of the Houses of Parliament, where it will be scrutinised by representatives including those from Scotland.

I did not agree with a single word that Chris Ballance said in his speech. I agreed with one sentence in Ms Baird's speech, in which she spoke about the bill being incomplete. As my colleague Mr Gallie suggested, no clear commitment is made to the future of the nuclear industry. It is about time that the UK Government came off the fence and made a clear commitment to nuclear energy in the future. Mr Macdonald's suggestion that we should wait until the completion of the waste review is spurious. As the minister knows, the lead time for the commissioning of a new nuclear power station is extremely long. The two exercises could run in parallel.

Lewis Macdonald: Will the member give way?

David Mundell: No. I have only a short time.

The net effect of Government policy is that we are losing the opportunity to develop new nuclear power stations such as the Chapelcross power station, which is the largest licensed site in the United Kingdom and which will cease production of electricity in 2005. A new power station on that site remains an aspiration until the Government gets off the fence and makes it absolutely clear that it will support the nuclear industry. It is about time that we stopped pandering to Mr Ballance and his colleagues, who suggest that their views have widespread public support when they do not. There is still great support in this country for the nuclear industry, based on its record of safety and environmentally sound production. We should speak out for it, and not be afraid to do so.

We should not accept that because someone is pro the nuclear industry, they are anti renewables. The metropolitan elite, which Sarah Boyack and others represent, must understand that people in areas such as the south of Scotland do not want to see a sea of wind farms taking up the whole area. The approach of the elite would be quite different if there were proposals to put wind farms on the top of Arthur's Seat. They would rise quickly to their feet to oppose that.

Sarah Boyack: Will the member give way?

David Mundell: I am coming to the last part of my speech.

In the south, we have, at least, been saved by the Ministry of Defence, which came to our rescue and objected to the construction of wind farms within a 50-mile radius of the Eskdalemuir seismological station.

I rebut a point that Chris Ballance made at question time recently, when he said that there had been no consultation on the NDA. I attended a consultation for stakeholders, which was held in Prestwick. It was the second such event, at which even green elements—who promoted the usual nonsense—were represented. Chris Ballance's claim was quite untrue.

It is a pity that we have not had more time, for once in this Parliament, to debate the benefits of the nuclear industry, but I am sure that that subject will be raised by colleagues at Westminster when the bill is properly and accurately scrutinised.

16:47

Rob Gibson (Highlands and Islands) (SNP): It is clear from the debate that the need for a Scottish energy strategy is missing from the Scottish Executive's response to the bill. Members on the Executive benches have noted—as have others—that we do not have the same energy profile in Scotland that England has and that, in a UK sense, many of the problems that are created—

Lewis Macdonald: Will the member give way?

Rob Gibson: No. I am sorry, but I have got plenty to say. We will hear more in a minute from Allan Wilson, who can rebut what I say.

We have to deal with the different needs of Scotland and England. The reason for our opposing the Sewel motion is that we would like a Scottish energy strategy to be developed by this Parliament—that has not happened so far—and for the Parliament to have full powers to do that.

Susan Deacon: Will the member give way?

Rob Gibson: No, thank you.

My colleague Alex Neil mentioned that at present we have the opportunity to sell to Ireland and to other parts of Europe. The idea that a British energy market is the way to go ahead with the future organisation of electricity is wrong. That is another reason for us to oppose this Sewel motion.

Lewis Macdonald: Will the member give way?

Rob Gibson: No, thank you.

Offshore renewable energy zones are referred to in the bill. It is interesting that when we debated the Robin Rigg Offshore Wind Farm (Navigation

and Fishing) (Scotland) Bill, we were told that arrangements would be made for safety zones and that that matter would be dealt with in a maritime bill. There are questions about matters such as the safety of ships. Those measures have ended up in the Energy Bill, when we require a maritime bill. The large tome that is the Energy Bill has been added to by having to deal with that issue. This Parliament has already dealt with that issue in detail, but that work has been scrubbed out.

On offshore renewable energy zones, the Scottish Renewables Forum, which is beginning to discuss matters, had better try to ensure that there is not the debacle in setting up renewables energy offshore that there has been in setting up renewables energy onshore. I hope that we can be assured on that point, because we do not want to replicate the mess that has happened onshore.

Sarah Boyack: Will Rob Gibson give way?

Rob Gibson: No, I will not.

The bill does not offer the Scottish Executive new powers, as Allan Wilson suggested that it did. The Scottish Executive already has powers under which it can deal with nuclear matters. Scottish ministers are already consulted about the operation of HM nuclear installations inspectorate in Scotland and have full control over the workings of SEPA, so there are no new powers in the bill for Scottish ministers or the Scottish Parliament, as Allan Wilson appeared to suggest that there are.

The Scottish National Party wants to have a debate about a Scottish energy strategy, but the bill allows there to be a British strategy that cuts across our needs. In Scotland, we probably already produce 100 per cent more energy than the country requires. It is therefore important that we realise that the need to create a larger renewables sector is the sort of issue that is of far more importance to us and the kind of matter that we should address in an energy bill that suits Scotland's needs.

The bill is not clear enough on the way in which the environment is dealt with. Scotland, as a country in which nuclear waste has been created, should find solutions for that in Scotland, but the bill, once again, attempts to create a British solution that is largely not Scottish.

We suggest that the Sewel motion should be rejected and that the Parliament should create a Scottish energy strategy for Scotland's needs.

16:51

The Deputy Minister for Environment and Rural Development (Allan Wilson): I welcome the opportunity to close the debate on behalf of the Executive. I will try to address the points that

members have raised, but if I cannot do so, I will get back to members.

Some members have argued that they need more time to decide on the bill. I recognise that it is always helpful to have more time, but with the greatest respect, I point out—as did the convener of the Enterprise and Culture Committee last week—that the bill has been in the public domain for two months, and it has even occasioned Mr Mundell getting to a local consultation meeting in Prestwick during that period. Beyond that, consultation on underlying issues has been taking place for months and, indeed, years.

Chris Ballance: Will the minister give way?

Allan Wilson: If Chris Ballance will let me develop the point, he can come in.

The argument is that the bill somehow or other came out of the blue, and, of course, that is nonsense. As Jamie Stone said, the argument for more time is a smokescreen for more constitutional navel gazing, which is as useful as the Parliament debating how many angels could dance on the end of a needle or addressing J M Barrie's classic philosophical question,

"Do you believe in fairies?" As Peter Pan said:

"If you believe ... clap your hands".

Alasdair Morgan rose—

Allan Wilson: Perhaps Mr Morgan is going to clap his hands.

Alasdair Morgan: Does the minister not agree that it is not constitutional navel gazing to say that, given that the bill rightly says that the Scottish ministers should be consulted on certain things, it would not be unreasonable for them to ask whether they could also be consulted about fuel management? Although fuel management is a reserved issue, it would be reasonable for the Scottish ministers to be consulted on it, so why has it been specifically excluded?

Allan Wilson: I will come to Alasdair Morgan's and Roseanna Cunningham's point about the need for a debate. I recognise that fuel processing and reprocessing raise environmental concerns, but we must not forget that, if proposals were made for a processing or reprocessing facility in Scotland, we would still determine policy through our existing responsibilities for environmental regulation and planning. It is not the case that we are, or would be, silent on the aspects of fuel processing or reprocessing that would impact on Scotland.

Roseanna Cunningham said that there was a need for a national debate in Scotland on radioactive waste. I agree, and that is why we have set up the Committee on Radioactive Waste Management at UK level—when I say "we", I

mean the UK Government. CORWM is well aware of Scottish concerns on radioactive waste management, and public engagement is the key to that process.

Roseanna Cunningham: Why not debate that?

Allan Wilson: I am quite happy for that to be debated here, as well as in the wider context of the UK. In my opinion, however, that would be more constitutional navel gazing on the part of nationalists.

The bill establishes the framework for much of the Executive's ambition to develop our marine renewable resource. The contribution of marine energy is vital if our ambition to achieve the 40 per cent renewable energy target by 2020 is to be realised. There has been much gnashing of teeth about that particular ambition but, without the bill, it cannot be achieved. The bill advances our ability to promote renewable energy of all kinds, by releasing to the Executive those funds that are generated by the auction of green certificates.

Phil Gallie: Just how will the minister be able to achieve the renewables target while maintaining the cost of units at its current low level and, at the same time, guaranteeing supply over the period that the target covers? [*Interruption.*]

The Deputy Presiding Officer: Before the minister answers, I call the meeting to order. There is a very high volume of conversation around the chamber.

Allan Wilson: The issue of security of supply is fundamental to the debate—which Roseanna Cunningham and others want—on our future energy needs. That question will drive the direction in which the debate goes.

I have been noting with some interest the Enterprise and Culture Committee's inquiry into renewable energy and the evidence that has been given by British Nuclear Fuels Ltd and others, to which Phil Gallie referred. The committee's deliberations about that will be welcome. Security of supply and the questions that that poses for the development of the UK's energy policy will be critical. The only way in which we can achieve the target and retain security of supply is through BETTA and a single, integrated UK energy market.

Mr Stone: The minister mentioned the Enterprise and Culture Committee's renewable energy inquiry. He will recall my point that the prosperity of the north is much linked to the decommissioning of Dounreay. Does he agree that it is vital that the NDA continues that flexible policy, which involves local decision making and which builds on the local skills pool, so that the policy can continue to be a world beater?

Allan Wilson: I agree with that. I welcome the opportunity to repeat to the Parliament, and to the

country at large, the fact that we are global leaders in nuclear technology. We have built up that expertise over many generations and we export it to the rest of the world. A critical proposal for the nuclear decommissioning authority is that it will have a duty to develop and maintain a skills base to undertake decommissioning. We will expect the NDA to take forward the excellent work that has been done in the areas of decommissioning skills and qualifications, which have been evident in Caithness, in Mr Stone's constituency, where the UK Atomic Energy Authority has worked in partnership with local enterprise agencies and learning providers to export that skills base to other parts of the UK and Europe.

Mr Home Robertson: The minister has been talking about decommissioning. I hope that he is not losing sight of the prospects for nuclear commissioning in Scotland, too. If we are serious about CO₂ emissions and about security of supply, we must have new nuclear facilities.

Allan Wilson: The serious issue of the source of supply for future energy generation goes to the heart of the matter of the security of the supply system, which I mentioned previously. As Christine May said, a UK energy market is not only good for Scotland; it is indispensable. Those who support the Executive's renewable energy targets—or who, like the Greens, seek to exceed them—must, if we are to deliver those targets and sell and export that renewable energy capacity, be able to answer the question, "Where do we have to sell it?" That is not a rhetorical question—we have to sell it to the rest of the UK.

Chris Ballance *rose*—

Allan Wilson: I said that it was not a rhetorical question. [*Laughter.*]

Chris Ballance: Nevertheless—

The Presiding Officer (Mr George Reid): Order. The minister is his last minute.

Richard Lochhead: If it is not a rhetorical question, the minister should let Chris Ballance answer it.

Chris Ballance *rose*—

The Presiding Officer: No.

Allan Wilson: I am sorry—I cannot give way. Obviously, I meant to say that it was a rhetorical question.

Why should England and Wales, or the rest of the UK, which is our biggest market, buy from Scotland, with all the disadvantages of transmission loss that would ensue? There will be hydro benefit and massive advantages to Scotland in spreading the investment in increasing grid capacity throughout the UK. That is essential if we are going to sell renewable capacity beyond our

shores. Separation of Scotland from its biggest market for renewable generation, as suggested by both the nats and the Greens, would, as Susan Deacon said, be catastrophic for the renewables sector and would kill stone dead the growth of renewables-related economic and employment development.

Business Motion

17:00

The Presiding Officer (Mr George Reid): The next item of business is consideration of motion S2M-851, in the name of Patricia Ferguson, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Wednesday 11 February 2004

2.30 pm	Time for Reflection
<i>followed by</i>	Parliamentary Bureau Motions
<i>followed by</i>	Scottish National Party Business
<i>followed by</i>	Business Motion
<i>followed by</i>	Parliamentary Bureau Motions
5.00 pm	Decision Time
<i>followed by</i>	Members' Business

Thursday 12 February 2004

9.30 am	Procedures Committee Debate on its 2nd Report 2003 (Session 2): Oral Questions in the Chamber; on its 1st Report 2004: Oral Questions and Time in the Chamber; and on its 2nd Report 2004: Emergency Bills
<i>followed by</i>	Motion on the Appointment of a Commissioner for Children and Young People in Scotland
12 noon	First Minister's Question Time
2.30 pm	Question Time
3.10 pm	Stage 3 of the Budget (Scotland) Bill
<i>followed by</i>	Motion on Asylum and Immigration Bill – UK Legislation
<i>followed by</i>	Motion on Higher Education Bill – UK Legislation
<i>followed by</i>	Parliamentary Bureau Motions
5.00 pm	Decision Time
<i>followed by</i>	Members' Business

Wednesday 25 February 2004

2.30 pm	Time for Reflection
<i>followed by</i>	Parliamentary Bureau Motions
<i>followed by</i>	Stage 1 Debate on the Criminal Procedure (Amendment) (Scotland) Bill
<i>followed by</i>	Financial Resolution in respect of the Criminal Procedure (Amendment) (Scotland) Bill
<i>followed by</i>	Business Motion
<i>followed by</i>	Parliamentary Bureau Motions

5.00 pm Decision Time
followed by Members' Business

Thursday 26 February 2004

9.30 am Executive Business
12 noon First Minister's Question Time
2.30 pm Question Time
3.10 pm Executive Business
followed by Parliamentary Bureau Motions

5.00 pm Decision Time
followed by Members' Business

and (b) that consideration of the Education (Additional Support for Learning) (Scotland) Bill at Stage 2 to be completed by 10 March 2004.—[*Tavish Scott.*]

Motion agreed to.

Parliamentary Bureau Motion

17:01

The Presiding Officer (Mr George Reid): The next item of business is consideration of Parliamentary Bureau motion S2M-853, on the designation of a lead committee.

Motion moved,

That the Parliament agrees that the Justice 2 Committee be designated as lead committee in consideration of the Tenements (Scotland) Bill.—[*Tavish Scott.*]

Decision Time

17:01

The Presiding Officer (Mr George Reid):

There are three questions to be put as a result of today's business. The first question is, that amendment S2M-788.1, in the name of Chris Ballance, which seeks to amend motion S2M-788, in the name of Jim Wallace, on the Energy Bill, which is UK legislation, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Byrne, Ms Rosemary (South of Scotland) (SSP)
 Canavan, Dennis (Falkirk West) (Ind)
 Fox, Colin (Lothians) (SSP)
 Harvie, Patrick (Glasgow) (Green)
 Leckie, Carolyn (Central Scotland) (SSP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Sheridan, Tommy (Glasgow) (SSP)
 Swinburne, John (Central Scotland) (SSCUP)

AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (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 (Galloway and Upper Nithsdale) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 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)
 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)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (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)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 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)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Margaret (Edinburgh West) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tosh, Murray (West of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

Adam, Brian (Aberdeen North) (SNP)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Martin, Campbell (West of Scotland) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

The Presiding Officer: The result of the division is: For 12, Against 78, Abstentions 23.

Amendment disagreed to.

The Presiding Officer: The second question is, that motion S2M-788, in the name of Jim Wallace, on the Energy Bill, which is UK legislation, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (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 (Galloway and Upper Nithsdale) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 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)
 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)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 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)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Margaret (Edinburgh West) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tosh, Murray (West of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Byrne, Ms Rosemary (South of Scotland) (SSP)
 Canavan, Dennis (Falkirk West) (Ind)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fox, Colin (Lothians) (SSP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Martin, Campbell (West of Scotland) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 McFee, Mr Bruce (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Sheridan, Tommy (Glasgow) (SSP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinburne, John (Central Scotland) (SSCUP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

The Presiding Officer: The result of the division is: For 78, Against 37, Abstentions 0.

Motion agreed to.

That the Parliament agrees that those provisions in the Energy Bill that relate to devolved matters and those that confer executive powers and functions on the Scottish Ministers should be considered by the UK Parliament.

The Presiding Officer: The final question is, that motion S2M-853, in the name of Patricia Ferguson, on the designation of a lead committee, be agreed to.

Motion agreed to.

That the Parliament agrees that the Justice 2 Committee be designated as lead committee in consideration of the Tenements (Scotland) Bill.

Wet Age-related Macular Degeneration

The Deputy Presiding Officer (Trish Godman): The final item of business today is a members' business debate on motion S2M-667, in the name of Kate Maclean, on photodynamic therapy for the treatment of wet age-related macular degeneration. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes the recent decision by NHS Quality Improvement Scotland on the use of photodynamic therapy for the treatment of wet age-related macular degeneration (AMD) and acknowledges that photodynamic therapy is the only effective treatment for wet AMD, the most aggressive form of the disease and the leading cause of blindness in the UK, with around 650 new patients diagnosed with wet AMD in Scotland every year; is deeply concerned that funding has not been made available for clinicians to treat on the NHS those patients who urgently require the therapy, and endorses the demand by the Royal National Institute of the Blind Scotland and the Macular Disease Society that the Scottish Executive ensures that funding is immediately provided by all NHS boards, thereby saving the sight of those who could benefit from the therapy.

17:05

Kate Maclean (Dundee West) (Lab): I welcome to the public gallery representatives of the cross-party group in the Scottish Parliament on visual impairment. I know that other people will be listening on their computers. I welcome in particular representatives from the Macular Disease Society and the Royal National Institute of the Blind. I thank them for the support that they and members of their organisations, particularly Gordon Matheson, have given to the cross-party group and for the useful briefing that was sent to all MSPs. Finally, I thank the 45 members—there are possibly more now—who have signed the motion that was lodged in my name. I am pleased that the Parliament has the opportunity to debate this important issue, which affects hundreds of Scots and their families.

I ask members to imagine themselves in the position of hundreds of Scots whose central vision is failing and who can no longer easily read, write, watch television or see their family clearly, however strong the light or their spectacles. I ask them to imagine finding out that what they have is wet age-related macular degeneration—AMD—and to imagine the relief that they would feel when they were told that the disease could be stopped in its tracks. Finally, I ask them to imagine how they would feel if they were then told that they could not get that treatment because the national health service does not provide it in their area.

We see people on television who are going blind because of a condition that is easily treatable, but

we normally associate that problem with third-world countries, not modern-day Scotland. I know that I am not alone in finding completely unacceptable the fact that people in Scotland are going blind from an illness for which there is a licensed and affordable treatment.

That treatment is photodynamic therapy—PDT. It has been proven to be a safe, well-tolerated and effective treatment of the so-called wet variety of AMD. As long as it is administered shortly after diagnosis, PDT significantly slows or halts the deterioration in vision. It does not involve lengthy stays in hospital or surgical intervention; it is a relatively simple, two-step out-patient procedure.

Even though PDT was licensed in the United Kingdom in July 2000, it has not been made widely available, because the NHS was waiting for the final guidelines from the National Institute for Clinical Excellence. The process took two and a half years to complete—probably the longest ever appraisal of any new drug technology. Since then, NHS Quality Improvement Scotland has accepted the NICE findings. Unfortunately for the people who are losing their sight, however, little or no progress has been made towards making the treatment available throughout Scotland. That seems to be inconsistent with the Executive's view on postcode prescribing as outlined by the Minister for Health and Community Care, who said:

"Patients deserve equal access wherever they live in Scotland to new drugs which are the only effective treatment for a particular condition ... It is entirely unacceptable that patients are denied the benefit of such a drug simply because there is no provision for it in their local Health Board budget."

Mr Kenneth Macintosh (Eastwood) (Lab): Does the member agree that PDT has benefits in the treatment not only of wet AMD, but of many other conditions, such as skin cancer and other cancers?

Kate Maclean: I understand that PDT is beneficial for people with some cancers and that it is difficult for people in some areas to access the therapy for the treatment of cancer as well as for the treatment of AMD.

To cut to the chase, I will outline for the minister what I hope can be achieved from this debate and from the tireless efforts of visual impairment and blindness campaigners who have been involved in the subject for far longer than I have or than the Parliament has been in existence.

We should state that the Scottish Parliament and the Scottish Executive support the call from RNIB Scotland and others that every patient in Scotland who meets the NHS Quality Improvement Scotland criteria for PDT should have the treatment. The evidence in the briefing

that RNIB Scotland sent to every member, which I think the minister might also have received, is compelling. The reality is that patients with wet AMD in Scotland are needlessly losing their sight because the Scottish Executive has put no mechanism in place for delivering the treatment. In addition, access to PDT in the existing Scottish treatment centres has been blocked for many NHS patients because of a lack of funding from NHS boards. However, the treatment is sometimes available to those who can afford to pay its cost of approximately £6,000. That is unacceptable when people should receive treatment free in the area where they live.

The prevention of blindness can save money and should be considered an investment not only in human terms, but in economic terms. The human factor is obvious. As I said, macular degeneration affects the part of the eye that is responsible for central vision. As a result, everyday activities that we all take for granted, such as reading, watching television, driving and recognising familiar faces, become impossible.

John Scott (Ayr) (Con): My father has suffered macular degeneration for the past eight years. Will the member tell us whether the treatment can help people who have had the disease for that length of time?

Kate Maclean: I will go into that a little later. Treatment depends on the type of AMD, which can be dry or wet. Someone who has been diagnosed with wet AMD has only a small window of opportunity in which treatment can be effective. Obviously, Mr Scott would have to obtain medical advice, but I suspect—although I do not know—that if the disease has been diagnosed for eight years, the treatment would not be effective.

The problems of macular degeneration can place an incredible strain on personal relationships, remove independence and lead to depression.

The Deputy Presiding Officer: The member has one minute.

Kate Maclean: Do I not have extra time because of interventions?

The economic case is equally evident. As I said, the cost of PDT is about £6,000 per patient. When that is compared with the cost to the public purse of someone losing their sight, which is estimated at about £10,000 a year, it not only becomes morally right to provide the treatment, but makes economic sense to make it available.

The concern is that, if health boards continue to refuse to fund the treatment, we could lose the trained and experienced staff who can deliver it. That could mean that, by the time the Scottish Executive gets round to rolling out a programme,

the staff and the procedures that are required to deliver the treatment will no longer be in place.

I ask the Executive to consider supporting a gold standard of treatment for people in Scotland, which would mean that patients who were assessed as needing the treatment received it immediately. It is time that the issue was given the priority that it deserves. The window of opportunity in which the treatment can be of benefit is so small that fast-tracking processes need to be put in place immediately.

I am sure that the matter will come down to funding but, unless the situation is tackled urgently, individuals in Scotland will continue to go blind from a treatable condition. That situation is unnecessary and indefensible. Too many people in Scotland have already lost their sight through lack of treatment. We cannot give them their sight back, but we can act quickly to ensure that no one else in Scotland has to suffer what they have suffered.

The Deputy Presiding Officer: A considerable number of members wish to speak, so I must ask for speeches of four minutes.

17:14

Stewart Stevenson (Banff and Buchan) (SNP): I congratulate Kate Maclean on initiating a debate on this important subject. As the motion says, some 650 people in Scotland each year become sufferers of the condition, so it affects people throughout Scotland.

It is difficult to engage with the subject at a technical level. For example, the description of the condition that one of my constituents has is:

"classic with no occult subfoveal choroidal neovascularisation".

It is not especially useful to go into such technical complexities in the debate. The issue is really—and inevitably—about people and the effect that the condition has on them.

I have known the constituent of mine who suffers from the condition for many years. He is a lively 80-year-old, but I can see a change in him. He has the misfortune—in one sense—to live in the NHS Grampian area, which has not had the discretionary funds to make treatment available to him. That has been particularly difficult for him because he has seen people come from south-west Scotland with NHS funding to one of the only treatment centres in Scotland, which happens to be in Aberdeen. Of course, he could have bought treatment from the NHS and an offer was made. I understand the difficulties that are involved in deciding a fair and equitable policy for providing treatment in the early stages. However, let us consider the 650 people—I would be interested to

hear the minister's numbers—and the costs that are involved. I do not think that the cost of providing the treatment in question exceeds £1 million. I do not have such money in my back pocket and it is not a trivial amount, but we must make the important contrast between it and the several millions of pounds that those 650 people would end up costing the public purse if they were not rescued from having a lack of sight. The difficulty is that different budgets are involved.

Fortunately, my constituent ended up contacting a specialist in Edinburgh and we managed to get him on a programme. However, he suffered from the wet form of the condition, which—as John Scott was informed—is a matter of extreme urgency. There was a delay of some six or seven weeks before he was treated on the NHS, which, with the wet form of the condition, is enough time for a person to lose around 50 per cent of the remaining sight that is provided by the macula, or the centre of the eye, which is the part of the eye that enables a person to recognise people, watch television and read books. One can be left with orbital sight, which enables one to navigate and move around, but the condition is serious. For people such as my constituent who are well stricken in years, such things can be difficult to cope with.

I hope that the minister will tell us that moneys will be available in the future to treat people with the condition and that there will be a relatively consistent policy throughout Scotland. I also hope that he will tell us that the two and a half years that it has taken before treatment for some forms of the disease is approved is not the kind of period that might be experienced with diseases that need treatment similarly urgently in future.

17:18

Mr David Davidson (North East Scotland) (Con): I, too, congratulate Kate Maclean on bringing this serious and focused debate to the chamber.

In 1995, I had a problem with an eye. The problem affected the central vision in the eye and nobody seemed to know what the problem was. I was not 50 then, but the problem was frightening and brought home to me what such problems are like.

John Scott mentioned a relative. The population is aging and such conditions are terrible for older people whose sight may be failing a bit anyway. There will be more such conditions and people will lose their independence and their dignity. As Kate Maclean rightly said, such things put tremendous strains on families.

People over the age of 50 seem to be susceptible to such conditions. Many of those people are economically active and we are losing

their ability to carry out jobs and to contribute to the funds that pay for the health service. There is a sense of justice in trying to keep such people going.

If we consider the opportunity costs of not dealing with the condition, we are talking about potential benefit costs of around £10,000; the costs to councils or individuals' families of providing household aids to make houses usable for people who have the condition; and the cost of personal loss of amenity and recreation, which can produce mental illness and pressures on people. The costs involved are heavy. Against that, the cost to the NHS of patients who are suitable for treatment is roughly £6,000 per patient.

I disagree with Stewart Stevenson's figures—I would put the costs of dealing with the third in Scotland who would benefit from early intervention at between £1.5 million and £2 million, but that is not really the issue. The issue is not about pennies, but about quality of life and benefits to the country.

There is a lesson to be learned. This is very much a condition in relation to which time is of the essence. There is no point in saying, "We have diagnosed it," and leaving it for ages. In England, people at first had to get treatment within three months, but the primary care trusts are now told that that can go up to nine months, by which time 50 per cent of people who would have benefited will have lost their sight. We must learn the lesson from England and consider the standards and the licensing that are involved.

Stewart Stevenson talked about planning for future demand on the service, and I agree that we should undertake capacity planning now. A fair bit of training will be involved, because we must have not just the equipment but the people to deliver the service. We must establish regional centres. I am not talking about every cottage hospital or hospital providing the service, but about there being reasonable access to the service throughout Scotland. Kate Maclean hinted at postcode access. If we can go down the regional route and focus on providing good, efficient, regional centres that are reasonably resourced and have well-trained staff, I am sure that we can take the lead. In England, they have taken three steps forward and two steps back because of the timescale. That is down to the need for capacity building.

In Scotland—in the health service that we run from this chamber—we must provide accessible, focused and high-class services. The main thing is to have early assessment. In dealing with conditions such as this, it is essential that we provide treatment at an early stage. I accept the fact that not everybody in Scotland who has the disease will benefit from that. Nevertheless, we must give people a fair chance to be assessed

and, when there is hope, give them some relief and treatment. We must not use bureaucracy as a means of holding up the process. We need an assurance from the minister today that he will take the debate seriously and will report to the cross-party group on visual impairment, as well as to the chamber, on what the Executive is looking to do and on whether trials can be set up in the near future.

I support Kate Maclean whole-heartedly in bringing the subject to the chamber today.

17:22

Janis Hughes (Glasgow Rutherglen) (Lab): I, too, congratulate Kate Maclean on bringing this important matter to the chamber. Like her, I pay tribute to the work of the cross-party group on visual impairment, of which I am a member. I welcome other members of that group who are in the public gallery.

It is surely unacceptable that, in this day and age, many people are going blind due to a condition that is completely treatable and preventable. Although there are many calls on the NHS budget, we should do whatever we can to prevent people with wet AMD from going blind. Of particular concern is the speed at which wet AMD can take hold, with significant sight loss within three to six months—a small window, as Kate Maclean said. That is why I support the view that fast-tracking patients with wet AMD is important. Working within such a limited timescale means that time is very much of the essence.

I also support the call from the Royal National Institute of the Blind that the Executive should consider seriously putting funding in place to ensure that people throughout Scotland have access to the most effective treatment for wet AMD—photodynamic therapy. Although resource implications are associated with funding all new treatments, it is important that we consider the bigger picture. The Department of Health's "National Service Framework for Older People" recognises visual impairment as an intrinsic risk factor in falls among individuals. The College of Optometrists believes that visual impairment is an important risk factor in falls and hip replacements. Reductions in contrast sensitivity, depth perception and peripheral vision have been specifically linked to the risk of falls, and the cost of treating preventable fractures is significant. Prevention is better, and often more cost effective, than cure.

However, we must recognise that there is much that is good about the provision of low-vision services in Scotland. For example, there is access to angiography in most, if not all, eye departments, and access to argon laser treatment in all eye

departments. Similarly, there is great awareness of AMD in general optical services and prompt access for people with suspected wet AMD at most secondary care sites. In addition, in some centres, there is virtually one-stop access to low-vision aids, certificate of vision impairment forms and social services advice.

As I have said, it is vital that services are delivered speedily for a condition that worsens rapidly. The College of Optometrists is concerned that elderly people, who tend to make up the majority of wet AMD sufferers, make insufficient use of eye care facilities in the United Kingdom and it is important that we improve that situation. One way in which that could be done would be to provide localised low-vision services. A model suggested by an optometrist in my area could provide facilities that would promote independent living for people with visual impairments; ensure a multidisciplinary approach by involving as many professional groups as possible, for example rehabilitation workers or sensory needs teams; identify and meet unmet need for low-vision services within a defined area; establish or improve a community-based low-vision scheme to meet local needs; ensure that the people who are visually impaired are able to access all the services that are available to them, including visual impairment teams and voluntary organisations; and take account of the needs of patients with other sensory, physical or learning disabilities. Those are only some of the things that could be provided in a localised low-vision service. That would be one way of improving early diagnosis and, coupled with appropriate treatment, could go a significant way towards improving the lives of people throughout the local area.

As I said, there are many calls on the NHS budget and we must accept that it is impossible to satisfy every demand. However, I urge the minister to look seriously at this matter. I support the motion in Kate Maclean's name.

17:26

Eleanor Scott (Highlands and Islands) (Green): First, I apologise because my mobile phone rang—I thought that it was switched off, but it was not.

I thank Kate Maclean for securing this very interesting debate, which has certainly raised the profile of a condition that I, as a former medical person, should have known about but did not. In my defence, I say that I worked with children rather than with the age group that is usually affected by the condition.

The debate has been interesting and I have learned a lot. I was aware that macular degeneration was something that affected elderly

people, that affected central vision and that progressed slowly. I was not—to my shame—aware of the wet form of macular degeneration, which can be treated.

I will probably not take up my full four minutes because the debate could become repetitive if members are all agreed on the need to provide treatment for a condition that is as devastating as macular degeneration is, but which can be treated.

I want to make it clear that we are not talking about a controversial treatment that is new or revolutionary, about which there is some doubt or for which pressure groups are clamouring but on which the medical establishment is divided. We are talking about treatment that has been thoroughly evaluated. I will quote from NICE because it carried out the evaluation and NHS QIS has adopted its guidance. NICE makes it clear in a press release from September last year that

“The Department of Health and the National Assembly for Wales asked NICE to look at PDT for ARMD because genuine uncertainty”—

which at that time existed—

“as to its long-term value for patients, combined with how best it should be used had resulted in ‘post code prescribing’.

The NICE guidance makes it clear to the NHS and patients, no matter where they live in England and Wales, if and where this treatment can add value ... those patients who can benefit from the treatment will now be able to do so.”

NICE makes it clear that the treatment should be available. The press release concludes:

“The approval ends a period of uncertainty and will simplify the management of a disorder that accounts for 50% of disability in the UK.”

I am not quite sure, but I assume that that means 50 per cent of visual disability. I was surprised by the extent of the disability that is caused by the condition and was even more surprised that there is such patchy provision of treatment that has been so well evaluated following what NICE calls a “challenging appraisal”, which—as has been said—lasted for two and a half years.

Wet AMD presents, as has been said, with blurring and distortion of vision. When the condition is diagnosed following its presentation to the doctor it should be treated as a medical emergency. Other members have already said that there is a small window of opportunity in which to treat the condition; it is treatable, but only within that window of opportunity.

I said that I did not know a lot about the condition, but I have been doing some serious reading in the past 24 hours. I will probably be shot down in flames by ophthalmologists via e-mail tomorrow, but it looked to me, when I considered the treatment that it is proposed be

made available, that it should not be much more technically demanding or costly than some similar treatments that are standard within the NHS, such as treatment for patients with the retinopathy that sometimes goes with diabetes, treatment of eye conditions that premature babies can have or laser treatment for detached retinas. Those treatments are all readily available on the NHS—photodynamic therapy should be, too. PDT is not a controversial new treatment. It is an established and evaluated therapy that should be available to all. I echo what other speakers have said and add my voice to theirs.

17:30

Shona Robison (Dundee East) (SNP): I congratulate Kate Maclean on securing tonight's debate and I commend the cross-party group in the Scottish Parliament on visual impairment for all its hard work.

Although I do not want to repeat many of the points that have been made, I must say that it seems to be very strange indeed that only 150 of the 650 people who contract wet AMD each year are treated. That leaves 500 people to the fate of losing their sight. In this day and age, that seems to be completely unacceptable, given that there is a treatment available.

As has been outlined, photodynamic therapy is thought to be suitable for between about one third and one half of patients who have wet AMD, but it is suitable only if the condition is caught early. Of course, any delay in providing the treatment means that the chances of a person's losing their sight are increased.

As we have heard, Scotland has three treatment centres: in Glasgow, Edinburgh and Aberdeen. However, residing in one of those areas is no guarantee that a person will receive the treatment under the NHS. For example, although Edinburgh has a treatment centre, the treatment is not funded by Lothian NHS Board. Although patients from Dumfries and Galloway can be treated in Edinburgh under the NHS, a patient who lives in Edinburgh needs to go private to receive the same treatment because of the health board's funding policy.

We have also heard that PDT is fairly cost effective: it costs £6,000 per patient to save someone's sight. As has been pointed out, we need to compare that with the cost of not treating someone, which might involve benefit payments or community care services or lost productivity. The Executive's policy is to keep people living in their own homes for as long as possible, but by not treating people to prevent their losing their sight, we lessen the likelihood that they will be able to be maintained in their own homes. That undermines

that element of Executive policy: not particularly joined-up thinking. Although investment would be required, I agree with Janis Hughes that we would achieve good value for money, in comparison with the cost of not doing that.

As Eleanor Scott said, PDT is not some new-fangled treatment that has not been proven. It has been assessed for over two and a half years. It has been well evaluated, so there should be no doubt about its effectiveness.

What we have here is a classic case of postcode prescribing, which the minister previously made a commitment to end. Although that commitment technically covered only new drugs and treatments, I would have thought that whether someone's sight is saved should not depend on where in Scotland they live. We cannot allow that to continue, so I sincerely hope that the minister will give us a positive response tonight.

17:33

Mrs Nanette Milne (North East Scotland) (Con): Like the other members, I am pleased to support the motion, which is on a subject that is of great importance to a growing number of older people in Scotland. Like Eleanor Scott, I had not heard of photodynamic therapy until fairly recently. Provided that the treatment is received in the early stages of WAMD, PDT is the only hope of improvement for many people who have the condition.

I have no professional experience of this life-shattering eye disease, but I have significant personal experience of macular degeneration within my own family. Before my mother died 17 years ago, macular degeneration was a crucial contributor to her failing health because it made her less able to cope with other health problems that were much more serious in their own right. From being a very outgoing person who was young for her age, who went into town to meet her friends every day and who never had her nose out of a book when she was at home, my mother became down-hearted and depressed.

My mother became unable to read newspapers or even large-print books. Obviously, she had to listen to, rather than see, her favourite television programme. Her quality of life was utterly ruined. When she went out, she had very little confidence and, all in all, she found her eye problem to be a massive handicap. Because only central vision is destroyed, it is hard for onlookers to perceive the problem. My mother could pick a pin up off the floor if she happened to catch sight of it out of the corner of her eye, so it is difficult to equate that level of peripheral vision with blindness for all practical purposes.

I suspect that my mother had dry AMD, which

we know is as yet untreatable, and I have other relatives who are similarly afflicted. However, I have also seen what I presume to be the wet form of the condition in another elderly relative who in a very few months went from being able to drive a car to being unable to read or watch television. Such an experience is devastating and in a short space of time takes someone from being completely self-sufficient to being heavily dependent on care services. That certainly happened in this case. For such a person, photodynamic therapy early on would be a godsend: it would hugely improve quality of life and it would save scarce care resources.

I heard what Stewart Stevenson said about the cost of treatment; however, I was told that it comes to around £2 million a year for the whole of Scotland. That is a drop in the ocean as far as NHS budgets are concerned and it is even less when it is balanced against the savings in care services and benefits that could be made, not to mention in respect of lost productivity of people who are at the younger end of the condition's age spectrum. As the treatment has been approved and is recommended by NHS QIS, it should be funded—and quickly—right across Scotland, not just according to health board area.

We have an aging population and increasing numbers of people are experiencing handicaps and disabilities that are complications caused by longevity. Macular degeneration is a particularly unpleasant and inhibiting form of age-related disease and widespread availability of photodynamic treatment would make such a difference to those who have the treatable form of it.

The Deputy Presiding Officer: You have one minute.

Mrs Milne: I do not need another minute, Presiding Officer; I have finished. I say merely that I am happy to support the motion.

17:37

John Swinburne (Central Scotland) (SSCUP): I thank Kate Maclean for bringing this sensitive subject into the arena of the Parliament. I knew nothing about macular degeneration until I visited my optician at the beginning of January for the usual eye test. However, at one point I had to ask him, "What are you doing?" He said that he was checking for macular degeneration. "It's all right," he told me; "You're clear." When I asked him to explain the condition, he told me that people with macular degeneration were blind in the middle of their vision but still had peripheral vision. He said, "That's not too bad, but try and avoid wet macular degeneration if you can. Tell your friends." Apparently, in its severest form, people can go to bed being able to see and wake up blind the next

morning. I was shattered by that fact, because I can think of nothing more terrible than losing the gift of sight.

Sight is probably one of the greatest gifts that we have. Recently, I visited a talking newspaper organisation in the Borders. Such organisations do great work for people who are visually impaired; for example, in that area, about 80 volunteers issue a weekly newspaper for visually impaired people. We should encourage such initiatives. Moreover, people are carrying out the work voluntarily and without financial help from anyone. At the same time, we hear about unallocated lottery funds, which could be pushed towards such initiatives and towards the particular problem that we are discussing.

All I can do is thank Kate Maclean again for raising this sensitive matter. People who do not have the gift of sight have my heartfelt sympathy and if we as politicians can do anything to help them, we must do so urgently.

17:39

The Deputy Minister for Health and Community Care (Mr Tom McCabe): I join other members in congratulating Kate Maclean on securing this debate. As others have pointed out, because our population is growing older, treatment such as this is becoming more and more important.

Without doubt, age-related macular degeneration and the loss of sight it causes is one of the most distressing conditions facing elderly people in Scotland. I have listened with interest to the points that have been made in the debate and assure members that the Executive well understands the wish to ensure that everything is done to help people who are affected by the condition. I also welcome the opportunity the debate offers to stress that blindness is an issue that the Executive takes seriously. I will set out the specific steps that we are taking to tackle ARMD.

Blindness is a condition that strikes fear into all of us; blindness caused by ARMD is particularly distressing as it adds a frightening dimension to the potential vulnerability of old age. Any advance that tackles its cause is to be welcomed. Photodynamic therapy is one such welcome breakthrough. As numerous members have said, PDT was the subject of guidance from NICE last September. As with all NICE health technology assessments, the advice in the guidance was considered by NHS QIS and found to be as applicable here in Scotland as it is in England and Wales.

We require NHS Scotland to take account of NHS QIS advice and ensure that recommended treatments are provided to meet clinical need. The

chief executive of NHS Scotland recently issued a letter to all NHS boards reminding them that that commitment applies to the NICE guidance. A copy of that letter is available in the Scottish Parliament information centre. I hope that that information will reassure members who have expressed concern about possible inconsistency across Scotland. The Executive will monitor how NHS boards pay attention to the guidance.

I do not diminish the considerable potential of PDT, but it is crucial at the outset to be clear that the NICE guidance clearly states that PDT does not cure blindness: it may slow or halt the damage done by some forms of ARMD. Anything that slows the rate at which vision is lost is to be welcomed.

As has been noted, ARMD is subdivided into dry and wet forms. The wet form has several classifications, but for our purposes we should be aware that NICE states that only the classic with no occult variety has been demonstrated to benefit from PDT.

Bruce Crawford (Mid Scotland and Fife) (SNP): What analysis has the Executive undertaken of the long-term savings that could be made and released as a result of early treatment by PDT for the small group of people who have the wet ARMD types to which the minister referred?

Mr McCabe: The information that I just relayed to members suggests that around 350 people a year in Scotland could be expected to benefit from PDT. We have not done any specific research into how much money that would save. Our efforts are channelled into ensuring that the people who need the treatment get it.

NICE also noted that people with a slightly different manifestation of ARMD—predominantly classic with occult—might also benefit from PDT. However, NICE advised that they should receive treatment with PDT only as part of a new clinical study. Therefore, Scotland will take part in a UK-wide cohort study to establish the benefits of PDT for people who have classic with occult ARMD. That is likely to mean that a further 350 people a year will be treated with PDT.

Kate Maclean: While we are waiting for the results of that study, which could take a considerable time, could not we explore methods of getting funding and treatment for the people who have wet ARMD—the minister said that there are 350, but the figures that I have say that there are 650—and who would benefit from the PDT that is available? If they had PDT, that would ensure that they would not have to wait until further studies are carried out on a form of ARMD that does not apply to them.

Mr McCabe: I thought that I had made the distinction clear, but I will do so again. The chief

executive of NHS Scotland has written to every NHS board in Scotland and made it clear that they should comply with the NICE guidance. I have also made it clear that the Executive will monitor compliance with the guidance. That should ensure that people who require the treatment receive it.

The technology is specialised, however, and there is a need for staff training. NICE made it quite clear that, in England and Wales, it would take some nine months to establish the new service. That allows for the installation of the equipment and the training of staff to read the necessary angiograms. Those factors also apply here in Scotland.

The work that we have done so far has demonstrated that there is both considerable clinical expertise and considerable enthusiasm in the ophthalmic community to make this treatment available across Scotland. Equipment and expertise are already available in Scotland and we are in the process of establishing the appropriate training and co-ordination to ensure that treatment is available when it is required.

We recognise that the treatment is important, but it is also important to put some perspective around the entire debate and the entire issue of blindness. There are some 37,000 people registered as blind or partially sighted in Scotland. As we expect that the number of people who will benefit from PDT in Scotland each year will be around 700, it is important that we also do all we can to help those who will not benefit from that new therapy. I want to make it clear that this is not a postcode issue. With the number of people involved, it will be a regional service. It will not be down to each individual health board to create services and specialisms in their area. That would not be the best use of resources, so of course it will be a regional service.

To help those outwith the treatment, we recently launched a document on community care services for people with a sensory impairment. It set out a number of recommendations for service delivery for people with sensory impairment, including the recommendation that, by April 2006, every social work or social care facility should have staff who are able to meet the basic communication needs of a person with sensory impairment. It also recommended that a short-life working group be established to produce common sensory impairment service standards, which will be completed for implementation by September 2005. I have also commissioned a review of the system for registering people as blind or partially sighted following a diagnosis of permanent and uncorrectable sight loss, to ensure that improvements are made to the system. Rehabilitation workers have been identified as a key group of people who assist visually impaired

people to adjust to loss of sight and to live as independently as possible.

I hope that what I have said has reassured colleagues that blindness is an issue that the Executive takes seriously. Our work on community care services for people with a sensory impairment will lead to real service improvements.

Although PDT is not a cure for blindness in general, it can slow the progress of a specific sub-type of age-related blindness. Work is already under way to implement the NICE guidance and to ensure that eligible patients across Scotland benefit from the introduction of this exciting new technology.

Meeting closed at 17:48.

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