

MEETING OF THE PARLIAMENT

Thursday 2 October 2008

Session 3

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Scottish Parliament

Thursday 2 October 2008

[THE PRESIDING OFFICER *opened the meeting at 09:15*]

Local Government Finance

The Presiding Officer (Alex Fergusson): Good morning. The first item of business is a debate on motion S3M-2631, in the name of Derek Brownlee, on local government finance.

09:15

Derek Brownlee (South of Scotland) (Con): The intention behind the debate is for us to reach a consensus. I have deleted all references to the local income tax being discredited and unworkable, and we have even ensured that the students who are demonstrating outside the Parliament are complaining about the Scottish National Party Government's plans on alcohol rather than its plans to increase the tax bills of students who have to work to fund their studies.

Our motion is simple: we ask for clarity from the Scottish Government on the detail of the local income tax plans. We do not ask Parliament to come to a view on local income tax—our opinion on that subject is well known—nor do we seek to prescribe which method is used to allocate tax revenues or Government grant. We seek only to ensure that Parliament is not asked to take a decision on local income tax before it has had the opportunity to consider the policy's implications for local authorities' finances.

It appears that the Government accepts that proposition and will concede. I welcome that concession because, so far, there has been no indication of the Government's preferred allocation methodology. The consultation paper on local income tax discussed methods for allocating LIT revenues and set out three options: distribution via a needs assessment; distribution based on population; and distribution based on how much local income tax is paid in an area. All have their merits and problems. There are also other options, such as the one that we suggested in our consultation response: distribution based on current council tax receipts.

However, the consultation was entirely silent on the arguably more fundamental issue of how Government grant—which would make up an even higher share of council revenues under LIT than under the council tax—would be allocated. I remind colleagues that that fundamental issue is about how £11.5 billion is allocated among councils. The deal at which the SNP and Liberal

Democrats will arrive after long and tortuous—literally so for some—negotiations will involve each of Scotland's local authorities setting its own local income tax rate. The Cabinet Secretary for Finance and Sustainable Growth, being a wily fellow, might decide to stitch up the Lib Dems—

Members: No. Surely not.

Derek Brownlee: Members might think that that is unlikely, but it might happen. The cabinet secretary might decide to stitch up the Lib Dems by ensuring that tax receipts were allocated not on the basis of what is paid in each local authority area but on the basis of some other method. He could also slash funding to local authorities that are likely to have higher tax yields, such as Aberdeenshire.

By getting the Government to set out in advance how it will allocate tax receipts and Government grant, my motion will help to prevent the Liberal Democrats from being stitched up by the SNP, at least on local income tax.

Jeremy Purvis (Tweeddale, Etrick and Lauderdale) (LD): Is this the same Derek Brownlee who, on his conservativehome.com blog, said of the Conservatives' proposals for reform:

"There are obvious implications around the proportion of their funding that Councils raise, but it could be done"?

If it could be done for his scheme, why can it not be done for another?

Derek Brownlee: The point is that people in every local authority area in Scotland have a right to know whether they will pay more under local income tax. If the motion is agreed to, taxpayers throughout Scotland would be enabled to take a view not only on how local income tax would affect them as individuals and families but on how it would affect their local areas. For example, people in Edinburgh would know whether the benefits of any capital city supplement given by one hand would be taken away by another, and people in the north-east would find out whether the promises that the SNP and Lib Dems made to them on higher funding would be kept. Given that a by-election is pending, I will be the first to mention the good people of Fife. If the motion is agreed to, they would be able to determine for themselves whether the prediction made by Fife Council's director of finance that local income tax

"could lead to reductions in some services, e.g. road maintenance, to fund pressures elsewhere"

would come to pass.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): As Derek Brownlee is so concerned about rising tax levels throughout Scotland, will he join the Liberal Democrats—*[Laughter.]*

The Presiding Officer: Order.

Mike Rumbles: Will he join us in proposing a 2p cut in income tax? Would the Tories consider cutting income tax?

Derek Brownlee: I am coming to tax cuts—Mike Rumbles need not worry about that.

I mentioned consensus. If our motion is agreed to, that means that the Government will address one of the high-level flaws that we identified in our submission on local income tax, leaving only 40 major issues to be resolved before we could look more favourably on the policy.

The Labour amendment makes a fair point about setting out, council by council, what the allocation methodology would mean, allowing a sensible comparison to be made with the current system.

Council tax benefit—£400 million out of the £11.5 billion—is raised in the Government amendment. I am sure that this is not the last time that we will see an amendment or motion on local government finance lodged by John Swinney and supported by Jeremy Purvis.

The SNP's submission to the Burt review in 2005 said:

"Before any reform of local authority taxation can be considered, it is vital that an assurance is given that this sum will continue to be allocated to Scottish local authorities in the event of the abolition of the council tax".

I stress that it says:

"Before any reform is contemplated".

It is fair to say that the Government has somewhat passed that stage. I encourage it to publish all its communications with the United Kingdom Government on the matter so that we can see just how strongly the case has been argued. So far, the most detail that the SNP Government has set out is a mere five paragraphs in its consultation paper. That paper argues that council tax benefit moneys should be transferred because they are part of the Scottish block, but that is not the case and never has been.

It is true that the current statement of funding policy, which the Treasury published last year, reproduces a written answer from December 1997 that states that council tax benefit will

"come within the Scottish Block for the first time after devolution".—[*Official Report, House of Commons*, 9 December 1997; Vol 302, c 511W.]

However, the Government knows that that did not happen—Mr Swinney conceded as much in oral evidence to the Burt review in 2006. The Scottish Government argues that the statement of funding policy is another reason why the money should be paid over, but that statement explicitly starts with the view:

"This Statement is drafted on the assumption that current forms of local taxation continue."

The Conservatives have made it clear that a UK Conservative Government would be prepared to enter into a dialogue with the Scottish Government on council tax benefit moneys. We do not know whether the Scottish Government wants to allocate them on the basis of the current level of council tax benefit or on some other basis but, even if it got those moneys, there would still be a gap in the funding arrangements for local income tax of about £400 million: the £281 million that the Government concedes plus at least £117 million because of lower tax revenues.

The Lib Dems might believe that it is possible to magic £400 million—or £800 million—out of nowhere, but no one else does. I am prepared to be helpful to them today. I know that they are looking for savings. There is £20 million for the local income tax in next year's budget, which leaves only £1.58 billion for them to find for the remainder of the parliamentary session.

Local income tax is a lost cause, regardless of what happens on council tax benefit. Members who support LIT may care to reflect in due course on why I am so keen that the detail that we have requested in our motion be published before the bill to introduce local income tax is introduced.

I move,

That the Parliament calls on the Scottish Government to publish in detail, prior to the introduction of a council tax abolition Bill, how it proposes to allocate to each local authority local income tax revenues and all other sources of funding, including revenue support grant and non-domestic rates income, in the event of the Bill being enacted.

09:23

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): I welcome the debate and the indication in the Conservative motion and the Labour Party amendment that those parties are at last coming to terms with the fact that change to local taxation is coming. Since the Government was elected in May last year, both parties have initiated debates in which they have tried to oppose in principle our plans to introduce a local income tax by abolishing the council tax. Both attempts failed, and I welcome the parties' engagement on points of detail that require to be considered in taking forward the Government's proposals.

Mr Brownlee asked for clarity on the Government's approach. I am happy to undertake to Parliament to publish, prior to the introduction of a council tax abolition bill, details of how funding is to be allocated to individual councils. On 11 March this year, we published a consultation paper on our proposals to abolish the council tax and

replace it with a fairer local income tax based on ability to pay. Under our proposals, four out of five households would be better off or no worse off, 85,000 people—including 15,000 children—would be lifted out of poverty and many pensioners would be better off.

Gavin Brown (Lothians) (Con): Does the Government have, at this stage, a preference for one of the three ways in which the local income tax revenues could be allocated? Does it prefer relative need, population, or where the tax is raised?

John Swinney: If Mr Brown will forgive me, I will come to that point.

The consultation on the Government's proposal ended on 18 July. We received more than 500 responses, many of which were detailed, and we arranged to have them analysed by an independent research organisation. We will consider the findings of the report and reflect on all the points made in it before we publish our response to the consultation. At that time, we will also release the independent report and all the responses that we are entitled to release.

Before publishing that material, I will make two brief comments, both of which I am sure will hearten Mr Brownlee and his colleagues. First, the Government has an open mind when considering some of the detailed changes to our proposals that others have submitted. For example, we are actively considering representations that full-time students should be exempt from paying local income tax in the same way as they are exempt from paying council tax. We will make clear our responses to all the other issues in due course.

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

John Swinney: I would have thought that, rather than grunting from a sedentary position, Mr Fraser would have applauded what I have just said, if he had any generosity at all.

Murdo Fraser: I take it that Mr Swinney has factored into his local income tax calculations the revenue lost to the Government through not making students pay.

John Swinney: Oh my goodness—Mr Fraser wants to have it both ways. Punitive taxation is his watchword. Of course the Government will consider those factors.

Secondly, many consultation responses offered balanced and considered comments about the implementation of such a major policy change. Some organisations raised legitimate points about how the tax will work. We can and will answer those points. I also welcome the offers that many people made to work with us on making the taxation system fairer.

When we publish our response to the consultation, we will set out how we plan to go into the next stages of the work. The consultation paper shows that we recognise that the amount raised through the local income tax will not be identical to the amount raised through the council tax, and that there will be a need to adjust local authority funding after the change to take account of that difference in order to ensure that public services in each area continue to be properly funded. That remains our position.

However, in response to the Conservative motion, I will say now that, although the detail will need to be developed, discussed and agreed with the Convention of Scottish Local Authorities, our intention is that the local income tax that is collected from residents in each local authority area will be retained within that local authority area. The current local government finance system ensures that councils receive funding in line with a needs-based formula that we agree with local government in Scotland. From a derived total funding package, we take off allocations for council tax and business rates and any remaining specific grants, such as the police grant. The balance is, as Mr Brownlee correctly said, made up through revenue support grant.

Following the introduction of the local income tax, we will simply replace council tax income with local income tax in the formula. The resulting revenue support grant totals by council might change, but we will ensure that after the change councils will continue to receive the same overall level of funding that they received before it.

We have made it clear that the amounts that local authorities receive in council tax benefit are crucial to our plans. Following the passing of the Scotland Act 1998, a mechanism was agreed to reimburse the Scottish Government for any reductions in council tax benefit where council tax in Scotland rose by less than it did south of the border. That mechanism was suspended by the previous Administration. As a result of that short-sighted agreement, Scotland has lost hundreds of millions of pounds.

Council tax benefit forms—and has formed for many years—an integral part of the local government finance system in Scotland. By 2011-12, it will be worth, in round terms, £400 million a year. The Scottish Government has consistently maintained that, if the Parliament decides to exercise its power to reform local taxation, under whatever form of local taxation it envisages, it must have access to that council tax benefit, because it is integral to the funding settlement for local government. Council tax benefit is integral to the Government's proposals on local income tax, and it would be integral to any other reform

proposed by any other party—if they had a clue about what to offer as an alternative.

I am delighted that the amendment in my name has attracted the support of the Liberal Democrats. I look forward to responding to the debate.

I move amendment S3M-2631.2, to insert at end:

“and believes the UK Government should agree that Council Tax Benefit money forms an integral part of local government finance and should be available to local government as part of decisions by the Scottish Parliament to reform local taxation in Scotland.”

09:29

David Whitton (Strathkelvin and Bearsden) (Lab): I speak in support of the Labour amendment in the name of my colleague, Andy Kerr. I indicate that we will support the Conservatives’ motion.

Being a front-bench spokesperson clearly has perks. Only last week I received an email inviting me to dinner with the Cabinet Secretary for Finance and Sustainable Growth. It seems that he is entertaining business owners in Bearsden in the relaxed atmosphere of the Douglas Park Golf Club. I have to pay £30 for the privilege and there is no discount for block booking. The accompanying letter brags about SNP achievements, and then says:

“The man who makes these decisions, the man who balance Scotland’s books, is Scotland’s chancellor, Mr John Swinney. What else has he in mind for the future?”

What else indeed? The purpose of today’s debate is to see whether we can get some answers. Indeed, we have just had some, I think, from the man who claims that he balances the books—before he goes to Bearsden.

As I am sure the cabinet secretary knows, the people of East Dunbartonshire pay their way, with a council tax collection rate of more than 98 per cent. They want to know whether any replacement tax will raise similar amounts of money to pay for local services. The Conservative motion and Mr Brownlee’s contribution ask very pertinent questions, but I doubt we will get all the answers that we are seeking, because I do not think that Mr Swinney knows all the answers.

I asked Councillor Rhondda Geekie, the leader of East Dunbartonshire Council’s Labour-Conservative coalition administration, whether she could shed any light on the potential impact of the local income tax on our area. She told me that the council is currently looking for £7 million of savings, and that is before the impact of this year’s pay settlement. She has no flexibility to bring in extra money because of the zero council tax

increase imposed by Mr Swinney. Investment in five primary schools that are classed as category C—those in need of major repair and upgrade—is on hold as the council does not yet have details about the Scottish Futures Trust.

However, today, we are concentrating on the local income tax. Mr Brown has already asked whether the local income tax will be based on where someone is employed or where they live, and I, too, have questions to ask Mr Swinney on behalf of my council and constituents. I hope that he will be able to answer them.

How will the money that is raised from local income tax be distributed to individual local authorities? The cabinet secretary has already touched on that. Will the SNP incorporate fail-safe mechanisms to maintain income predictability for local authorities? I am not sure whether we have had an answer to that. Can he guarantee that no local services will be cut as a result of any shortfall in funding under local income tax?

It is interesting to note that the SNP chose to call the proposed bill the abolition of council tax bill, rather than just the local income tax bill, but that is the way that it uses language—to emphasise the negative. That explains why the council tax is always referred to as either unfair or hated. Well, two can play at that game.

Bob Doris (Glasgow) (SNP): Will the member take an intervention?

David Whitton: No, I am sorry but I have only four minutes.

The proposals for the introduction of local income tax have been roundly criticised right across Scotland, with civic Scotland, business leaders and trade unions united in opposition to them. So why do we not call it the abolition of local government accountability bill, the savage cuts to council services bill, or the loss of local authority jobs bill?

It is about time that the people of Scotland had some detailed answers to their questions, rather than the bland promises that we have heard again today that almost everyone will pay less. That is not true, and Mr Swinney knows it. He also probably knows that the true figure for local income tax should be nearer 6p in the pound than 3p.

The SNP never mentions that, in addition to paying a local income tax, the people of Scotland will still have to pay water and sewerage charges. Yet again, there is no information about how those charges will be set and collected under any new system. When the cabinet secretary comes to Bearsden next month to tell his golf club audience what the future holds, I trust that he will give them the facts about local income tax, and not the

fiction. If he does not give them the facts, I guarantee that Labour members certainly will.

I move amendment S3M-2631.1, to insert after second "income":

" , together with indicative figures for each local authority for the first year of operation of local income tax, and how stability of funding is delivered to ensure that no local authority loses revenues directly because of the introduction of the new tax system".

09:34

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): I am happy to support Mr Brownlee's motion. I hope that he will reciprocate and support our amendment.

It seems that no one in the Labour Party wants to keep the council tax, and everyone in the Conservative party does. Last week, Iain Gray used economic analysis to say that the world's financial crisis had been caused by the prospect of a local income tax in Scotland. Not only were HBOS, Lehman Brothers and Bradford and Bingley potentially laid low by local income tax but, because we are introducing a progressive and fair system of local taxation in Scotland—

Gavin Brown: Will the member give way?

Jeremy Purvis: I will in a moment, if I have time.

Labour and, with the inevitability of the sun rising in the east and setting in the west, the Conservatives are moving to acknowledge that supporting the council tax is the policy that dare not speak its name. The Conservative policy is to try to use a defibrillator to wake a corpse by offering some payers half a discount and all other payers a discount of £150, but the poorest inhabitants of bigger houses will benefit least.

That takes us to the core of the argument—the Conservatives believe in the council tax. On the conservativehome.com website that I mentioned earlier, if one scrolls past the encouraging headline "David Mundell doesn't expect Scottish breakthrough", one finds Derek Brownlee's blog on local taxation, which clearly states:

"We believe the major problem with Council Tax is its level, rather than its underlying principles."

The council tax is not based on ability to pay, it is hugely expensive and bureaucratic to administer and it is based on arbitrary, 17-year-old property valuations. It seems that its core unfairness is the underlying principle that is admired by the Conservatives.

Gavin Brown: I am sure that my party and I would be keen to assess Mr Purvis's amendment, but it would appear that the Presiding Officer did not choose it for debate.

Jeremy Purvis: If Mr Brown wishes to look at the *Business Bulletin*, he will see that my name is attached to the amendment that is presented there.

Whereas the Conservatives believe in the council tax, Labour seems to have the jitters. On 5 August, *The Herald* reported Iain Gray as saying:

"I believe the council tax must be replaced or reformed to make it fairer, and if elected as leader I would bring forward proposals to do so."

We await those proposals with great anticipation. *The Herald* went on to say:

"Mr Gray's comments come two days after former Labour finance minister Tom McCabe said the party could give itself a 'massive boost' throughout the UK if it faced up to the 'discredited nature' of the council tax. Mr McCabe also said that the new leader should consider a 'timetable for abolition' for the council tax."

On 11 August, Mr Kerr was quoted as saying that if he were elected leader, he would

"immediately signal a long-term desire to replace the council tax".

The Labour Party has an immediate desire to replace or reform the council tax, wants to send a strong signal on the issue and proposals will be brought forward.

Cathy Jamieson was very definite when, on 19 September, she said:

"Any solution must guarantee that we protect and retain the £400 million Council Tax rebate. I don't want Scotland to lose this money and I won't gamble it just to have a pop at Westminster."

Liberal Democrats agree with Cathy Jamieson, even if members of her own party do not. There is precedent: the housing grant was devolved from the UK Government to the Scottish Parliament, regardless of policy changes that we make in Scotland.

What are the Tory policies for reform? Derek Brownlee said in his blog:

"There are obvious implications around the proportion of their funding that Councils raise, but it could be done."

We will debate the issue properly in the Parliament and full details of any proposals will be made available. I hope that a non-centralised approach will be adopted. We want a fairer, more progressive and less bureaucratic system than we have at present, and I hope that, as we pursue that goal, we will gain the support of members of all parties.

The Presiding Officer: Speeches should be of a tight four minutes in the open debate.

09:38

David McLetchie (Edinburgh Pentlands) (Con): Today's motion is about bringing

transparency to a subject on which the issues are often as clear as mud. No shortage of missiles of a statistical nature have been hurled in the debate about whether individuals and households would be better or worse off under a local income tax than they are under the council tax. Today's debate is not intended to be a rerun of those arguments; instead, it is designed to approach the subject from the standpoint of our councils.

Our motion is based on a recognition that whatever system of local taxation we adopt in Scotland, and regardless of whether the money that is at present spent on council tax benefit is added to the Scottish block grant, the proceeds of a local tax will still provide only 11 per cent of the total revenue of our councils. The major sources of funding are the moneys derived from Government grants—specific grants and revenue support grant—and from business rates.

Under the council tax, we know how those sources of finance are distributed among councils. Funding from business rates is distributed on a population basis, and funding from Government grants is allocated according to a long-standing formula of Byzantine complexity that has been agreed with the Convention of Scottish Local Authorities. It appears that the Government is reviewing that formula. The review is taking place against the backcloth of the Government's intention to introduce a local income tax. However, although we know that every penny that a council levies in council tax finds its way into that council's coffers, we do not know whether the same would be true of a local income tax.

The Government's consultation document puts forward a number of distribution options. I was extremely interested to hear Mr Swinney indicate that the Government now favours a distribution mechanism whereby each local authority would retain the local tax proceeds from that area. That is most interesting, because it means that the Government is intent on creating 32 local tax domiciles in Scotland. It will be astonishingly difficult for the Government to resolve the complex problem of how to retain control of the system and follow, for the purposes of assessing local income tax, every citizen in Scotland as they move home from one area to the next.

Mike Rumbles: David McLetchie has missed the point—we already have such a system. We have 32 different local authorities, which all have different levels of council tax. When people move homes, they move their council taxes with them.

David McLetchie: Mr Rumbles has not noticed that houses do not move, but never mind.

If we are to be able to compare the merits of local income tax with those of the council tax, we need to know not only the Government's preferred

distribution method for the proceeds of local income tax, but whether it proposes to change the formulas for distribution of Government grants and business rates. It is only when we have information on all those elements that we will be able to judge the financial package as a whole from the standpoint of councils and to determine whether a change to a local income tax would be prejudicial or beneficial to any particular local authority. That is of crucial importance, because the total package determines the quality of the public services on which we all depend.

As members will be aware, the Government has accepted in principle the case for a capital city supplement for Edinburgh, and the City of Edinburgh Council has just completed a report in which it seeks an additional £10.7 million of revenue spending and a supported borrowing requirement of £22.2 million. However, as we all know, what can be given with one hand can be taken away with another. A supplement is only a supplement if there is stability in the baseline funding, and that remains the great unknown.

On the face of it, our motion is of a technical nature; some might say that it is arcane—indeed, I almost put on my anorak this morning. However, no one should underestimate the importance of the information in question being put in the public domain before the Parliament comes to a decision on local government taxation.

09:42

Joe FitzPatrick (Dundee West) (SNP): I am sure that the whole Parliament will agree that Derek Brownlee's motion is sound and sensible. I hope that the cabinet secretary's reassurances will go some way to winning over those members who are still opposed to the abolition of the unfair council tax and the introduction of a fair system that is based on ability to pay.

"I believe the council tax must be replaced or reformed to make it fairer".

Those are not my words—they are the words that Iain Gray used in a press release on 5 August. A phone call from London prompted a U-turn. Unlike the Labour leader in the Scottish Parliament, the people of Scotland are in no doubt about the fact that the council tax has had its day. They are sick of the burden that that unfair tax places on them and are calling for it to be scrapped. Despite a campaign of misinformation by Labour politicians, the most favoured replacement remains a local income tax.

The council tax has been unjust since its inception and it needs to be replaced, not merely tinkered with. The local income tax bill will be an important step towards a progressive tax regime that is based on ability to pay. A pensioner who

earns £9,000 a year must go through a complicated process to claim council tax benefit, and they are still liable to pay the balance. Many pensioners do not claim that benefit, with the result that they pay up to about £1,200 a year in council tax for an average-sized home. Under a local income tax, such a pensioner would not pay a penny and would have no forms to fill in.

We are all aware that some high earners, such as MSPs, will probably have to pay a bit more, but that is what one would expect of a fair system that is based on ability to pay. Those who can afford to pay a little more should pay a little more to ensure that those who cannot afford to pay pay less.

Derek Brownlee: Does the member believe that all taxation should be based on the ability to pay?

Joe FitzPatrick: The council tax is not a tax that people can choose to opt out of paying, whereas with many other taxes, such as those that relate to having a car, people have a choice. That is a big difference. I do not say that all taxes should be based on the ability to pay. However, taxes to pay for basic utility services should be based on the ability to pay, which is why I support the Government's move towards a local income tax.

We have heard calculations from Labour suggesting that many people will pay more. After a recent STV debate, the Labour candidate in the Glenrothes by-election, Lindsay Roy, claimed that under a local income tax couples who earn £16,000 each and who live in properties of band A to C in Fife would pay more under the local income tax than they pay under the council tax. Let me be clear: under the local income tax, the vast majority of households would be better off, and the situation is no different in Fife.

I am sure that, if Lindsay Roy had not forgotten to exclude the personal tax allowance, which is of course not taxable under the local income tax, he would not have made that calculation. He is way off the mark. In Fife, a couple earning £32,000 would save £150 a year if they lived in a band A property; £270 a year if they lived in a band B property; and nearly £400 a year if they lived in a band C property. The misinformation from the Labour Party does not help the debate. If the Labour Party has an alternative to a local income tax, let us hear it and put it before the people. The fact is that couples in average properties in Fife and throughout Scotland will have to earn much more than £32,000 before they pay a single penny more under the local income tax. That is the reality of a fair local income tax.

The SNP amendment calls for Scotland's council tax benefit to be retained. I was delighted that, during the Labour leadership election, Cathy Jamieson pledged that securing Scotland's £400 million in annual council tax benefit was a priority

for her. That was when she was acting leader of the party, so I hope that the current leader will comply with what she said.

09:46

James Kelly (Glasgow Rutherglen) (Lab): I welcome the opportunity to take part in the debate. I support the Labour amendment and the Conservative motion. The debate is an excellent opportunity to ask questions about the local income tax, and it gives the Scottish Government a platform from which to provide information and clarification.

There is no doubt that serious questions arise about the local income tax. It has been criticised for its potential to make Scotland the highest-taxed part of the UK and to drain talent from the country. However, that is not the major issue that is before us. The local income tax will require a major bill to be brought before the Parliament. If we are serious about our role as policy makers and legislators, we must have detailed information to allow us to scrutinise the impact of the proposed legislative changes. We must know how the local income tax will impact on councils, businesses and Scotland's citizens.

The key issues on which we require more information and clarification are the administration of the tax, the costs and the stability of future revenues. On the administration of the local income tax, it is important to know whether HM Revenue and Customs will administer it. We also need to know whether a property register and a register of individual citizens will be required. The cabinet secretary's announcement today on allocations to local authorities will be studied in detail, not only by MSPs but by people from throughout the business and financial community. Inevitably, there will be implications for new tax rules—questions will arise about second homes and residency rules. There will also have to be an appeals process, so we need to know about how it will be put in place and its transparency. Questions remain about legal competence. The European Charter of Local Self-Government deems that taxes should be set locally. That must be considered carefully. Another issue is how water and sewerage rates will be levied under the new system.

There is no doubt that a new system such as the local income tax would involve a lot of set-up costs. I imagine that the system costs alone would be dramatic. I worked in the electricity industry when VAT on electricity was introduced. The system changes were complex and the electricity companies required significant resources to put the changes into effect. The local income tax would have an impact on employers. The Burt

review in 2006 indicated that the costs would be in the region of £55 million to £60 million.

Issues arise about how the stability of future income would be guaranteed through local income tax revenues and about the impact on economic growth. Research shows that stable inflows of finance result in greater economic stability and certainty, whereas variability can result in fluctuations, which are not good for our communities.

The debate is important. We must assemble all the information so that we can decide whether the local income tax policy would benefit families, protect and enhance council services and contribute to economic growth.

09:51

Keith Brown (Ochil) (SNP): The weight of the Conservative motion is about ensuring that clear detail is available on the Government's intentions for its proposed local income tax. It is difficult to argue with that principle. With such a major change, political parties and the people of Scotland should have as much detail as possible as soon as possible. However, we also have the right to expect that the principle of clear and early public information should apply to the council tax benefit issue. The parties that have clung to the hugely discredited and dysfunctional council tax system have shamelessly tried to bolster the threat from Westminster that any kind of deviation from their preferred policy would draw retribution in the form of a £400 million-plus penalty through the withholding of council tax benefits.

Derek Brownlee makes the case that we should have clear and early public information so that we can get an idea of the implications for people but, at the same time, he says that there will be no Tory decision on council tax benefit until 2010 at the very earliest. We cannot have the early certainty that he seeks if a big chunk of the money will not be agreed beforehand.

Derek Brownlee: Is the member aware of the representations that the Scottish Government has made to the UK Government? Given his reasonable point about information being publicly available, does he agree that we should have the right to see the case that the Scottish Government has set out and to know when and how vigorously it was set out?

Keith Brown: That is a complete red herring, because it is perfectly clear where people stand on council tax benefit.

To give an idea of the level of Tory thinking, in response to a perfectly reasonable and valid point from Mike Rumbles, we had the stunning revelation from David McLetchie that houses do

not move. If we come down to that level of debate, it is also true that houses do not pay income tax, nor do they pay council tax. People move and the current system is perfectly able to track those changes, even when people are being paid—or not—from Lithuania.

The tactic of the threat to withhold moneys is of a piece with the general themes of keeping us in our place and, by intimidation, discouraging any deviation from Westminster-approved changes. For me, the most disappointing aspect of that approach is that the Scottish branches of the UK parties have used the tactic with such gusto, with some honourable exceptions. Of course, with Labour, the London Labour line was always going to be preferred to independent thought or any notion of the Scottish interest. However, it is beyond doubt that the £400 million belongs to Scotland. Alistair Darling, whose view one would think would count for something, said in 1997 that, under devolution, council tax benefit and housing benefit

“will both come within the Scottish Block for the first time”.—[*Official Report, House of Commons*, 9 December 1997; Vol 302, c 511W.]

At this point of the argument, those who are too afraid to let go of the council tax—maybe we can call them the council tax cling-ons—adapt their argument from saying that it is not our money but is graciously dispensed to us by Westminster as part of the union dividend, to saying that it might be our money but it comes with strings attached. Because it is called council tax benefit, they say, we must use it for that purpose. One can understand why those in the Tory and Labour parties who never wanted devolution use that argument, but, more is the pity, it seems to have become a mainstream argument rather than one that is confined to the extreme unionist fringes of those parties.

One clear contradiction in the arguments on a local income tax is that some of those who oppose it say that they are in favour of local decision making, of councils taking responsibility for their decisions and of local democracy. However, they make those arguments while defending the hugely centralising effects and intent of the council tax regime. Since the 1970s, successive Labour and Tory Governments have sought to constrain and limit the financial freedom of local government—a fact rather than a matter of party contention for any student of local government. Whether it was the poll tax, rates or council tax, the aim was to control councils by cutbacks, capping or ring fencing.

The Scottish Government has made a good start in three of its actions—getting rid of ring fencing, increasing the share of the Scottish budget that goes to local government and providing extra

resources to allow councils to choose to freeze the council tax. From the comments of Labour, Tory and even Lib Dem councillors, I know that their Holyrood counterparts have failed to appreciate how well those actions have been received in local government. Perhaps it is time that they woke up to that fact.

09:55

Charlie Gordon (Glasgow Cathcart) (Lab): It is more than 20 years since a Tory Government in Scotland, dreading a looming revaluation of the domestic rates system of local government finance, abolished domestic rates and pioneered the community charge, known to all as the poll tax. The rest is history—the history of chaos.

The poll tax was regressive: the prince paid less, the pauper paid more. Domestic rates were redistributive and ownership of property is a type of wealth. The council tax that replaced the poll tax is slightly inferior to domestic rates from an administrative point of view and is partially obscured by the enforced co-collection of water and sewerage charges. As a mainly property-based local tax, it can be argued that the council tax is redistributive if one accepts that property ownership is a form of wealth.

Given how good UK homeowners feel when house prices rise and how bad they feel when house prices fall, and given the great store that all Governments, including the Scottish Government, set by house prices, it is disingenuous to pretend that the council tax is wholly regressive. That is not to say—

Jeremy Purvis: Does the member appreciate that his argument holds only if regular revaluations reflect the changes in local property markets, but that there has not been a revaluation? I understand that it is Labour Party policy not to have another revaluation.

Charlie Gordon: I was just about to acknowledge that so, not for the first time, Mr Purvis states the obvious.

What I have said does not mean that council tax should not be reformed and, indeed, revaluation looms again. However, must we wait for a revaluation crisis to loom before we reorder our local government finance system?

The Scottish Government's so-called local income tax is really a new national tax. It is a cure that is worse than any disease from which council tax might suffer. As David Whitton highlighted, a bill to abolish the council tax is still a bill for a new national income tax, and the Scottish people will not be fooled by cynical nomenclature, just as they were not fooled by the Tories when they called

their poll tax bill the Abolition of Domestic Rates Etc (Scotland) Bill.

The devil is in the detail of local income tax, and that will prove to be its undoing. Other speakers have highlighted many unanswered questions of detail. The major constitutional objection to the new income tax is that we will become one of a handful of European countries where local government cannot raise its own local taxation. From a purely constitutional perspective, the balance sheet of relations between this Parliament and local government since 1999 is not good. Now it seems that centralisation is paramount. Is that really what COSLA wants? Will turkeys really vote for Christmas? If they do, it will be the first time that turkeys have voted for Christmas since SNP members of Parliament helped to bring down the Labour Government in 1979 and usher in the long dark night of Thatcherism. Thatcherism: have we seen or heard the last of it?

The Presiding Officer: Just before I call Bob Doris, I ask that all members who wish to speak in the debate make sure that they have pressed their request-to-speak buttons.

09:59

Bob Doris (Glasgow) (SNP): Today's debate is a positive step forward by the Conservative party in Scotland. The motion that is before us makes reasonable requests and gives the chamber another opportunity to debate the implementation of the local income tax, which members have already voted for in principle. I welcome the Conservatives' introduction of the debate.

The Conservatives' step forward is, of course, a baby step. Until they support a form of local taxation that is based on the ability to pay and stop trying to make do and mend with the unfixable, unfair and unwanted council tax, they will not be able to walk tall with the people of Scotland. They will be deserting our pensioners in particular and the modest-income, hard-working families of Scotland.

The Conservative proposals for the reform of local taxation are the equivalent of placing a scabby Band-Aid on the gaping wound that is the council tax. People will not refuse the Band-Aid if it is offered to them, but they know that it ain't going to solve the problem. However, today's motion from the Conservatives is progress. It looks at the mechanics of delivering the local income tax, which is welcome.

The SNP amendment is also important, and MSPs should support it, irrespective of their views on local taxation. I will make my position clear on council tax benefit: it is Scotland's money, it belongs to us and anyone who calls for it to be given back to the UK Exchequer rather than used

to support local services throughout Scotland should be ashamed of themselves. Anyone who does not support Scotland's Parliament keeping the money to which it is entitled is a stranger to defending Scotland's interests and should be ashamed of themselves.

During the Labour leadership contest, both Andy Kerr and Iain Gray said that Westminster should keep council tax benefit. That is to their shame, and I hope that they will reflect on it. Perhaps they will listen to Cathy Jamieson, who said that had she won Labour's leadership election, she would have raised the matter with Gordon Brown and Alistair Darling, with a view to retaining the £400 million. I very much hope that Cathy Jamieson will be given a free vote this afternoon, so that she can vote with the SNP and the Liberals to defend Scottish money rather than with her party and the Conservatives.

Andy Kerr (East Kilbride) (Lab): Will the member give way?

Bob Doris: I am sorry, but I have only four minutes.

It is my preference that the council tax be scrapped and replaced with a local income tax based on the ability to pay. However, even if the Labour Party or the Conservatives came up with an alternative that I might agree with, I would still support the £400 million of council tax benefit being retained in Scotland. It is fundamental.

Derek Brownlee: Will the member give way?

Bob Doris: I say to Mr Brownlee that my speaking time has not changed.

Derek Brownlee said that the Conservatives will discuss retaining council tax benefit in Scotland, and I welcome that progress—perhaps that was to be the subject of his intervention. Labour is now in danger of being the only party in Scotland's Parliament that is actively looking to rob Scotland of its own money and give it to Westminster. Shame on the Labour Party. I ask it to reflect on that and to start to stand up for the people of Scotland.

Labour-controlled Glasgow City Council ran an online local income tax calculator and worked out that 72 per cent of Glaswegians would be better off. I will spread that word in Glasgow, and other SNP members will spread the word throughout Scotland. It is time that we scrapped the council tax and delivered a fair, just, local income tax.

10:03

Des McNulty (Clydebank and Milngavie) (Lab): Those who venture fundamentally to change local taxation should bear in mind Hilaire Belloc's epigram for young children:

"And always keep a-hold of Nurse
For fear of finding something worse."

The Conservatives learned a painful lesson from the introduction of the poll tax: the winners show little gratitude and the losers have long memories. That will be the reality if the local income tax is introduced.

When Tommy Sheridan proposed his Scottish service tax—a much better developed proposal than that put forward by the SNP or the Liberal Democrats—the work that was done on that fundamentally similar approach showed that the actual tax rate would be of the order of 5.5 per cent, compared with the 3 per cent that John Swinney claims. That is not a small matter. It is a huge gap in the calculations.

People have to be aware that about 80 per cent of local government expenditure is on statutory obligations, such as schools, social work and police. We cannot take seriously a proposal that jeopardises the capacity of local government to deliver statutory services, never mind non-statutory services, which are also much valued by local residents. We cannot take seriously a proposal that has such a huge hole in it. Mr Swinney really has to address the huge hole that is at the centre of his calculations. That must be the first, fundamental test of what is proposed.

The second point that Mr Swinney needs to address, which is made in Mr Brownlee's motion and the Labour amendment, is that he must come clean on the methodology by which the resources are to be distributed. The SNP seems to be making a variety of proposals. We have no real clarity about whether the proposed system is needs based or population based or about how it relates to revenues.

If we are to have a nationally funded local government spending scheme, it has to be needs based and the methodology around it has to be transparent, objective and open to independent scrutiny. The mechanisms that we have at present vary in terms of grant-aided expenditure or service level adjustments in the 2007-08 baseline, which clearly is inconsistent. Mr Swinney needs to state clearly how he is going to distribute the resources. He should use client groups as primary indicators and socioeconomic and geographic factors as secondary indicators, which should be selected and weighted on the basis of statistical evidence. That methodology would be the most transparent and consistent.

Before Mr Swinney introduces his radically different approach, he has to let local government know not just that it will get the money but how the money will go to Aberdeen City Council, West Dunbartonshire Council, East Dunbartonshire Council, Glasgow City Council, the City of

Edinburgh Council and every other local authority in Scotland. There has to be certainty that each authority can deliver its statutory obligations and the services that its citizens require it to deliver. Unless we get certainty around the methodology and the volume, the proposal will be a complete non-starter. Mr Brownlee's motion is worth while, because it will provide clarity on Mr Swinney's proposal. After that, we can decide whether the proposal is a little mistake or a huge mistake. I think that it is the latter, but we will wait and see.

10:08

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): This has been an interesting debate on the Tory motion. Derek Brownlee seems to be leading the Conservatives into an early surrender over local income tax—the white flag is being raised already. The Conservatives seem to accept that this welcome reform is inevitable, so they are concentrating on the detail, which is fair enough. However, they are all over the place on not just local income tax but income tax in general. I noticed that the Conservatives were totally unwilling to advocate cutting income tax. Derek Brownlee refused to answer me when I intervened to ask him whether they would support Liberal Democrat proposals to reduce income tax.

Alex Johnstone (North East Scotland) (Con): No.

Mike Rumbles: I hear Alex Johnstone shouting "No." I will ensure that the people of West Aberdeenshire and Kincardine know that. That would cost less than 3 per cent of the Scottish budget, yet the Tories are unwilling to join us in advocating it.

Derek Brownlee: I have a simple question for Mr Rumbles. Only a few weeks ago, he asked us to consider the case for an extra £66 million each year for Aberdeenshire Council. If that does not come under current plans, will he vote for local income tax?

Mike Rumbles: That is a cheek. Aberdeenshire Council receives £60 million less than it should every year. We have been arguing for a fairer cut of the cake.

John Swinney considered exempting full-time students from local income tax, which is welcome. We have pursued that measure—Jeremy Purvis in particular has pursued it—and we want it to be implemented.

Jeremy Purvis pointed out that both Labour and the Tories support the discredited council tax. I find it astonishing that Labour will not fight our corner here in Scotland. London Labour is insistent that it will filch the £400 million from Scottish taxpayers when we abolish the council

tax and replace it with a fair form of local income tax.

David McLetchie did not seem to understand that it is people, not homes, who pay taxes. That is absolutely bizarre. He said that local income tax would be complicated, with 32 variations. We already have 32 different valuation officers, 32 different appeals mechanisms, 32 different collection regimes and 32 different council tax rates. We could not invent a more complex system than we have already. A system of a varied local income tax will be much simpler.

The Liberal Democrats want to replace the council tax with a local income tax of around 3p in the pound, varied locally.

Alex Johnstone: Around 3p?

Mike Rumbles: Of course it will be around 3p. It will be varied locally. Had the Conservatives not noticed?

I say to the cabinet secretary that we will support the abolition of the council tax and its replacement with a local income tax, but such a tax must really be local. Coupled with a cut of 2p in the pound nationally—[*Laughter.*]—it would put money back into taxpayers' pockets from next year, which would be welcome across Scotland, especially in these difficult economic times, which I see that the Tories are laughing about. The Liberal Democrats are prepared to work—if the Tories are prepared to contain their laughter at people's economic circumstances—with every party in the Parliament not only to deliver the abolition of the council tax and its replacement with a fair local income tax, but to persuade others in the Parliament to support a 2p cut in income tax in the Government's forthcoming budget as we examine it over the next few months.

10:12

Andy Kerr (East Kilbride) (Lab): Mike Rumbles used the words "early surrender". The fact that he then said that he supports a local income tax of—coincidentally—around 3p in the pound is a clear indication of his early surrender to the Government's centralising policy. He almost went on to justify that policy by saying, "Look at all that trouble we have out there in local government with 32 different systems. Let's centralise it." That is what the Liberal Democrats want to do and that is what they are going to do.

However, I want to achieve consensus throughout the chamber.

Mike Rumbles: Will the member give way?

Andy Kerr: I have only four minutes.

We welcome the Conservative move—we support the motion and we hope that colleagues

will support our amendment, too—to ensure that we flush out some of the key issues surrounding the Government's policy. As everyone knows, the initial consultation document was a shambles. Many people said that it was one of the worst consultations every undertaken by a Government. Individual householders, taxpayers and communities need to know the detail of the proposals, hence the reference in our motion to “stability of funding” and how the local income tax proposals will affect individual local authorities. It is good that the cabinet secretary has welcomed that and that he is responding positively to requests for detail. There will be more to follow.

Members have raised many issues, including water and sewerage charge collection; second homes; yield prediction and management, which is a dull but incredibly important part of the debate; and evasion and the avoidance of payment. Now that the cabinet secretary has set the tone for the debate running up to the introduction of his proposals, I look forward to seeing the further information for which many members have called. For example, David Whitton asked about yield, shortfall and collection, and James Kelly asked about the issues that Burt raised about local income tax proposals. We recognise that a lot more has to be done.

David McLetchie asked how we work out who would be better off and who would be worse off under the proposals. We will be able to do that only if the cabinet secretary continues his openness and meets his commitment to ensure that we have the maximum information on which to judge his proposals. At the end of the day, the local income tax is, as Charlie Gordon made clear, a new national income tax. However, the devil will be in the detail, and the Parliament will want to ensure that that detail becomes known to the Scottish public.

That is not to say that we have somehow surrendered to the idea of the local income tax. Indeed, the cabinet secretary and certain other members have made a bit of mischief on this point. The concept is flawed, and has been damned in consultation responses not only from the business community but from Carers Scotland, Unison and many other organisations. There are great concerns about the local income tax, and no one should be under any illusions about our continued opposition to it.

Much has been said about council tax benefit. You were warned—I apologise, Presiding Officer. The cabinet secretary was warned—as the SNP was warned before, during and after the previous Scottish Parliament elections—that the council tax benefit that is provided by Westminster will cease on the introduction of a local income tax system. It is not a matter of Westminster being a bully; it is

simply the consensus view of many commentators and academics. In fact, Sir Peter Burt himself said very clearly that

“Council Tax Benefit would cease”

if local income tax were introduced in Scotland. It is simply wrong to say that council tax benefit is part of the Scottish block; it is paid out by the Department for Work and Pensions and will be paid out for as long as the council tax remains.

There has also been a lot of misinformation this morning about what was said in the statement of funding policy. The fact is that in 1997 there was a draft annex to the statement of funding policy, but what was contained in that annex was never adopted, even though the SNP continues to peddle the myth that it was.

I will finish on that point of clarification about council tax benefit. I welcome the Government's openness on this matter and I look forward to more information emerging about this dreaded policy.

10:16

John Swinney: I will try to found my closing remarks on Mr Kerr's note of consensus.

Two staggering revelations have emerged in the debate. First, I realise that I am going to have to give Jeremy Purvis some advice on how he spends his time, because I have to tell him that there are many fruitier pieces of light reading than Derek Brownlee's blog.

Secondly, some tremendous disaster must have happened if Mr Whitton has received an invitation to a certain dinner in East Dunbartonshire. I hope that, in the spirit of consensus, he is not planning to attend the event. *[Laughter.]*

Andy Kerr: He has given the invitation to me.

John Swinney: Well, that will make for a delightful evening. Mr Kerr and I will be able to take forward the many issues that we enjoy discussing together.

David McLetchie's speech was of course crafted with the usual elegance of an Edinburgh solicitor. However, he seemed to miss the fact that I dealt with the entire issue that he was raising in my opening speech. It was as if, in Scotland, one could still shoot a fox in debates. As I said earlier, our intention is that the local income tax collected from residents in each local authority area will be retained within that area. Given that that one point dealt clearly with the entire contents of his speech, Mr McLetchie might have changed his script accordingly. I note, though, that Mr Kerr was kind enough to accept the same comment as a clear statement of the Government's position.

That all fits into my response to the points raised by Des McNulty, which is that the local government finance system must be anchored to a needs-based formula that we will agree with local government. Indeed, as I made clear it would be when I announced the spending review settlement last year, that very formula is being examined at the moment. In our view, the local income tax element of local government funding would replace the council tax element, but under the umbrella of the overall funding package for local government. As we have made clear, local authorities will be able to rely on the same level of resources as before.

The Government's amendment, which focuses on council tax benefit and has attracted Liberal Democrat support, highlights one of the fundamental issues in the debate. My colleague Keith Brown was right to highlight the total contradiction in Derek Brownlee's argument, a contradiction that I have to say is most uncharacteristic of the member. Mr Brownlee argued for the need for clarity and certainty on all these questions—apart from, it seems, council tax benefit, which represents a significant part of the local government funding settlement.

Derek Brownlee: Has the cabinet secretary changed the position that he outlined to the Burt review on this matter? At the time, he said that he would want the same assurance before any reform of local taxation could be considered. Now he seems to be saying, "Here are the proposals; I'll give you the assurance you want afterwards."

John Swinney: There is no change in my position. As Mr Brownlee would expect, I am taking forward this discussion on behalf of the Scottish Government to ensure that Scotland retains council tax benefit money. If he wants me to make clear how the issue has been raised, I can tell him that I have done so directly and personally with the Chief Secretary to the Treasury and on other occasions. What would help me—*[Interruption.]* What would help me, as I think Mr Rumbles has suggested from a sedentary position, is having Parliament's mandate to support my position in those negotiations.

I hope that between 10.30 am and the vote at 5 o'clock tonight the Conservatives will reflect on the fact that, no matter who reforms local taxation and no matter whether they seek to introduce a local income tax, a different form of property tax, the roof tax that Labour considered or the land value tax that Patrick Harvie might be interested in, council tax benefit still forms part of the resources of local government finance in Scotland and must be protected and delivered.

Finally, I say to Mr Kerr that council tax benefit goes nowhere near individuals. It is based on an assessment of an individual's income and is paid

directly to local government as part of the local government settlement.

Andy Kerr: Will the cabinet secretary give way?

John Swinney: I am afraid that I am coming to a close.

As a result, the case that council tax benefit should form part of the local government finance arrangements in Scotland is unanswerable. It should be protected, and I hope that such a view will receive Parliament's mandate this afternoon.

10:22

Gavin Brown (Lothians) (Con): We have heard some of the usual buzzwords and phrases that come up in local government finance debates. For example, members have talked about the "ability to pay", used the word "discredited" and referred to "the percentage that would be better off", which I have to say seems to decrease with every passing month and with each new piece of analysis that appears.

One thing that I must make clear is that the Scottish Conservatives remain absolutely and firmly opposed to the local income tax; it was disingenuous of one or two members to suggest otherwise. Indeed, our consultation response makes our position abundantly clear.

However, as the motion makes clear, we want clarity on the critical issue of the method of allocation. We have already been able to work out which individuals and groups would lose out under the local income tax, but now we need to know which local authorities would lose out. That information is particularly important if there is also a review of allocations from the revenue support grant and other central Government money.

The consultation on the local income tax suggested that the tax revenue could be distributed according to relative need, according to population or according to where the money was raised. There was a fourth, "Don't know" option, just in case the Liberal Democrats wanted to submit a response.

I acknowledge that the cabinet secretary gave us an answer to our question this morning. However, he paraded it as if he had reached his view after reviewing all the evidence and analysing all the consultation responses. On 17 April, a month into the consultation and at a time when he could not possibly have analysed all the evidence, Mr Swinney stated in response to a question whether the tax was local and legal:

"The money that every individual pays in local income tax will go directly to the local authority area in which they live to pay for services for people living in that area."—*[Official Report, 17 April 2008; c 7625.]*

I suspect that Mr Swinney did not mean to say that and that it simply slipped out. However, the same point was paraded this morning as if it were a Government announcement of a position that had been based on all the facts and evidence.

John Swinney: If that is the case—and I accept that it is, given that Mr Brown has just quoted from the *Official Report*—what on earth was Mr McLetchie banging on about for four minutes in his pointless speech? Indeed, if I answered the question in April, what are we having this pointless debate for?

Gavin Brown: As the cabinet secretary said, Mr McLetchie made a considered and well-delivered speech, as ever. That was a simple bit of backtracking.

The point is that if the Government has already decided how it wants to allocate the money, surely we do not need to wait until a bill is published to get the information that we have requested. Why not listen to Keith Brown? He said that we need information as soon as possible. Will the cabinet secretary agree to publish information on the allocation of money to local authorities so that we can clearly see now how each local authority will do without having to wait until a bill is published? How will the north-east do, for example? Will Mr Rumbles be so keen on a local income tax when he finds that out? How will the Borders do?

Mike Rumbles: I am astonished that Conservative members will not confirm whether they are in favour of cutting income tax. Will they support us during the budget process to achieve that?

Gavin Brown: Mr Rumbles is one of the few Liberal Democrats who are not in the Borders at the moment fighting for what is meant to be a tough seat. Today, he charged round the lobby telling everyone that he would intervene during every speech by a Conservative member to ask about tax cuts—it would have been a good idea not to talk about such plans to Conservative researchers.

I want to pick up on two other points that Mr Rumbles made. First, he showed that he misunderstands what happens with the collection of council tax. People pay taxes and move, but houses do not move. The council tax is property based. People do not simply move house and leave that house empty; they sell it on. It is much simpler to keep track of what is happening using the council tax, because it is property based.

Mr Rumbles also mentioned the complex collection system for the council tax. Perhaps the system is complex, but if he cares to look at his next council tax bill, he will see two other items on it: water and sewerage. Even if the council tax were scrapped, water and sewerage rates would

have to be collected. There would be exactly the same system and exactly the same issues that we currently face.

If the Government has made up its mind about how local income tax revenues would be allocated if a council tax abolition bill were enacted, let us see information on that now. That information should be published as soon as possible for all the 32 local authority areas. People could then make more informed choices about what to do.

Alcohol Sales (Age Limits)

The Deputy Presiding Officer (Trish Godman): The next item of business is a debate on motion S3M-2629, in the name of Murdo Fraser, on age limits on purchases of alcohol.

10:29

Murdo Fraser (Mid Scotland and Fife) (Con): Scotland needs a mature and reasoned debate on our relationship with alcohol. The statistics are frightening. The United Kingdom is in the world's top 10 for alcohol consumption per head of population and, as we heard last week, Scotland's record is worse than that of the rest of the UK. One in three men and one in four women in Scotland exceed the recommended daily limits for alcohol intake, and alcohol misuse costs Scotland around £2.25 billion every year.

Against that backdrop, the Scottish National Party Government was right to bring forward an alcohol strategy, and the Scottish Conservatives are happy to engage in discussions with it on many of the sensible proposals in that strategy. I am sure that the same goes for the other parties that are represented in the Parliament. However, it is a pity that our shared ambition to tackle Scotland's problems with alcohol has been overshadowed by one Government proposal in particular—the ludicrous plan to raise the age at which alcohol can be purchased from off-licences from 18 to 21. What a pity that that proposal has stolen the headlines and dominated the debate when we should be addressing issues on which there can be some degree of consensus.

The Minister for Public Health (Shona Robison): On the issue of consensus, the other main plank of the proposals is minimum pricing. Do the Conservatives support that? Did they submit alternatives in the consultation process?

Murdo Fraser: The cabinet secretary—the minister, I should say; I am terribly sorry about the promotion—should listen carefully to my speech. I will talk about some of our alternative proposals which, I am sure, will satisfy her concerns.

Since the Government published its proposals in June to increase the minimum age at which alcohol can be purchased from off-licences, there has been a huge backlash against them. In particular, I pay tribute to the coalition against raising the drinking age in Scotland campaign group for its sterling work in marshalling public opinion against the proposals, with its petition with 10,000 signatures. There has also been opposition from the Federation of Small Businesses, the Wine and Spirit Trade Association, the Scottish Grocers Federation, the Scottish Youth

Parliament, the National Union of Students Scotland and a whole host of other bodies.

We believe that it is wrong in principle to raise the age at which alcohol can be bought from 18 to 21. There are problem drinkers of every age in society. Targeting 18 to 21-year-olds suggests that that group alone has a specific problem that other sectors of society do not have. The proposal is discriminatory, and there is simply no evidence to back it up.

Christine Grahame (South of Scotland) (SNP): The member has lodged an all-or-nothing motion. Does he accept that, if we voted for it, we would prejudice—in fact, we might criminalise—supermarkets and local authorities that already exercise voluntary policies in which 21 is the age at which alcohol can be purchased? The motion would rule out local variation.

Murdo Fraser: I would have thought that a qualified lawyer such as Christine Grahame would understand the difference between the law and voluntary schemes. I am disappointed that she does not understand that difference.

The SNP wants to create a ludicrous situation. Students would not be able to buy a bottle of wine or a few cans of beer to enjoy in their hall of residence or flat. It wants to create the even more ludicrous situation in which a 20-year-old soldier who has returned from a tour of duty in Iraq or Afghanistan would be unable to buy a bottle of champagne from an off-licence to celebrate his safe return with his wife. Someone who bought a bottle of champagne for him would be guilty of a criminal offence. In either case, the people involved would still be able to purchase alcohol in a pub. The proposal is inconsistent and unfair.

In defending its proposals, the SNP has put great emphasis on the pilot schemes that were carried out in Larbert, Stenhousemuir, Armadale and Cupar. It has claimed that the temporary restrictions on alcohol sales to those under the age of 21 substantially reduced crime in those areas, but we cannot extrapolate lessons about creating a national, permanent ban from those short, time-limited experiments in small geographic areas, where there was undoubtedly heightened awareness of the rules relating to alcohol off-sales. I can do no better than refer to what was said by the vice-president of the Royal Statistical Society, Professor Sheila Bird. She said that the Scottish Government was either spinning the figures or simply being naive. She said that a proper study was required and that the pilots did not constitute such a study. If the only argument that the SNP can marshal in support of its proposals is the evidence of the pilot schemes, it is on incredibly weak ground.

I say to Shona Robison that, instead of the SNP's proposals, we need a targeted approach that addresses problem drinkers, who belong to all age groups in society. I have no problem with talking about the pricing of alcohol, although I suspect that it would make sense to deal with that through the tax system rather than through some system of minimum unit pricing.

Above all, before we consider further legislation, we must ensure that the current laws are being properly enforced. The statistics show that, in 2005-06, only seven people under 18 were proceeded against in Scottish courts for buying alcohol or consuming alcohol in a bar, but we all know that under-18s seem to have no difficulty in purchasing alcohol. There should be a proper clampdown on those who break the current law before we consider changing it.

The SNP must be congratulated on its remarkable success in building a broad-ranging coalition against its proposals. It has succeeded in developing a true consensus in Scottish politics. The Conservative party, the Labour Party, the Liberal Democrats, the Greens and Margo MacDonald are all agreed. Of course, the consensus does not stop there. We know that SNP back benchers, councillors and grass-roots activists disagree with the proposals. We know that even the SNP's usually ultra-loyalist youth wing, the Federation of Student Nationalists, has come out against the plans. If the SNP cannot even persuade its party activists that the idea is good, why on earth should we support it?

The SNP Government believes that young people are responsible enough at the age of 16 to have the vote. In *The Herald* earlier this week, Bruce Crawford, the Minister for Parliamentary Business, said:

"The Scottish Government agrees that the lack of consistency with other legal rights on entering adulthood such as paying taxes, getting married or serving in the armed forces, leads young people to believe that their views are not valid or important".

I could not agree more. The SNP says that young people are responsible enough at 16 to vote but, in the next breath, it says that those self-same young people should not be able to buy a drink in a supermarket or an off-licence for another five years. I am delighted to welcome Bruce Crawford as the latest convert to our consensus. I hope that Parliament will join us in voting down these ludicrous plans.

I move,

That the Parliament rejects the Scottish Government's proposals to raise the age limit for purchasing alcohol from off-licences and supermarkets from 18 to 21.

10:36

The Cabinet Secretary for Justice (Kenny MacAskill): It is ironic that on the day when the SNP Government rolls out free school meals to five to seven-year-olds, some members obsess about providing alcohol to 18 to 21-year-olds. That speaks volumes about the Government's values and the minority interests of others.

The problem with the Conservatives' position on alcohol—as with so much—is that they carp and complain from the sidelines but have no ideas and make no input into the consultation. They have instigated today's debate on an issue that has been cherry picked from a comprehensive package of measures. They arrogantly dismiss the proposal out of hand on the basis of nothing more than dogma and a desire to play to the gallery.

Murdo Fraser, who comes across increasingly as a spokesman for Wal-Mart, either has his head in the sand or walks around with his eyes shut. He pursues the outdated line that alcohol misuse is a minority issue. It is not. It has an impact on everyone in Scotland in some shape or form in relation to health, the economy and justice. We cannot go on as we are.

We should not be surprised by the Conservatives' lack of understanding, given their past convictions and previous sins on passive smoking. We remember that Margaret Thatcher was the milk snatcher. Now Annabel Goldie appears to be the cairrie-oot provider. The party that sought to be tough on law and order now seems to accept the disorder that flows from a free-for-all in alcohol retailing.

Robert Brown (Glasgow) (LD): Will the minister take an intervention?

Kenny MacAskill: Not at the moment.

The Conservatives have moved on from David Cameron's hug-a-hoodie plan to Murdo Fraser's free bottle of Buckie or David McLetchie's gie-them-aw-a-cairrie-oot idea. I was interested to read that the London mayor, Boris Johnson—good old Boris—backs a proposal for an age 21 initiative in Croydon. Why are the Tories so dismissive of proposals in Scotland but so protective of their home counties heartland?

Murdo Fraser: Who would have thought that we would see the day when the SNP said that a solution that was proposed for London should automatically be imported to Scotland?

Does the cabinet secretary apply all the criticisms that he has just made of me to the Federation of Student Nationalists?

Kenny MacAskill: Mr Fraser well knows his past predilections in the Federation of

Conservative Students. I leave him to account for those.

We are not adopting Boris Johnson's suggestion; he is accepting as appropriate for the home counties what we have suggested. The Conservatives do not care about housing schemes in small-town Scotland. Of course, the Conservatives are happy to accept the council-tax freeze—we are delighted that Mr Cameron has come on board. Perhaps the Conservatives should take a few more of our policies.

I am thankful that people in Scotland recognise that the problem exists and that we cannot go on as we are. Scotland has one of the fastest-growing rates of alcohol-related liver disease and cirrhosis in the world. Each year, 40,000 people are hospitalised with an alcohol-related illness. As Mr Fraser admitted, the estimated cost of alcohol misuse is £2.25 billion per year. That is why we need a serious debate, with serious suggestions from serious people. The difference between us and the other parties is that we recognise the scale of the problem and are willing to try new approaches to tackle it.

We will not sit back and watch problems arise. The Tories must account for the fact that, when they were in office, the number of off-sales premises in Scotland increased by 31 per cent—from 4,900 in 1980 to 6,400 in 1997. That happened on the Tories' watch. They built not one new prison, but they increased the number of off-sales outlets by 31 per cent. It is no wonder that our communities pay a price in antisocial behaviour these days.

Our work to deal with alcohol started in opposition.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): The cabinet secretary's amendment refers to consultation and listening, of which we have not heard much in his speech. Will the Government definitely make legislative proposals to implement the ban?

Kenny MacAskill: We are consulting. The consultation period has finished and we are considering the issue. It is a pity that neither Mr Purvis nor anybody else in the Liberal Democrats took it on themselves to contribute to the consultation, but it is for them to answer for that.

It is easy to dismiss the age 21 discussion out of hand but, where the system has been tried, the results have been positive. Other factors have been at play in Armadale, Stenhousemuir and Cupar, and restricting the sale of alcohol to those aged 21 and over was only one element. However, the police and communities were grateful for the successful outcomes. The statistics speak for themselves.

Gavin Brown (Lothians) (Con): Will the minister give way?

Kenny MacAskill: Not at the moment.

We need to consider the complete picture. Debating the purchase age is only one part of that. We acknowledge that the Government does not have all the answers and that we need to work in partnership. We also recognise that we require not simply legislation but a culture change and enforcement of current laws. However, we need legislative change, because the status quo is unacceptable. As I said, we cannot go on as we are.

We welcome the input from a variety of organisations, including CARDAS, which accepts minimum pricing. We welcome the fact that Nick Clegg has come round to the concept of minimum pricing. Yet again, a UK political party is taking on board the Scottish Government's proposals.

We are delighted that Scotland is seen as leading the way by Boris Johnson and Nick Clegg. We have an opportunity to rebalance Scotland's relationship with alcohol, which is out of kilter. I appreciate that the prospect of reducing alcohol consumption is anathema to some, but that is the ball game that we need to win to end the damage that alcohol misuse has done to our economy and our country. As a Parliament, we owe that to future generations.

I move amendment S3M-2629.1, to leave out from "rejects" to end and insert:

"welcomes the period of consultation, listening and debate that is happening in Scotland on how to rebalance the country's relationship with alcohol; welcomes the initiatives being taken at local level, including voluntary agreements not to sell alcohol to persons under 21; notes the ongoing work done by licensing boards and other partners to implement the Licensing (Scotland) Act 2005; recognises the need to build on that legislation with further measures including the ending of irresponsible alcohol promotions, and acknowledges that given the major public health implications failure to take further action to tackle alcohol misuse is not an option."

10:43

Richard Baker (North East Scotland) (Lab): We need a serious debate on the issue, but the cabinet secretary frustrates that ambition. It is accepted that underage drinking is a problem in communities throughout Scotland. To address that, we need policies that will make a difference. Instead, the cabinet secretary has again placed a political gimmick before real solutions.

Shona Robison: On policies that will make a difference, what policies has Richard Baker proposed in response to the consultation?

Richard Baker: We are a Parliament. We are giving our view now. This is a debate, in which we

are clearly presenting our views. If the SNP is serious about listening to other views, I hope that it will listen to what the Parliament says tonight and ditch the policy.

We all accept that Scotland has a cultural problem with alcohol consumption. We know the toll that that takes on our health, through crime and on our communities. That is why the Scottish Government is culpable of placing a flawed policy at the heart of the debate. Our approach needs to be consistent, but the Government is not. The Government does not dispute that 18-year-olds can join the police, buy alcohol in a pub and run a pub, but it says that they should not purchase alcohol in an off-licence until they are 21, although the SNP wants to lower the voting age to 16. That simply does not make sense.

The proposal is not just deeply flawed in itself. It is part of an artifice to allow political posturing from the Government on tackling underage drinking to hide the Government's failure to invest in measures that would make a difference to the problem. The cabinet secretary has also failed to win broad support for his proposal. Some members might know that, over the years, the Federation of Student Nationalists and I have not seen eye to eye. However, I am today pleased and proud to stand four-square with my friends in the FSN in opposition to the Scottish Government, so that we can debate the issues properly.

The cabinet secretary mentioned the pilot in Armadale. The pilot's success is disputed. Although Chief Inspector Jim Baird welcomed it, he said that because initiatives

"all ran in parallel it is not practicable, particularly with the low numbers of calls and reported crimes, to identify what operation had what effect."

I do not doubt that the increased police presence and resources made a difference in tackling underage drinking. The increased police presence and not the ban on purchases in off-licences resulted in progress.

There are much more practical alternatives to the proposal. Consideration could be given to challenge 21 schemes, which do not require unfair and discriminatory legislation, and to proof-of-age cards. Most of all, we must ensure that the existing licensing legislation is rigorously applied. As members said, that is not happening. We should expand the use of test purchasing, which has been successful, and we should ensure that premises that have been found to be selling alcohol to underage purchasers face immediate suspension of their licences—

Shona Robison: We have done that.

Richard Baker: There is barracking from the SNP benches, but the evidence does not back up what members are saying. During the previous

session of the Parliament, we established strong licensing laws. Proper enforcement of those laws will have the most impact, particularly on underage drinking.

The purchase of alcohol from off-licences is only part of the problem. Too many young people have access to alcohol in other places, including the family home. That is why local policing and resources offer the best way of dealing with underage drinking. Instead of the 1,000 more police officers that were promised, only 74 have been provided. Instead of more investment in community wardens, in Aberdeen, in my area, we have witnessed wardens being removed from communities in which underage drinking is a particular problem and their duties being combined with those of traffic wardens. Instead of investing properly in community safety, the Government is cutting the budget in real terms.

Instead of bringing incoherent and inconsistent policies to the Parliament, the Government should put its money where its mouth is on underage drinking. I welcome the debate that the Conservatives have brought, which has given all parties the chance to put the proposal in the bin, where it should be. The Parliament will do the debate a service at decision time when it ditches the proposal, so that we can consider the alternative measures that I described, which will make a real difference in tackling alcohol misuse in Scotland.

10:47

Ross Finnie (West of Scotland) (LD): Liberal Democrats welcome the debate, particularly because it focuses exclusively on the proposal on 18 to 21-year-olds.

I do not think that the cabinet secretary quite understands the point that the Liberal Democrats are making: there is no disagreement about the need to change the culture, however the questions for us all are why, and on what evidence. The cabinet secretary and his Government have decided that 18 to 21-year-olds are part of the problem and not part of the solution. We fundamentally disagree with that.

The issues that are raised by that element of the Government's proposals to tackle alcohol misuse are wholly different from the issues that are raised by the other proposals and revolve around the lack of evidence to support the Government's proposition that 18 to 21-year-olds are responsible for a substantial proportion of alcohol-related crime.

I share Murdo Fraser's view that the Government's misguided proposal has diverted attention from the serious debate on which it has rightly embarked about how best to respond to the

substantial body of evidence that the British Medical Association gathered, which links the price of alcohol with consumption; how best to enforce existing licensing law and extend bottle labelling and separate bottle marking; and how best to increase levels of education. Indeed, consideration of how best to engage with younger people to tackle the cultural inheritance has been singularly absent.

The Government's response to the lack of evidence has been to pray in aid the Armadale in West Lothian experiment. There has also been an increase in the use of test purchasing by the authorities and an increase in prosecutions for selling to underage persons. That approach is right, but we are concerned about the lack of evidence.

The results from West Lothian should not be ignored, but if the cabinet secretary is drawing conclusions from what happened, he could conclude that the introduction of safer neighbourhood teams and deployment of additional resources by way of police officers or community wardens have led to a reduction in alcohol-related crime. He could conclude that the procurement of the agreement of off-sales proprietors to enforce rigorously the law on sales to underage persons has also had an impact. Those conclusions are borne out by the experiments. One could also conclude that the use of test purchasing and active enforcement of the law by the authorities has had an impact. That conclusion, too, is borne out by the Armadale experiment and by the extraordinary surprise of the chief constable of Strathclyde Police at the substantial number of licence-holders who failed the test-purchase test.

Alternatively, one could conclude, as the Government has done, that it all appears to be the fault of 18 to 21-year-olds. However, we must search hard to find evidence of a reduction in the number of alcohol-related crimes that are perpetrated by 18 to 21-year-olds.

The proposal is fatally flawed, not just for the reason that I gave but because it will fail fundamentally to contribute to bringing about the essential cultural change in attitudes to irresponsible drinking. If we are to get the next generation actively to play its part in such essential cultural change, that generation must be regarded as part of the solution and not as part of the problem. By stigmatising a generation, we run the risk of alienating that generation instead of harnessing its energies and idealism in order to effect change.

The Government's proposal is not evidence-based and does not acknowledge the role of the next generation. On the question of 18 to 21-year-olds, the cabinet secretary has—to borrow a

phrase—misdirected himself. Accordingly, the motion must be passed.

The Deputy Presiding Officer (Alasdair Morgan): We move to the open debate. We are up against the clock, so members must stick to their time limit of four minutes.

10:51

Michael Matheson (Falkirk West) (SNP): Although there appears to be no consensus on raising the age for the purchase of alcohol in off-licences, I think that there is a consensus on the scale of the problem that we face in Scotland in dealing with the nation's unhealthy relationship with alcohol, which costs the nation £2.25 billion—not to mention the individual, family and community misery that it brings.

On 25 June, Parliament had an opportunity to debate the proposals in the Government's consultation document. During the past three months, communities and groups throughout Scotland and every member and party in Parliament have had an opportunity to feed in their views on what would and would not work and on what should be included in the strategy. It is becoming apparent that members have not even bothered to make the effort to do that, because they cannot engage effectively in the debate—

Alex Johnstone (North East Scotland) (Con): Will the member give way?

Michael Matheson: Sit down.

Members have been happy to feed their views into the consultation on local income tax but have not fed their views into a consultation on one of the biggest public health problems that our society faces.

Murdo Fraser had the cheek to start his speech by saying that we need a mature debate, when his motion sets out no alternatives and says nothing about the scale of the problem but simply opposes one element of a wider strategy.

Murdo Fraser: I see that Mr Matheson is in no better humour than he was when he was on the radio with me at a quarter past 7 this morning. First, why did he not listen to my speech, in which I made positive proposals? Secondly, to how many Government consultations did the SNP respond when it was the Opposition? The answer is not many.

Michael Matheson: I made representations on a number of occasions. Murdo Fraser introduced the debate, so it is a cheek that he did not feed his views into the consultation.

During the past 30 years we have heard much about the cultural shift that Ross Finnie mentioned, but we have not heard hard detail

about how we can create such a shift. A targeted approach has been tried but has not made the significant impact that is needed if we are to change the culture. Our generation must be prepared to make the tough decisions that will start to change the culture. No single element of the Government's proposals will change the unhealthy relationship that we have with alcohol, but collectively the proposals can do so. The Opposition could have fed in its ideas at the start of the process, but it did not bother.

It is important that the Government acknowledges that the evidence from the pilots raises interesting issues. During the six-month pilot in Stenhousemuir in my constituency there was a 40 per cent reduction in breaches of the peace, a 20 per cent reduction in minor assaults and a 60 per cent reduction in serious assaults. The police will tell members that no additional resources were provided, so the approach was cost neutral. The increase in the age limit was an essential part of the local strategy.

I hope that the Government will assure us today that it will listen not just to the vested interests of certain groups that have run high-profile campaigns, but to constituents such as mine, more than 600 of whom have responded to my local consultation, with 78 per cent in favour of increasing the age limit. We need to ensure that the communities that suffer the misery that is caused by our unhealthy relationship with alcohol have their views taken into consideration. I hope that, in publishing the outcome of the consultation, we can ensure that it is not just the vested interests of organisations that the Tories might be happy to argue for, but the views of communities that are listened to.

10:55

Claire Baker (Mid Scotland and Fife) (Lab): Like many other members and the crowd who were outside Parliament this morning, I believe that increasing the age limit for alcohol to 21 is misguided.

There will be future opportunities to debate whether the other measures in the Government's alcohol proposals will bring about the cultural change that we all know is needed, but there can be little debate left about a simple increase in the age limit to 21. It is an inconsistent policy that will not bring about the significant changes in Scotland's relationship with alcohol that we need.

If the reason for raising the age limit to 21 is to tackle underage drinking, the SNP's policy looks even weaker, because the main reason for increasing to 21 seems to be to enforce the age limit of 18. If we want to enforce that age limit, we must invest the resources to do so. We should not

unfairly target 18 to 21-year-olds in order to tackle a problem with 15 to 16-year-olds. Instead, the Government must do more to enforce the current age restriction and prevent children from getting a supply of alcohol from adult friends or relatives.

We must do more to prevent retailers from selling to our children. That involves tougher enforcement of current laws, enhancing the test purchasing scheme and enforcing a change in the culture of retailers and pubs so that proof of age is always asked for. It is about coming down hard on retailers and pubs that break the law; it is not about increasing the age limit to 21.

Nigel Don (North East Scotland) (SNP): There seems to me to be a serious case to show that younger adults—the 18 to 21-year-olds and perhaps those a little older—are likely to be pressured by youngsters in their community to buy alcohol for them. They are committing an offence, but are likely to get away with it.

Claire Baker: I appreciate the intervention, but the evidence that I have suggests not that it is solely 18 to 21-year-olds who supply alcohol, but that it tends to be older relatives who do it—the conviction in Fife was of a 26-year-old. It is not only people in the 18-to-21 age category who are involved in proxy purchasing. We must crack down on adults who buy alcohol for children. It is often far too easy to overlook the fact that proxy purchase—not direct purchase—is the greatest source of alcohol for children. As we crack down harder to enforce the age limit of 18, there is the potential that we will see an increase in the problem of proxy purchasing.

Statistics show that 22 per cent of 13-year-olds and 29 per cent of 15-year-olds get alcohol from friends or relatives. Even more concerning is the fact that those figures rise to 26 per cent and 35 per cent when we consider girls alone. However, on the most recent figures, we have had only one conviction for proxy purchasing in Fife—as I said earlier, that person was over 21—and we have had only 83 across the country. Something is clearly wrong, and increasing the age limit to 21 will do little to tackle that aspect of underage drinking.

Rather than increase the age limit, the Government should consider radical ways to encourage retailers to demand proof of age before selling alcohol. Challenge 21 is a useful scheme for retailers across Scotland, and radical solutions to encourage uptake and use of proof-of-age cards, such as the Young Scot card, could be far better routes to tackling underage drinking.

Scotland faces a real challenge in its relationship with alcohol, and I agree with the Scottish Government that we must be prepared to consider radical solutions to the serious problems

that we face. However, the emphasis should be on the word “solution” and not the word “radical”. There is no point in doing something for the sake of being seen to do it.

Raising the age limit to 21 is not a solution to the problems that we face in Scotland. The SNP should drop the plans and instead focus on more effective measures to tackle proxy purchasing, underage drinking and our cultural attitude to alcohol in Scotland.

10:59

John Lamont (Roxburgh and Berwickshire) (Con): I welcome the cross-party support that the motion has attracted from members, with the notable exception of members on the SNP benches.

Two things are clear from today’s debate. First is the need to tackle the problems that are associated with alcohol abuse in Scottish society, and second is that the SNP’s ridiculous proposal will do little, if anything, in tackling the problems that society faces. There is some political consensus on the matter among members, and there also appears to be general agreement around Scotland that the proposal is a complete waste of time.

I will make several points on the Government’s plan to increase the minimum age at which it is legal to purchase off-sales alcohol from 18 to 21. Most important, I will consider the evidence from the pilot schemes that the Government is putting forward in support of the proposals. I will focus in particular on the conclusions in the Lothian and Borders Police report into the Armadale pilot. I suggest that the evidence shows that the trial was actually far from successful and certainly not something on which to base any new legislation.

First, during the pilot, there was an insignificant change in alcohol-related behaviour and a rise in minor assaults.

Shona Robison: Will the member give way?

John Lamont: I want to develop the point.

Assaults actually increased. The average before the ban was 0.4 per week, the average during the ban was 0.5 per week, and the average since the ban ended has continued at 0.5 per week. Youth disorder was recorded in four calls per week during the ban and has remained the same, at four calls, since the ban.

Secondly, the trial was too short—it lasted only six weeks. A pilot should be much longer before the Government can use it as the basis for legislative changes. Thirdly, the trial took place on only two days per week, between 5 pm and 10 pm on Friday and Saturday nights. That is not

comparable with raising the drinking age nationally, 24 hours a day, 365 days a year.

Fourthly—and lastly—small pilot areas such as Armadale cannot be compared with the whole of Scotland. Results in one specific area are unlikely to be representative of how the scheme might work if it were to be rolled out throughout Scotland, and the Government is wrong to try to suggest that.

Not only does the evidence fail to stack up, but the plans will create unnecessary inconsistencies in the legislation. Young people and parents rightly look to Government for leadership, but the proposals send out mixed messages to young people on where and when it is acceptable to drink alcohol. The rationale behind the plans is confusing and illogical, and they would penalise the vast majority of 18 to 21-year-olds who drink alcohol responsibly. Perhaps the Government does not understand that alcohol misuse is not a young persons’ disease: adults of all ages misuse alcohol. In any case, all the plans would achieve is a messy and complicated set of rules for the purchase of alcohol.

The proposals unnecessarily discriminate against certain members of our society. As a society, we recognise that young people gain additional responsibilities when they reach a certain age. By 18, they can vote, get married, drive, pay tax and even serve in the Army, but the SNP still does not trust them to buy a couple of cans of lager to take home. Those who are under 21 and live in rural areas will also be discriminated against if they want to enjoy a drink because they will no longer be able to do so in their own homes and are increasingly unlikely to have a local pub.

The proposals are not necessary. Proper enforcement of the existing legislation would go a long way towards reducing the problems of underage drinking. In 2005-06, only seven people under 18 were prosecuted for buying alcohol or consuming alcohol in a bar. Either underage drinking is not a problem in Scotland or the current legislation is not properly enforced. I challenge even Kenny MacAskill to say that anything other than the latter is true.

The Deputy Presiding Officer: The member must conclude there, I am afraid.

11:03

Kenneth Gibson (Cunninghame North) (SNP): We see a total lack of alternatives in the woeful attempt at a motion from the Tories. They say that we need a reasoned debate, but where are their alternatives?

We have Murdo Fraser, now champion of the students in Scotland. Perhaps he feels a bit guilty

because the Tories reneged on their eight-year policy of abolishing the graduate endowment tax. He also talked about the Federation of Student Nationalists: he might be thinking about his own radical student days, when he was a member of the smash the national health service wing of the Thatcherite Federation of Conservative Students.

What has been disappointing about the Tory contributions so far is a total absence of any discussion about the impact on health of excessive drinking. Only recently, we saw the report that said that 2 litres more per head of pure alcohol is drunk in Scotland than in England, and for every extra litre there is a 30 per cent increase in the probability of liver disease. That is a major health problem that we have to deal with.

I was surprised by Mr Lamont's speech. He spoke about the six-week Armadale trial but—funnily enough—did not mention the six-month Stenhousemuir trial, which produced much more detailed evidence, including evidence of a significant reduction in antisocial behaviour.

One organisation that has not been quoted—I thank Gail Grant of the British Medical Association for providing this information, which I understand was sent to all MSPs—is the BMA. BMA Scotland's briefing states:

"In the BMA's survey of members, 97% of doctors said that stricter enforcement of age restrictions, particularly for off sales, was an important factor in reducing drinking amongst young Scots."

The briefing also points out:

"A 2003 survey published by the Scottish Executive found that 49% of 15 year olds reported buying alcohol for their own consumption. Indeed, most purchases made by people over 18 for underage drinkers are reported to be made by those aged 18-21."

On many occasions, the 18 to 21-year-olds are fuelling the underage drinking culture that besets our nation.

Margaret Smith (Edinburgh West) (LD): Does Kenneth Gibson accept that such purchases are an offence? All members agree that the offences that are currently on the statute book should be enforced. A person between 18 and 21 who buys alcohol for someone who is under age should feel the full force of the law.

Kenneth Gibson: I do not accept that that will make a significant culture change, but I believe that the current law should be enforced. We should consider how likely it is that people will pretend that they are a given age. It is much easier for 17-year-olds to pretend that they are 18 or 19 than it is for 20-year-olds to pretend that they are 22 or 23. I believe that a three-year shift in the age limit will make a significant difference to the amount of alcohol that is sold to young people.

The Deputy Presiding Officer: One minute.

Kenneth Gibson: If people do not believe me, they should look at what happened in the United States of America. During the Vietnam war, the fact that young men going off to fight could not buy a drink was used—as the Tories have used it today—as an argument to reduce the age for drinking in several US states. Within a decade, many states had to raise the age to 21 again because the change had resulted in more antisocial behaviour on the streets of US cities and a significant increase in the number of people who were killed in car accidents. Since America raised the drinking age to 21 again, there has been a significant reduction in alcohol abuse.

People should understand that drinking patterns for life are set very young. If people cannot get alcohol at a young age, they are less likely to develop alcoholism. We need to consider that 6,500 young Scots under the age of 18 are hospitalised each year because of drinking. Indeed, in the previous debate, Jamie Stone mentioned that his son had been a victim of that.

We are trying to do something positive. We are not doing this for populism—like the Tories, who are languishing at the bottom of the polls—but to try to improve the health of the people of Scotland.

The Deputy Presiding Officer: The member must wind up.

Kenneth Gibson: We want to reduce antisocial behaviour in our communities. We want to allow 18 to 21-year-olds, who are often the victims of—

The Deputy Presiding Officer: The member must conclude.

11:07

Mary Mulligan (Linlithgow) (Lab): I am pleased to take part in this morning's debate.

Clearly, the effects of alcohol on individuals' health and behaviour are not always good, so I agree with the amendment that doing nothing is not an option. However, let us remember that the previous Labour-led Scottish Executive acted by legislating to ban irresponsible drinks promotions, to reform the licensing system and—significantly—to introduce the test-purchasing scheme. There is more to do, but a ban on off-sales to 18 to 21-year-olds is not the answer. Targeting young people in such an unsophisticated way is not the answer.

On health, I agree with Kenneth Gibson that people are generally drinking more than was the case in the past. Alcohol is cheaper and more readily available. Understanding of units and alcohol strength is limited—as NHS Scotland's helpful briefing points out—so we need better

education for everyone. We need better labelling so that people can be better informed.

However, the Armadale pilot in my constituency was introduced—as I have said on previous occasions—to deal with antisocial behaviour. To that extent, the ban on off-sales to under-21s contributed to a drop in reported antisocial behaviour. Although the statistics from Lothian and Borders Police show a welcome decrease in antisocial behaviour, they leave many unanswered questions. Was that decrease due to the introduction of safer neighbourhood teams and youth workers? From speaking to local people, I think so. The alcohol ban happened only while the SNTs and youth workers were deployed, so it is not possible to say what effect the ban had. The increase in antisocial behaviour after the ban was lifted was minimal—one rise is not a trend. The minister must acknowledge that the figures are so small that the phrase “not statistically significant” correctly applies to them.

More important for me is the experience and reaction of local people. They are asking for police on the streets and for youth workers and youth facilities so that young people have something to do. Local people want licences to be removed from anyone who is found selling alcohol to, or for, under-18s; they are not asking for such an arbitrary ban to return, which is why the ban has not returned. I have not had people from other towns and villages in my constituency banging on my door asking for such a ban, either.

There is cross-party support for tackling the problems that are caused by alcohol misuse so—lest the Cabinet Secretary for Justice or Minister for Public Health accuse me of having no ideas—let me make a few suggestions on how to do that. We should make use of test purchasing and remove licences where the law is breached. The judiciary must be part of that, so that licensing boards do not feel that their decisions will be overturned.

The Deputy Presiding Officer: One minute.

Mary Mulligan: In areas such as Armadale that have problems with street drinking, existing laws should be enforced. West Lothian has byelaws to prevent street drinking, but I am not aware of their being used. Alcohol should not be sold to people who are already drunk, whether they are in an off-licence or a pub. I realise that that would put shops and bar staff on the front line, so proper training should be given.

Also, we should look at prices. I cannot be the only person who feels that selling bottles of vodka at £2.99 in supermarkets must have an impact. We need to look at prices seriously. On that issue, I disagree with the Wine and Spirit Trade Association. However, I appreciate the

association's point about internet sales, which is an issue that the minister should consider.

Finally, the minister should look at issuing proof-of-age cards for 18 to 25-year-olds.

The Deputy Presiding Officer: The member must wind up.

Mary Mulligan: In particular, the Union of Shop, Distributive and Allied Workers—USDAW—has supported that suggestion. Alcohol—

The Deputy Presiding Officer: I am sorry—the member's time is up.

11:11

Dave Thompson (Highlands and Islands) (SNP): I quote a recent headline in the Inverness weekly newspaper, the *Highland News*: “Price war fuels ned scourge?” Sadly, the story is an all-too-familiar tale of modern Scottish life, in which “two local shops” are

“selling cut-price deals on Buckfast Tonic Wine – knocking £2 off the price if they buy two bottles instead of one.”

As a result, an area that already had a problem with underage drinkers suffered an increase in antisocial behaviour, with people being harassed by drunken jobs and the local play park strewn with smashed bottles.

A month after that story appeared, it was reported—in July this year—that people in the Inverness area are more likely to end up in hospital because of alcohol than the average Scot: the figure for Inverness is 114 per 100,000 of population as compared with a Scottish average of 83.7 per 100,000. However, the alcohol problem is not confined to the ned scourge that was highlighted by the *Highland News*. A local alcohol worker who commented on the figures highlighted the change in the kind of people that services are working with. In particular, services are seeing increasing numbers of professionals, young people and women who have alcohol problems.

The conclusion that has been drawn by Highland NHS Board's director of public health, Dr Eric Baijal, was clear and unequivocal. He said:

“The figures underscore the need for Scotland to change its relationship with alcohol ... Despite ample evidence of the negative impact of drink on our health, our families and our society, we have begun to accept high levels of alcohol consumption as normal and I believe it will take bold steps to change this pattern.”

His view is backed up by BMA Scotland, which states:

“Alcohol kills six people every day in Scotland...”

...Whilst drinking in moderation can be a source of pleasure, the effect of excessive alcohol consumption on our health and the related social and economic impact is significant.”

The BMA Scotland briefing also states that

“There is a clear health and social impact of alcohol misuse in Scotland. It is evident that no single approach can tackle Scotland’s drink problem. A comprehensive strategy that encompasses pricing, availability and access to alcohol will be the most effective approach by Government.”

I strongly believe that raising the age at which people can buy alcohol from shops will play a significant part in such a comprehensive strategy, but it will be just one part. Never before has alcohol been promoted more relentlessly and ruthlessly to our young people. Corner-shop store wars, supermarket loss leaders and commercially backed pub crawls are just some of the methods. Excess has become the norm in our young people’s relationship with alcohol, and getting tanked up on cheap booze at home before heading out for the evening has become a routine part of a night out. Is that what the Tories want to encourage by what they see as a cheap political hit? Where is their sense of responsibility?

I believe that a ban on the sale of alcohol in off-sales to under-21s would have a positive impact in tackling the kind of underage drinking problems to which I referred earlier. There is no doubt that people in the 18 to 20 age group often help younger people by buying drink for them. The proposed ban would serve to cut off that supply. It would not limit the freedom of people aged between 18 and 20 to enjoy a drink in a pub or restaurant, but would have a significant impact on the hugely damaging excesses of our burgeoning drinking culture.

11:15

Dr Richard Simpson (Mid Scotland and Fife)
(Lab): The debate and the way in which the Government has approached it are not good because they distract us from the central problem. I believe firmly that, if we are to move ahead with tackling what is undoubtedly our most serious health problem next to tobacco use, we should do so on the basis of consensus. However, the proposal to raise the age for buying alcohol from off-sales from 18 to 21 gets in the way of consensus and of tackling a serious problem.

Dave Thompson’s speech had only one phrase in four minutes with which I disagreed—he said that the Government’s proposal would make a significant contribution—and I agreed with what he said in the rest of his speech. Indeed, many of the speeches from the SNP, which have not focused on the issue—

Shona Robison: Will the member give way?

Dr Simpson: No, I am sorry. The time is so short that I cannot give way. The cabinet secretary can deal with my speech in his summing-up speech.

Nobody will disagree when SNP members say that alcohol misuse is a big problem, so let us move on from that.

Parliament has just achieved clarity and parity over the age restriction of 18 for alcohol and tobacco purchase, but the Government’s policy proposal confuses that. The Government is not clear whether the proposal is a public health measure or a public safety measure. If it is both, it fails on the public health test and on the public safety test the jury is still out, as Sheila Bird has said. However, if the law currently allows local communities to undertake the sort of experiments that have been undertaken in the name of public safety, I for one am not concerned if they continue, with the agreement of all the stakeholders. However, a blanket policy that attacks everyone between 18 and 21 would be counterproductive.

On the experiments, I was involved in alcohol work in the late 1970s, and my group undertook a study of 14-year-olds and drinking in Stenhousemuir. I must report to members that 14 per cent of those 14-year-olds were drinking regularly. We must tackle the underage drinking, not the 18-to-21 group. If the Government needs further evidence on that, there is clear evidence from the Scottish schools adolescent lifestyle and substance use survey—SALSUS—that the number of underage drinkers is huge. The other point is where they drink. The figure for those who drink outside has risen from 39 per cent to 45 per cent, so let us use the public-place ban more. I welcome the fact that Fife has just introduced such a ban for another nine communities, starting in October. However, the ban on drinking outside should be universal.

Test purchasing is important in addressing underage drinking. Evidence gleaned from a parliamentary question in April 2008 showed that we have made only 632 test purchases—there are 17,000 off-sales—and 14 per cent of the premises that were tested failed. If we implement the current law, we will achieve a much greater response.

If the Government needs further evidence, it can consider the fact that 60 per cent of 18,000 young offenders who were discharged from prison admitted that their offence was related to drink, and 45 per cent said that they would have a problem with drink when they went back into the community. It is that hard-core group of under-18s whom we need to address and not the 18 to 21 group.

I plead with the Government to drop its policy and to co-operate with Opposition parties. I am sure that we will all co-operate with the Government in trying to achieve change in the drinking culture. I ask the Government to note that the community—

The Deputy Presiding Officer: I am sorry, but the member's time is up. I can give Patrick Harvie a minute and a half.

11:19

Patrick Harvie (Glasgow) (Green): I am grateful, Presiding Officer.

I hope that this debate ends our bad habit of too often adding a dash of puritanism to our debates on alcohol. The stage 3 debate on the Licensing (Scotland) Bill in the previous session was the worst example of that. Speech after speech talked about the need to save our communities from the demon drink, then MSPs sauntered downstairs where huge trays of free booze awaited us all.

The reality is that drinking—moderate drinking— involves society's recreational drug of choice, and people do it because it is fun. It is fun now, it was fun on that Thursday evening of the stage 3 debate and it was fun when we were 20 years old. To police that in the same way as we police problem drinking, whether we define that in public health terms or crime and disorder terms, is simply absurd. That is the first objection to the Government's proposal.

The proposal discriminates between young and old people, but it does not discriminate between problem drinking and moderate drinking. It tells young couples who celebrate a civil partnership or a wedding that they cannot share a bottle of wine to commemorate that until their fifth anniversary.

The Government's proposal would create another set of criminalised young people. We would create the same failed attitude that has resulted in other—

The Deputy Presiding Officer: I am sorry, but the member's time is over. We now move to the winding-up speeches. I call Robert Brown, who has four minutes. I will enforce the time limits.

11:21

Robert Brown (Glasgow) (LD): This has been a worthwhile debate, and there will be an opportunity tonight for the Scottish Parliament to express a clear and decisive view on the SNP Government's ill-conceived plans to ban adults who are under 21 from buying alcohol in off-licences. The motion for debate is a well-chosen and focused one on a particular aspect of a broader problem. Claire Baker made the good point, with which I agree, that the emphasis ought to be on finding a solution. John Lamont, too, made a good point, which was that the policy has illogicality and messiness built into it.

No one in the chamber doubts that the excessive consumption of alcohol in Scotland is a

substantial, worrying problem. Many people have made the point that it is a cultural issue, which affects all age groups, not just those aged between 18 and 21, many of whom drink responsibly. The point is easily made—and impossible to answer—that a 19-year-old soldier can be sent to Iraq or Afghanistan to risk his life for his country, make adult judgments and decisions, and meet extremely grown-up challenges, but is to be forbidden when he comes home from buying a bottle of wine or a couple of cans of lager in an off-licence when he wants to watch a game of football or a film on the television.

The peak age for alcohol consumption is, in fact, from 45 to 64, with men between the ages of 17 and 24 accounting for only 3.4 per cent of alcohol consumption. I wonder what the logic of the SNP position would be if it took some of the facts into account rather than the theories on which it seems to base its policy.

Shona Robison: Will the member give way on that point?

Robert Brown: I am sorry, but I have only four minutes.

Changes in cultural attitude are difficult to bring about. They require the full involvement of university and college student unions, for example, in encouraging responsible drinking—much good work has been done in that connection—and there is work to be done on prices and labelling. The SNP Government makes a severe mistake if it thinks that there is a single magic solution to this complex, historic and deep-seated challenge—there is not. I make the point seriously to the cabinet secretary that there is no equivalent of the public places smoking ban in this area of policy, and there is no totemic answer that will win the SNP plaudits for being more far-sighted than the rest of us. What is worse, the policy will alienate young people who have to be our main allies in helping to change public attitudes to alcohol.

Let me say to the cabinet secretary that he should not underestimate the potential of the new generation to develop new ideas and attitudes, and to influence their peer group by example on what is fashionable or right, as it seems to them. That is how impossible challenges are met and negative cultural attitudes changed, because a new generation decides that the old ways will no longer do.

Instead of working with the grain of all that, the First Minister, supported by people like Michael Matheson—with the face of repressive nationalism much to the fore—runs the severe risk of making the problem worse and entrenching excessive consumption of alcohol as being an anti-establishment, fashionable and trendy thing to do. In a small way, the SNP wants us to be forced to

learn the lessons of the prohibition era all over again.

Let me come back to the principles of the Liberal Democrat approach to all this. I am not one of those who are obsessed by a standard age of majority, but it is a little odd—is it not?—to argue for a reduction in the voting age to 16 on the basis that young people of that age have the maturity, knowledge and judgment to exercise the franchise, while at the same time reducing the freedom of those a little older to purchase alcohol on the basis that they do not have the maturity, judgment and knowledge to exercise that choice.

Young people over 18 are, by any view, adults. They are entitled to make the same adult choices as anyone else: to marry, to vote, to smoke, to drive and, yes, to buy alcohol. The issue is not age, but responsibility. The role of the state is to help informed decision making, and to encourage wise choices and responsible drinking. I hope that the SNP Government recognises that and accepts that its proposals are a busted flush.

11:25

Paul Martin (Glasgow Springburn) (Lab): I agree with the point made by many members that alcohol abuse—by young or old—is unacceptable, as is the antisocial behaviour surrounding it. Mary Mulligan pointed out that Labour brought in the Antisocial Behaviour etc (Scotland) Act 2004, the Licensing (Scotland) Act 2005 and the Criminal Justice (Scotland) Act 2003, which contained measures to deal with the challenges that face our communities as a result of the unacceptable behaviour fuelled by alcohol.

Alcohol retailers who sell to under-18s need to get the message that their behaviour will not be tolerated. If we are to be serious about tackling alcohol abuse among those who are under age, we should take on board Claire Baker's point, and ensure that we hit the suppliers. Labour does not need to respond to consultation documents to make such points. We are parliamentarians, and we are elected to debate issues such as this in Parliament. The minister should listen to our points. It is good enough for the minister to launch consultations outside Parliament, so we can make our points and develop them in Parliament.

In his consultation, the minister should take forward the idea that if a supplier is found selling alcohol to people who are under age, on the first offence, we should ban them for three months; on the second offence, we should ban them for six months; and on the third offence, they should lose their licence.

Kenny MacAskill: Will the member take an intervention?

Paul Martin: I do not have time. I hope that the minister can deal with the point when he sums up.

More important, we want to name and shame such retailers on a central website, which is another issue that the minister could take forward in his consultation document. Why should the reputable retailers be tarred with the same brush as the unscrupulous ones? Such a website would allow residents in local communities to decide not to shop in outlets that sell alcohol to underage minors—a practice that is unacceptable.

We also want to name and shame adults who sell alcohol to young people. There can be no more grotesque a crime than an adult who purchases alcohol to sell to a minor. I was involved in introducing amendments to the Licensing (Scotland) Act 2005 that allow us to imprison such adults for up to six months. We need more detection—a point that a number of members made—and to name and shame those individuals.

As other members have said, the proposal to raise the age to 21 is inconsistent. The only thing that is consistent in the debate is the tough-guy spin from the minister. If he wants to be taken seriously, he should be serious about what he proposes. Simply seeking to make us believe that he is taking action to deal with alcohol abuse is not good enough.

Labour led on legislation to tackle antisocial behaviour and to modernise our licensing arrangements. We will take no lectures from SNP members, who grudgingly supported the Antisocial Behaviour etc (Scotland) Bill and Labour's polluter-pays amendment at stage 3. It is time for the Government to stop playing with the issue and to take it forward.

11:29

Kenny MacAskill: A great many members have concentrated on the pilot schemes in Armadale and Stenhousemuir. We heard an excellent contribution from my colleague Michael Matheson, the MSP for the area incorporating Stenhousemuir, who spoke from experience, having talked to communities and police officers in the area. We also heard speeches that uniformly trashed the pilots—pilots that have been welcomed by police and communities. Some of the contributions, such as those from the Baker family and John Lamont, were shameful. I signed off a letter to John Lamont yesterday, and his one contribution to the debate was to ask about extending the opening hours for a variety of premises in his community. Far from tackling drinking, his obsession is the liberalisation of access to alcohol.

Patrick Harvie: Will the minister take an intervention?

Kenny MacAskill: Not at the moment.

I have spoken to police officers in central Scotland who say that they would like Bo'ness to have the same pilot as Stenhousemuir because it has addressed the issue. When the pilots ended, criminal offending went up. The pilots were welcomed by communities, which is why we support them.

Richard Baker: Police officers in Stenhousemuir and Armadale have said that it was not possible to distinguish whether it was the increased resources or the under-21 ban that made the impact. There is still no evidence to support the point that the minister is arguing.

Kenny MacAskill: There were no increased resources. From the chief constable down to the beat bobby, the police welcomed the pilots, which they said made a significant difference. Rather than provide the solution, Labour wishes to spend days trying to find out what the problem is. We want to provide a solution as part of a broad package. Dealing with Scotland's alcohol problem means broadening out—not simply tackling the problem of off-sales but tackling problems elsewhere.

When I have chatted to people in Armadale and Stenhousemuir, many youngsters have welcomed the ban. They face intimidation on Friday and Saturday nights, when they want to go dancing, hang around with their pals or play football. They face the old culture of "Have a drink. You're Scottish," and victimisation and assault.

Mary Mulligan: Will the minister take an intervention?

Kenny MacAskill: Not at the moment.

Statistical evidence shows that many youngsters welcome such bans. We cannot ignore the problem. There was a story on a BBC web page yesterday, headed, "Teenagers admit six figure damage", about two teenagers who set light to changing rooms in Edinburgh. According to the story, what did the lawyer say?

"Gordon Stewart, defending, said alcohol had been 'a major factor'"

in the behaviour of one of the defendants, and the other accused, Whyte, "had also been drunk".

Murdo Fraser: How old were they?

Kenny MacAskill: They were 16.

Where do members think that they got the drink? Kenny Gibson made a similar point. Carry-outs are bought for them, primarily by 18 to 21-year-olds. The youngsters then go drinking at the back of the changing rooms. As night follows day,

mischief happens, and those two young men now face the possibility of a severe and lengthy custodial sentence for idiocy and bad behaviour fuelled by alcohol. Members of the Opposition say that nothing can be done about it.

Members: Oh.

Kenny MacAskill: Oh yes. The Opposition has made no contribution to the debate. The only contribution from Mr Martin was his suggestion that we soften the position on those who are given the right to sell alcohol and who abuse that trust. He wants to give them three months' suspension. The current law, which we want to enforce, says that if someone breaches it badly, they should be suspended forthwith, indefinitely and forever. Why should we curtail that? We will drive on with it.

The contributions from the Opposition have been sadly lacking in that they have focused on one aspect of the debate and have failed to recognise the requirement to address the alcohol problem. Members paid lip service to the extent of the problem that the Government inherited and now faces. Under the Tory Government, there was a 31 per cent increase in off-sale provision, and we are now reaping the consequences. The Government is acting on that, in support of, and in conjunction and agreement with partners such as the health service, the BMA and the police. When I went to meet the ambulance service in Lothian and Borders—I noticed that no Tories were there—what was the biggest single problem? Alcohol abuse. We recognise that as a Government we must tackle the problem we face with alcohol. It is affecting our health service and our criminal justice system, and it is undermining our economy. It has to be a whole-population approach, across the board. We cannot underestimate the problem that we face.

11:34

Bill Aitken (Glasgow) (Con): In the next few minutes, the First Minister will stand up from the very seat in which Mr MacAskill is now sitting and laud his Government's achievements over the past 18 months. There is now another achievement for him to laud. At a stroke, the SNP Government has managed to unite every Opposition member in the chamber and, at the same time, to alienate a wide range of groups in society, including big business, students and even the SNP's own youth movement. That is indeed an unprecedented achievement.

I have been terribly disappointed by the Government's response today. Aside from releasing the attack dogs—Messrs Gibson and Matheson—it has not made a single constructive contribution that would encourage any member in

the chamber who is listening in a detached manner to vote against the motion.

Richard Baker is correct to describe the Government's proposals as illogical. He and other members mentioned the Armadale experiment, which has been comprehensively rubbished on the basis of the statistics that John Lamont provided. So much of the Government's policy in this area is predicated on evidence that is incomplete, spurious and selective, where it exists at all.

Of course we have a problem, and it is clear that we must react to it. However, any Government would surely satisfy itself that the existing law is being enforced before rushing to legislate, and that simply has not happened. The figures that Murdo Fraser provided at the start of the debate, which show that only seven people under the age of 18 have been prosecuted in Scotland, indicate that the present law is not enforced, as no one seriously suggests that that is the extent of the problem.

Although Paul Martin slightly misdirected himself at one point with regard to law, he is correct to underline that those who are prepared to sell drink in an irresponsible manner to underage people should meet the full rigour of the law—and, indeed, the rigour of the licensing boards. The loss of a licence is a more appropriate disposal than any court fine, and certainly concentrates the mind.

Kenny MacAskill twice repeated his views on the question of off-sales provision. I draw his attention to the fact that, although the wicked Tory Government might have been responsible for many things, the granting of licences is a matter for licensing boards. There is a rule on overprovision that many of the boards do not follow, so he should argue with them rather than with Conservative members.

We need to examine the issue. I am attracted by some of the ideas that have emerged and the measures that individual local authorities have enacted. Richard Simpson said that the main problem is the 16 to 18-year-olds who are drinking outdoors. The Cabinet Secretary for Justice may well have to consider a comprehensive, Scotland-wide ban on open-air drinking in bringing forward legislation.

A case can be made on the issue of pricing but, again, the Government's response was disappointing. There is a possible legal impediment to its proposal, but when I asked an appropriate parliamentary question about whether the cabinet secretary would share with members the legal advice that he had received, he said no—he was not prepared to share that advice. [*Interruption.*]

Mr MacAskill says that all Governments may do that, but if we wish to extend the argument to enable us to make a reasoned contribution under that heading, we require the legal advice.

Kenny MacAskill: What about the legal advice on the Iraq war?

The Presiding Officer (Alex Fergusson): Order.

Bill Aitken: Frankly, Mr MacAskill is clutching at straws. It is rather pathetic that that is the only contribution that he can come up with.

The proposed legislation is discriminatory and affects a section of the population that is not really causing the problem. It is time to call time on this ill-thought-out and absolutely nonsensical proposal.

Question Time

SCOTTISH EXECUTIVE

General Questions

11:39

The Presiding Officer (Alex Fergusson): Question 1 has been withdrawn.

Teaching Staff (Nurseries)

2. Ken Macintosh (Eastwood) (Lab): To ask the Scottish Executive how it intends to respond to its recent figures showing a decline in the number of registered teaching staff in nurseries since May 2007. (S3O-4411)

The Minister for Children and Early Years (Adam Ingram): This year's figures are not directly comparable with last year's as we have ensured that peripatetic teachers were not double-counted. Even so, the difference in the figures is barely discernible from 2,110 in 2006-07 to 2,105 in 2007-08. That compares with a decline of 239, or 10.3 per cent, in the three years between 2003-04 and 2005-06.

On the recently published figures, I point out that there has been, at last, a reversal of the persistent decline in pre-school teacher numbers that was experienced under the previous Administration as a direct consequence of its decision to repeal the schools code in 2002.

Ken Macintosh: I listened as closely as I could to Mr Ingram's reply, and I am pleased that he did not entirely repeat the First Minister's mistake of last Thursday. Will he apologise to members in the chamber, whom the First Minister last week misled by claiming that there is a substantial increase in teachers in nurseries?

The Presiding Officer: I ask the member to be brief.

Ken Macintosh: This is important. In a typically patronising answer to Margaret Smith—*[Interruption.]*

The Presiding Officer: Order.

Ken Macintosh: The First Minister claimed, in a typically patronising answer to Margaret Smith—

The Presiding Officer: I press the member for a question.

Ken Macintosh: Very well.

There is no substantial increase—the Government's statisticians say that there is a decrease in the figures. Last week, the First Minister claimed that access to a nursery teacher

meant only one day a week. Will Mr Ingram apologise on behalf of the First Minister, not only to members but to the Scottish public for misleading them in the election manifesto promise?

Adam Ingram: Mr Macintosh is talking rubbish and he knows it. As he should know, the key issue is driving up the quality of provision in the delivery of nursery education. The member and I served on the Education Committee in the previous session of Parliament during the early years inquiry. The point of that inquiry, and of the evidence that it gathered, was that children benefit from the input of a qualified teacher to their programme of activity and child development. At the moment, up to one in five children does not benefit from that input. Our job is to deliver universal access to teachers, and we are well on the way to doing so.

Kenneth Gibson (Cunninghame North) (SNP): Does the minister share my concern that between 2004 and 2007, Labour-controlled Glasgow City Council—with Labour in control of the Scottish Parliament—cut 61 nursery teacher jobs in Glasgow? That was a reduction of more than 25 per cent, in a city that has the highest deprivation and the lowest educational attainment, and which spends a lower share of its budget on education than does any other local authority. Does that not show Labour's blatant disregard for the overwhelming educational research that shows that better outcomes are achieved by directing resources to early years education?

Adam Ingram: According to the information that I have, Glasgow City Council removed 37 teachers from pre-school centres in February last year and redeployed them in primary schools. The council reduced overall provision, and did nothing to extend access to a greater number of children. That is the direct opposite of what we are trying to achieve.

VisitScotland

3. Charlie Gordon (Glasgow Cathcart) (Lab): To ask the Scottish Executive how it will deal with the consequences for VisitScotland and its investment partners of the change of emphasis from a commercial to an information-based approach to accommodation booking on the VisitScotland.com website. (S3O-4400)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): Changes were made to the VisitScotland.com website in April 2008, in response to extensive feedback and consultation with industry and focus groups. The website now provides much more information for visitors, and allows them to choose whether to make bookings through the site or to get in touch with the providers directly. A revised business plan was approved by the partners on the eTourism Ltd

or VisitScotland.com board, and progress is being monitored against that plan.

Charlie Gordon: I make it clear that I support the change of emphasis that I mentioned in my question, but has the cabinet secretary prepared for any consequential negative impact on VisitScotland's finances? Also, has he prepared for the fact that, in future, inquiries might be directed to websites that do not have exclusively Scottish accommodation options, such as the websites of United Kingdom or international hotel chains?

John Swinney: Those are fundamentally commercial matters for VisitScotland and VisitScotland.com to consider. The Government makes appropriate funding available to VisitScotland and we recognise and value the contribution that it makes to promoting Scotland as a destination for visitors. I am glad to hear that Mr Gordon supports the change of focus whereby the website conveys more information to members of the public who are considering visiting Scotland. Questions about the commercial implications are for VisitScotland to consider.

Mental Health Services (Waiting Times)

4. Tom McCabe (Hamilton South) (Lab): To ask the Scottish Executive when referrals for mental health services will be guaranteed within 18 weeks, as they are for other specialisms. (S3O-4409)

The Minister for Public Health (Shona Robison): We are committed to a national health service that offers appropriate care and treatment quickly and safely. In most cases, those who require access to mental health services already receive treatment well within 18 weeks. However, as we announced during the summer, we are considering new waiting time targets for areas in which delays occur.

Tom McCabe: The minister is aware that a high percentage of referrals to mental health services are made by general practitioners. I am sure that she is also aware of the stunningly high percentage of inmates in our prisons who suffer from mental health issues, and she will know that mental health issues go to the heart of many of the fault lines in our society.

Will the minister reassure the Parliament that the Government will take every action that it can to end the discrimination that mental health professionals believe exists and to ensure that people with mental health issues receive treatment as quickly as possible?

Shona Robison: I certainly recognise that general practitioners deal with a high percentage of cases in the area of mental health, and I acknowledge Tom McCabe's point about inmates

in prisons. That is why we are taking forward a number of actions that span the psychological services and therapies to which GPs can refer people. We have set challenging national performance targets for mental health, including a target to reduce antidepressant prescribing; a target for suicide training for front-line staff; and a health improvement, efficiency, access and treatment—or HEAT—target on dementia. As I said in my initial answer, we will shortly complete our considerations on the extent to which mental health services could, for the first time, be brought into the 18-week waiting time target.

Mary Scanlon (Highlands and Islands) (Con): Given that antidepressant prescribing is increasing, and given the long wait for mental health services, would it not be beneficial to ensure that self-help groups such as Depression Alliance Scotland are fully funded to help individuals to understand and cope with their condition?

Shona Robison: We have confirmed an additional £5 million a year to 2011 for joint spend by agencies on mental health. That is in addition to the resources that are being given to health and local government, where there is, of course, a lot of joint work on mental health services.

As I have said to Mary Scanlon before, we are developing some easily accessible psychological therapies to which GPs will be able to refer people as an alternative to antidepressant prescribing. I do not underestimate the challenge of reducing the rate of antidepressant prescribing. Such treatment is appropriate for some people, and in some cases it is a life saver, but there is no doubt in my mind that, for other people, we need to provide a range of alternatives. I am keen to do that, and we are making progress on that front.

Local Income Tax (Consultation Responses)

5. Derek Brownlee (South of Scotland) (Con): To ask the Scottish Executive when the consultation responses on the proposed local income tax will be published. (S3O-4380)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): We expect to complete analysis of the responses to the consultation paper shortly. We will then publish the responses, where the respondents agreed to that, along with an analysis of them. At that time, we will outline how we intend to take forward our plans to introduce a fairer local tax for Scotland.

Derek Brownlee: I am disappointed that the Government has not met its own deadline of October for publication of the responses, because I was really looking forward to reading them.

I am sure that the cabinet secretary read with interest the response of the low incomes tax

reform group, which raises concerns about the impact of the plans on disabled people and retired women in the 60 to 64 age bracket. Can he guarantee that neither group will lose out as a result of the local income tax?

John Swinney: I gently remind Mr Brownlee that the month of October is not yet complete. It has only just begun. He should be patient.

Following the fabulous debate that the member promoted this morning, I think that we have advanced the growing consensus in the Parliament that a local income tax is the right solution, as the Conservatives and the Labour Party are now engaged in discussing the detail and not the principle of a local income tax.

Mr Brownlee will be familiar with the material that the Government put in the public domain as part of the consultation process, which highlights the fact that four out of five households in Scotland will be either better off or no worse off as a consequence of the local income tax proposal. I hope that that provides the assurance that he seeks.

Bob Doris (Glasgow) (SNP): Will the Scottish Government take into account the recent grim statistics on child poverty when it publishes its response to the consultation on a local income tax? Will it take into account the rising fuel and food prices that many low-paid working families are experiencing when it considers any benefit that might arise from scrapping the council tax and introducing a local income tax that is based on the ability to pay?

The Presiding Officer: That has a slightly tenuous link with the original question, but carry on, cabinet secretary.

John Swinney: The response to the consultation will cover a range of questions regarding the impact of local income tax. The fact that the proposal relates to the ability to pay will be a significant advantage for many people who wrestle with the challenge of poverty. It is estimated that 85,000 people will be lifted out of relative poverty, including 15,000 children. I am sure that the Parliament will welcome that development.

Scottish Trades Union Congress (Meetings)

6. Margaret Curran (Glasgow Baillieston) (Lab): To ask the Scottish Executive when the Cabinet Secretary for Health and Wellbeing last met representatives of the STUC. (S3O-4396)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): I met an official delegation from the STUC in September last year and addressed the STUC women's conference on 13 November last

year. Most recently, on 23 September this year, I met representatives of Unison, the Royal College of Nursing and Unite, all of which are constituent members of the STUC.

Margaret Curran: As I understand it, the cabinet secretary has refused a request to meet the STUC women's committee and offered them Stewart Maxwell instead. I am sure that Mr Maxwell has a lot to learn from the women of the STUC, but nonetheless I ask the cabinet secretary to reconsider. In times of pay dispute, such a meeting would afford an opportunity for her to explain to women who are among the lowest paid and who face financial pressures why the Scottish National Party, in opposition, was the first on the airwaves to demand Government intervention but, now, Nicola Sturgeon and the others cannot be seen for dust.

The Presiding Officer: Briefly, please.

Margaret Curran: Will the cabinet secretary tell the STUC to its face why the SNP, when dealing with low-paid workers, engages in such double standards?

Nicola Sturgeon: My commitment to engaging with the STUC women's committee is well evidenced by the fact that, as I said in my original answer, I addressed its conference in November last year. It is entirely appropriate for Stewart Maxwell, who is the minister with lead responsibility for equalities, to meet and engage with that committee. If Margaret Curran has a problem with that, her logic escapes me.

The issues around low-paid workers are incredibly important. John Swinney, the Cabinet Secretary for Finance and Sustainable Growth, has been encouraging constructive dialogue between local authorities and the unions, and I hope that that dialogue will continue and will conclude positively soon. In addition, given that Margaret Curran listened to the exchange in the previous question, it ill behoves her to criticise the Government for a lack of commitment to low-paid workers, given that through, for example, our policy to abolish the unfair council tax, the Government will lift 35,000 people out of poverty. I would have hoped that the party that professes to stand up for social justice would welcome that.

Local Income Tax (Collection Costs)

7. Ms Wendy Alexander (Paisley North) (Lab): To ask the Scottish Executive what the estimated cost to business is of the collection of a local income tax that is set and levied by 32 individual local authorities. (S3O-4427)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): It is clear that the estimated cost to business of collecting a local income tax will be greater if it is set and

levied locally by individual local authorities than if it is collected, set and levied nationally. The Burt committee estimated that the difference would be around £10 million per annum. That is why we had proposed that the tax should be collected by Her Majesty's Revenue and Customs using the existing income tax system.

Ms Alexander: I was encouraged that, in this morning's debate on local income tax, the cabinet secretary promised to answer detailed questions on how that tax will work in his forthcoming response to the consultation responses. At this time of unprecedented economic turmoil, will his commitment extend to providing Scottish businesses with any estimates of what his proposed new local income tax might cost them?

John Swinney: Hundreds of thousands of small businesses the length and breadth of Scotland are grateful for the fact that, after securing parliamentary support for its budget in February this year, the Government has significantly reduced their business rates. Perhaps Wendy Alexander and her colleagues should explain why they were pathologically opposed to giving business that competitive advantage. In the current economic climate, we see the value of the changes that the Government made. That is felt throughout the business community in Scotland.

As I pledged this morning, we are engaged in responding to detailed questions on the local income tax. I am delighted that the Labour Party and the Conservatives have stopped opposing the tax in principle and are now engaged in the detail of its introduction. I am sure that the people of Scotland welcome such a tremendous conversion to such a good idea.

Forth Replacement Crossing

8. Margaret Smith (Edinburgh West) (LD): To ask the Scottish Executive when local residents directly affected by the construction of the Forth replacement crossing and related motorways will be informed about the preferred route, any impact on their homes and their rights to compensation for property blight that may result. (S3O-4469)

The Minister for Transport, Infrastructure and Climate Change (Stewart Stevenson): An announcement on the Forth replacement crossing will be made before the end of this year. Guidance on compensation in respect of road schemes was published by Transport Scotland in 2007 and can be viewed on, or downloaded from, the agency's website. Following the announcement, officials will consult communities and affected parties further.

Margaret Smith: The minister is aware that this is a worrying time for my constituents, many of whom believe that they are already experiencing property blight as a result of the proposed bridge.

What opportunities for face-to-face discussions with Transport Scotland officials will be available to my constituents to enable them to get a clearer understanding of the compensation and assistance that will be available to those who not only have blight on their properties but will lose their homes as a result of the project?

Stewart Stevenson: As proposals for the replacement crossing have been worked up, Transport Scotland officials have made considerable efforts to meet communities and individuals who have an interest in it. Following the announcement, they will, of course, make themselves available to answer Margaret Smith's constituents' specific and key questions. I am sure that they will be available to the extent that is necessary.

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): I understand that compensation payments for people who lose their homes as a result of major infrastructure improvements are much greater in England than they are in Scotland. Does the Government have any plans to increase the levels?

Stewart Stevenson: The home loss payment was reviewed relatively recently and the decision was taken to retain the £1,500 to £15,000 range, which is, indeed, substantially lower than in England, Wales and Northern Ireland. However, the majority of home loss payments are made in the context of housing regeneration projects. We estimated that raising compensation payments to the level that is given in England and Wales would take more than £30 million out of the housing budget and, on a policy basis, we have concluded that that money would be better invested in housing than in providing additional loss payments to people whose houses are worth more than £150,000.

The Public Petitions Committee considered a petition on that subject, and I am pleased to say that it agreed with our conclusion and thought that the Government's position is right.

First Minister's Question Time

12:00

Engagements

1. Iain Gray (East Lothian) (Lab): To ask the First Minister what engagements he has planned for the rest of the day. (S3F-1057)

The First Minister (Alex Salmond): Later today I will have meetings to take forward the Government's programme for Scotland.

Iain Gray: A few hours ago, along with many colleagues from the chamber, I met a large delegation of young people who were here to protest about the First Minister's proposal to stop 18 to 21-year-olds buying drink in a shop, while allowing them to drink in a pub or club. They think that the proposal is unfair, unworkable, ineffective and, frankly, daft. Will the First Minister listen to Scotland's young people and drop the idea?

The First Minister: The purpose of a consultation is to listen to a range of interested groups in Scottish society, and I welcome the contributions that young people have made to our consultation on proposals to tackle Scotland's relationship with alcohol—an issue that has not been faced or tackled for the past generation. However, we will have to come to our conclusions without the benefit of submissions from the Conservative party, the Liberal Democrats or the Labour Party, which presumably decided not to contribute because, although they seem to know what they are against, they have no idea what they are for.

Iain Gray: We agree that Scotland has a problem with alcohol and, as parliamentarians, we want to debate in the Parliament what we should do about it. Labour wants an effective, mandatory proof-of-age scheme, tougher action on agents who buy drink for under-18s, and the removal of licences from those who are found selling to under-18s. We want strong enforcement of the existing legislation. The problem is that that debate is being drowned out by an idea that no one else wants. Will the First Minister drop an idea that no one agrees with so that we can start to explore actions that we can all get behind?

The First Minister: The only opinion sample that we have had on the proposal—the Young Scot poll—shows that one third of young people are in favour, one third against and one third are not sure. I suppose that those who are not sure will come to the other three parties and their non-submission to the consultation on facing the alcohol problem.

Iain Gray should at least acknowledge that there is substantial support in the community for firm action against alcohol abuse. It is all very well for him to say that he wants current legislation to be enforced; it is being enforced. What was the Labour Party doing during its 10 years in office that has allowed the problem to reach the scale that it has?

Iain Gray: The First Minister is trying to hide the fact that he has not even convinced his youth wing, the ultra-loyal student nationalists—*[Interruption.]*

The Presiding Officer (Alex Fergusson): Order.

Iain Gray: I beg your pardon, Presiding Officer. I meant to say the usually ultra-loyal student nationalists. He has not convinced his usually ultra-loyal Health and Sport Committee convener, Christine Grahame, either. She said on television that the proposal would alienate communities, traders and decent young people. He has not even convinced his cyber-nat midnight bloggers, and they would swallow anything. Will the First Minister listen to his own supporters and drop the idea?

The First Minister: The redoubtable Christine Grahame and the Federation of Student Nationalists have in common the fact that they bothered to submit evidence to the alcohol consultation, unlike Iain Gray.

Can we just have a look at the evidence on the ground from the six-month trial that has been running in Stenhousemuir, which finished just a couple of days ago? Iain Gray should address some of the evidence that the figures from that trial provide. The number of antisocial behaviour calls that were made in the Stenhousemuir area on Friday and Saturday evenings reduced by more than 40 per cent on the previous year, from 113 to 67. Crime is down—the number of cases of breach of the peace has gone down by 40 per cent, from 79 to 49, and the number of minor assaults has gone down from 51 to 37. That happened in an area in which there were no additional police resources for the period of the experiment.

As a Parliament, we should start to look seriously at some of the evidence that is emerging. We should do so not just because such work is in the interests of the general community. Given that, in the main, it is young people who are the victims of such crime, we should consider how we can support the whole community and generally tackle Scotland's relationship with alcohol. After a generation, proposals are finally being made to face down Scotland's relationship with the booze. Should not they be welcomed by the whole Parliament?

Iain Gray: No one takes antisocial behaviour more seriously than our party. We must look seriously at the pilots, but the fact is that the validity of those statistics has been questioned by Professor Bird. Indeed, Chief Inspector Bob Beaton, who led the crackdowns in Stenhousemuir and Larbert, said:

"It's difficult to separate the different strands to say which have been most successful."

This week the First Minister made his Colemanballs debut in *Private Eye*:

"That is not just a legacy, it is there for the future",

as he said himself. If he keeps coming up with policies that are as daft as the one that we are discussing, *Private Eye* will have to rename the column "Salmondballs".

If the proposal were to go through, an 18-year-old could work in, run or even own an off-licence. They could sell drink in that off-licence all day, but at the end of the day the one thing that they could not do would be to walk round the counter and buy a drink for themselves in their own shop.

Bob Doris (Glasgow) (SNP): Because it would be shut.

Iain Gray: It is a daft idea, which Parliament will reject tonight. Will the First Minister listen to Parliament and drop the idea?

The First Minister: I might have made my debut in *Private Eye*, but Iain Gray made his debut in *The Sun* newspaper yesterday. The interview started off:

"Labour chief Iain Gray is halfway through a very long and boring tale when I lose the will to live."

I had a fellow feeling for the *Sun* reporter as I listened to that last question.

The article goes on to quote Iain Gray as saying:

"My campaign team suggested I changed my name to something more dynamic like Danny Invincible, the Kilmarnock striker."

From now on, I will refer to Iain Gray as Invincible Iain Gray or perhaps Interesting Iain Gray.

Throughout the experiment areas, there has been great support for the clampdown on alcohol distribution. From the police through to the retail outlets that co-operated in the experiment, people have said what a success it has been. If Iain Gray wants to question and argue against every single proposal in the alcohol consultation, that is his right, but sooner rather than later, it will be a question not just of what the Labour Party did not do over 10 years in government, but of exactly what its proposals are for tackling Scotland's relationship with the booze.

Prime Minister (Meetings)

2. Annabel Goldie (West of Scotland) (Con): To ask the First Minister when he will next meet the Prime Minister. (S3F-1058)

The First Minister (Alex Salmond): I have no plans to meet the Prime Minister in the near future.

Annabel Goldie: The First Minister's attempt to defend his proposed criminalisation of responsible young adults must be among the most bizarre that the Parliament has ever heard. Alcohol abuse can be dealt with by targeting underage drinking and law-breaking licensees. It is not necessary to create a new set of criminals—we just need to clamp down with the existing laws. Later today, and not for the first time, the Parliament will provide the common sense that is so patently lacking in the First Minister.

That brings me to another issue on which common sense has flown out of the window. In March this year, I asked the First Minister what the Government would do with the prisoners if any of our prisons were damaged or destroyed and could not be used. The First Minister told me:

"Contingency plans are in place."—[*Official Report*, 27 March 2008; c 7449.]

Will he tell us what they are?

The First Minister: Operational contingency plans are indeed in place. I remind Annabel Goldie that one of the first actions of the Government, almost immediately we came into office, was to sanction the building of three prisons in Scotland. That contrasts with 17 years of the Conservative Government, when not a single prison was built. Annabel Goldie should welcome the fact that this week we have seen the lowest recorded crime figures in Scotland for a quarter of a century. However, we also have the highest prison population in history in Scotland. Does she not at any stage think that there may be a mismatch between the two figures and that it is time for the Conservative party to consider the underlying causes of prison overcrowding, for which her party must take a great deal of responsibility?

Annabel Goldie: The difference between the First Minister and me is that the Conservatives in government ensured that the prison population virtually matched prison capacity and put in place plans for a new prison in Kilmarnock. That is a far cry from the mess that the First Minister is in. We must deal with the crisis in our prisons that is here now, right in front of us. The First Minister wants to gloss over the crisis, but the chief executive of the Scottish Prison Service is clear about it. This week, he said:

"There is no contingency plan",

which, I presume, explains the lack of an answer

from the First Minister to my question. The SPS chief executive continued:

"there is no spare capacity in the system to absorb a loss of accommodation."—[*Official Report, Justice Committee*, 30 September 2008; c 1142.]

He gave the chilling warning that the only option is an emergency release of prisoners. In other words, if an emergency hits one of our prisons and hundreds of places are lost, hundreds of prisoners will be released into the community. That is the First Minister's plan B and it is just not acceptable.

We need extra prison capacity now, as there is a current crisis and a threatening disaster. Will the First Minister join the Scottish Conservatives to find that extra capacity? That is a real plan B—a plan to keep prisoners in prison and to keep Scotland safe.

The First Minister: Annabel Goldie's memory should be as long as mine is on these matters, so she might remember that, during the Conservative term of office, the Scottish prison estate was in total and utter disarray, with confusion and riots in a number of establishments in Scotland. In addition to our immediately sanctioning three new prisons in the prison estate, increased capacity is coming on stream in Edinburgh, Perth, Glenochil and Polmont. Those are improvements within the rising prison budget. It would not have been possible to act more quickly on prison capacity than the Cabinet Secretary for Justice acted. We acted immediately on coming to office.

Even Annabel Goldie and the Conservatives should realise that, in a week in which we have seen the lowest recorded rates of crime in Scotland for 25 years but prison populations have reached another record level, ultimately and fundamentally we must find better disposals and a better way of dealing with crime than locking up people for short sentences. That is what the McLeish commission recommended and that is what any member of the Parliament with a look towards the future and how society deals with those matters should thoroughly and comprehensively support.

Cabinet (Meetings)

3. Tavish Scott (Shetland) (LD): To ask the First Minister what issues will be discussed at the next meeting of the Cabinet. (S3F-1059)

The First Minister (Alex Salmond): The next meeting of the Cabinet will discuss issues of great importance to the people of Scotland.

Tavish Scott: What discussions will the Scottish ministers host to prevent rail strikes next week?

The First Minister: We have no plans to interfere in the position of Network Rail and its trade unions. We ask both sides to sit down and

negotiate a settlement to their difficulties without substantial inconvenience to passengers.

Tavish Scott: I think that the answer was none. Tens of thousands of people will suffer next week. I spoke to First ScotRail and Network Rail this morning and found that people face four days of travel chaos, with no service to Aberdeen or Inverness.

When it was in opposition, the SNP stood in this chamber and said that the Government had a responsibility to act; it had to knock heads together and it had to host talks. Now that the SNP is the Government, will it guarantee to host meetings before Tuesday? Have ministers knocked heads together? What is the First Minister's action plan to stop the strike? Is it anything to do with him?

The First Minister: As I recall—I thank him for reminding the chamber—Tavish Scott was the Minister for Transport when ScotRail was on strike. He must get out of the habit of believing that the role of Government is to intervene in the relationship between employers and trade unions in every case. It would be impossible to do so. The role of Government is to urge both sides in the industrial dispute to come to terms and not to inconvenience the travelling public. That should be supported across the chamber.

Tavish Scott: So when Mr Salmond's colleagues said last session that the Government had to knock heads together and host talks, I presume that they were talking absolute nonsense.

The First Minister: What was Tavish Scott's response? [*Interruption.*]

The Presiding Officer: Order.

The First Minister: Did he intervene dramatically and solve the industrial situation? Is it not better at this point to ask the unions and the management to get together and avoid the industrial dispute? Instead, we hear about Tavish Scott's faulty memory and he asks this Administration to do something that he so manifestly failed to do when he was the responsible minister. That is rather like his forgetting to cut income tax in Scotland when he was in the Administration, but advocating it now that he is in opposition.

Duncan McNeil (Greenock and Inverclyde) (Lab): Six days before Christmas last year, a tragic loss of life occurred on the Clyde when a tug named the Flying Phantom capsized, resulting in the deaths of two of my constituents, Stephen Humphreys and Eric Blackley, and a third man, Robert Cameron.

The First Minister will know that the Marine Accident Investigation Branch listed a catalogue of failures in its report this week and it is clear that

the families of the crewmen who died believe strongly that further matters need to be addressed.

The First Minister will appreciate, as I do, that the issues raised are both reserved and devolved. Does he agree that such constitutional matters should not prevent us from getting to the truth of the tragic events of 19 December? Does the First Minister also believe that the joint Stockline inquiry is a good example of both Governments being prepared to work together, with the support and trust of the families, to seek the truth?

The First Minister: Obviously I respect Duncan McNeil's question. Given my constituency, he will understand that I have particular interest in and sympathy for those involved in marine accidents. I have looked at the MAIB report, which raises some serious matters. I agree that the Stockline joint inquiry, which was initiated and supported in this chamber, is an excellent example of Governments working together but, in the first instance, full consideration of whether to take the issues to another inquiry is a matter for the law officers. I am sure that they are considering the matter.

David McLetchie (Edinburgh Pentlands) (Con): I was interested in the First Minister's answer to Annabel Goldie in relation to the rising prison budget. Given the rising budget that the First Minister claims, will he kindly explain why £10 million is being taken from the prison estate budget next year in order to accelerate the affordable housing investment programme?

The First Minister: Because of the shape of the capital programmes, the prison budget is increasing from £441 million to £455 million to £491 million. Even in David McLetchie's world, I would call that an increasing budget and one that is necessary to fulfil the prison building programme committed to by this Administration. That is, of course, something that the previous Conservative Government so manifestly failed to do.

Marine Energy

4. Rob Gibson (Highlands and Islands) (SNP): To ask the First Minister how marine energy developments in the Pentland Firth and at other locations around Scotland will contribute to sustainable development. (S3F-1077)

The First Minister (Alex Salmond): The Pentland Firth, combined with other tidal locations around Scotland, is estimated to have a capacity generation of more than 7.5GW—enough to power about 4 million homes. Our total marine renewable potential is estimated at 21.5GW. Harnessed, that potential would supply Scotland's power needs many times over. The potential benefits to the Scottish economy in terms of inward investment

and employment opportunities in the engineering, manufacturing and offshore sectors are considerable. Tapping marine energy potential can boost our position as an energy exporter and as a leading green energy economy and is an important element in realising our goal of increased sustainable economic growth for all Scotland.

I know that members will want to welcome to our proceedings today Luis Alberto Moreno, who is president of the Inter-American Development Bank. He is here in Scotland with his team to see the tremendous potential of and export opportunities for this planet-saving technology and Scotland's world-leading role in it.

Rob Gibson: The First Minister has captured the excitement about the Pentland Firth's potential for Scotland. There is a wider European need for secure energy supplies. Will the First Minister ensure that the firth's tidal power, oil supply base and sea-transport hub features are all treated as one national development under the national planning framework for Scotland? Will the soon-to-be-published strategic transport projects review also treat as one high priority speedier rail, safer roads, enhanced harbours and an all-weather landing scheme for Wick airport, to achieve the full benefits of the Pentland Firth's clean power?

The First Minister: Yes, those matters are under consideration as part of the national strategic plan. I thoroughly agree with Rob Gibson's description of the excitement that is being generated around these projects. That excitement and commitment was certainly on display in Thurso earlier this week, when we talked about exactly those things. The potential of the renewables industry in Scotland is being upheld and the excitement is being generally shared, not least because this Administration has consented to 14 major renewables projects in Scotland. In the last year of the Labour-Liberal Administration, the total was one.

Malcolm Chisholm (Edinburgh North and Leith) (Lab): I welcome last week's proposals in relation to enhanced renewables obligation certificates for marine energy. However, does the First Minister accept that that will not help companies that are developing the technology and those at the early stages of production, such as the pioneering Pelamis Wave Power in my constituency? Will he consider urgently what help can be given to such companies, so that Scotland can develop into the leading marine energy player that we all want it to be?

The First Minister: The announcements that we have made give Scottish marine renewables a significant advantage not just over any other framework in the continent of Europe but over our colleagues south of the border. That is why

Pelamis is now being deployed in Scotland. If Malcolm Chisholm remembers, under the previous Administration, Pelamis was a technology that originated in Scotland but was deployed in Portugal. It is now being deployed in Scottish waters. That joins this week's announcement of the world-record deployment of wave arrays in Scotland and of the biggest tidal power array to be developed and deployed in Scotland. In every one of those marine technologies, which could well dominate energy production over the course of this century, Scotland is indeed ruling the waves.

Liam McArthur (Orkney) (LD): The First Minister is right to highlight the enormous potential benefit of marine energy. I, like Malcolm Chisholm, welcome the announcement by the Minister for Enterprise, Energy and Tourism on ROCs. I understand that the First Minister was busy claiming responsibility this week for coining the phrase "the Saudi Arabia of tidal energy" in relation to the Pentland Firth. Perhaps with slightly less hubris, will he now take responsibility for ending the uncertainty over the future of the wave and tidal energy scheme? Will he also agree to look favourably on any bid to ensure that the facilities at the European Marine Energy Centre in my constituency remain world leading and fit for purpose in this fast-changing industry?

The First Minister: The facilities are world leading and fit for purpose. We are thoroughly committed to them, as I said when I opened the tidal developments in Eday in the Orkney islands last year. Obviously, we are committed to them, as we are committed to the saltire prize, which is the world's largest prize for innovation in marine renewable technology. Not everything in the renewables array is positive. We still have challenges to meet.

I know that the local member will join me, the islands of Scotland, Scottish Power, Scottish and Southern Energy and Scottish Renewables in supporting the unanswerable case for ensuring that grid connections from our outlying areas are made on the basis of parity and do not discriminate against areas of maximum renewable power potential.

Prison Overcrowding

5. Cathie Craigie (Cumbernauld and Kilsyth) (Lab): To ask the First Minister, in light of the comments by the chief executive of the Scottish Prison Service that the record prison population of 8,137 is at a level that is "unsafe operationally and legally", what steps the Scottish Government will take to alleviate prison overcrowding. (S3F-1082)

The First Minister (Alex Salmond): On 23 and 24 August 2007, the Scottish Government announced that it would build new prisons at Bishopbriggs and Peterhead. That announcement

meant that, after the years of prevarication by our predecessors, this Administration was delivering on this issue. We are investing a record £120 million each year in the prison estate and the first new prison will open at Addiewell in December.

We also understand that, at the same time that prison numbers are at a record level, crime itself is falling; indeed, that is exactly why we appointed the McLeish commission to take a fresh look at the problem. We agree with the commission's conclusion that we cannot build our way out of the overcrowding problems that this Government has inherited. Instead, we must get offenders out of the reoffending cycle and into paying back their debt to communities.

Cathie Craigie: The evidence to the Justice Committee left members in no doubt that prison establishments are in serious trouble and are under severe pressure. This afternoon, the First Minister has wriggled out of his responsibility and passed the buck. However, the fact is that he is the head turnkey and has had that responsibility since May 2007.

Will the First Minister guarantee that he will dismiss the suggestion that we should build a fence around the open estate and send more prisoners to it? Will he provide additional resources to the Scottish Prison Service so that more prison officers can be employed to deal with the current crisis? Will he publish the emergency plans or at least provide some details of the discussions that he referred to in his earlier response to Annabel Goldie?

The First Minister: I do not think that it would be a good idea to publish the Prison Service's operational plans. I also note that Mrs Craigie's entire question contained not one proposal about how the Labour Party intends to deal with a problem that it created.

I repeat that this Government acted as quickly as it could to increase capacity in the prison estate. The Labour Party might not realise this, but it takes a few years to build a prison in Scotland. Perhaps if Labour had started these projects when it was in office, the prisons might now be completed and available.

Of course, this is not the first time that a Justice Committee has taken evidence on prisons. On 14 December 1999, the Justice and Home Affairs Committee took evidence from the then Deputy First Minister and Minister for Justice, who had to explain why he had taken £13 million out of the Prison Service budget. Perhaps if, like us, previous Administrations had put money into prisons instead of taking it out, we would have the capacity to deal with the immediate crisis.

Student Support

6. Hugh O'Donnell (Central Scotland) (LD): To ask the First Minister how the Scottish Government is supporting students with care responsibilities for children. (S3F-1060)

The First Minister (Alex Salmond): The Scottish Government supports students with care responsibilities for children through support for tuition fees and living costs. Lone parent higher education students are also supported through the lone parents grant and the lone parents child care grant. Moreover, for higher education students, we have allocated £16 million of discretionary funds, more than £4.7 million of which is for child care funds. Finally, for further education students in colleges, the Scottish Further and Higher Education Funding Council has allocated, for the academic year 2008-09, £8.3 million towards child care funding, which represents a 9.6 per cent year-on-year increase from the previous year.

Hugh O'Donnell: I am sure that the First Minister recognises that access to further and then to higher education is a very good way for single parents to get out of poverty. However, there appear to be anomalies in the funding criteria for students who take higher education courses in FE colleges. Does the First Minister agree that we need to review the allocation of these funds and that it might help colleges if they were allocated some Scottish Student Awards Agency funding to take account of circumstances on the ground?

The First Minister: I will carefully consider Hugh O'Donnell's suggestions, but I hope that he will see from the measures that I spelled out in my reply to his first question that the Government is already acting to support students with care responsibilities for children. It is acting in a comprehensive fashion with a number of measures that will be to the great benefit of those important students in our educational framework.

Willie Coffey (Kilmarnock and Loudoun) (SNP): Will the First Minister join me in welcoming Heather Dunk to her post as the new principal of Kilmarnock College, which was the subject of inaccurate and misleading statements in the press at the weekend? Does he agree that those who use Kilmarnock College and its students for personal publicity succeed only in damaging its reputation and should be rebuked by the college and the Parliament?

The First Minister: I have seen a statement from the principal of Kilmarnock College that firmly makes those points. It points out that

"the ... management team at Kilmarnock College is in discussion with a number of other colleges on the allocation of student funds ... to ensure the fairest allocation of funds, value for money for the public purse and the most effective and high quality provision of childcare services".

The principal's letter is comprehensive in answering the charges that have been made.

12:31

Meeting suspended until 14:15.

14:15

On resuming—

Question Time

SCOTTISH EXECUTIVE

Justice and Law Officers

Fiscal Fines (HM Treasury Retention)

1. Sandra White (Glasgow) (SNP): To ask the Scottish Government what percentage of moneys collected through fiscal fines is retained by Her Majesty's Treasury and how much this has amounted to since 2004 in real terms. (S3O-4453)

The Cabinet Secretary for Justice (Kenny MacAskill): Prior to 10 March 2008, local authorities collected and retained 100 per cent of all fiscal fines. From 10 March 2008, responsibility for their collection transferred to the Scottish Court Service, with the agreement of the Convention of Scottish Local Authorities. Discussions are currently under way between the Scottish Government and HM Treasury to agree the arrangements for retention from 2008-09 onwards. The SCS collected £400,000 from 1 April 2008 to 31 July 2008.

Sandra White: I am pleased that the figure was 100 per cent, because it had not always been so high. Is the Government considering some way of using the moneys collected through fiscal fines in order to benefit the communities that are suffering from the crimes that incur such fines?

Kenny MacAskill: That is an excellent question. The matter has been raised by the Lord Advocate and we are considering it. Part of our drive for instant justice is that people should realise that, as well as rights, they have responsibilities. If they breach those responsibilities, they will be brought to book and held to account. We also want to ensure that the communities that suffer the most should benefit from those moneys. Those matters are being investigated and I assure Ms White that we are sympathetic to the idea.

Bill Aitken (Glasgow) (Con): So that we can be satisfied that communities will benefit to the maximum possible extent, can the cabinet secretary give us information on the quantum of the fiscal fines imposed and the actual amount collected?

Kenny MacAskill: I do not have that information but I am more than happy to discuss the matter with the Lord Advocate to ensure that we can give a full explanation.

Police Negotiating Board Replacement (Discussions)

2. John Scott (Ayr) (Con): To ask the Scottish Government what discussions have been held between Scottish and United Kingdom Government ministers regarding the consultation by the Home Office on plans to replace the Police Negotiating Board with a new pay review body. (S3O-4379)

The Cabinet Secretary for Justice (Kenny MacAskill): No discussions have taken place at ministerial level yet. The proposals will have major implications for the manner in which police officer pay is determined. I want to take into account the views of our partners and stakeholders before coming to any decisions on what might be best for Scottish police officers and the service as a whole.

The Police Negotiating Board's Scottish forum met last week to discuss the proposals in detail. I will reflect on the views expressed at that meeting, and any others expressed by our partners and stakeholders, before I formally submit the Scottish Government's response to the consultation.

I would also welcome the views of members who might feel strongly on this issue.

John Scott: Given last year's unilateral decision by the Home Secretary to overturn an independently arbitrated police pay award, it is no surprise that serving officers across Scotland and the rest of the UK have no faith in her proposals to review the police negotiating machinery. Scottish police officers must be assured of a fair and transparent system for negotiating their pay, especially in recognition of the special circumstances whereby police officers are unable to take industrial action in pursuit of pay claims.

Will the cabinet secretary support the calls from the Scottish Police Federation that an arbitrated pay settlement should be binding—unless in the exceptional circumstances of a vote to the contrary in Parliament?

Kenny MacAskill: Not only does the member have such an assurance, but he can go on the record of this Government. When the situation arose last year, we did not hesitate to ensure that our police officers—who have served our communities well, often in difficult and dangerous circumstances—received the judgment that had been decided on. We felt that to be an appropriate view then, and I see nothing to change it now.

I assure the member that we meet the Scottish Police Federation regularly to take on board its concerns. The Government believes that, if someone enters into arbitration, they should accept the result—other than, as the member suggests, in the most exceptional circumstances.

That is why we honoured the position for our police officers last year.

Vandalism and Graffiti (Punishments)

3. Bill Kidd (Glasgow) (SNP): To ask the Scottish Government what plans it has for the perpetrators of vandalism and graffiti to undertake community-based punishments. (S3O-4443)

The Minister for Community Safety (Fergus Ewing): We are committed to perpetrators paying back to communities for damage that they have caused. We have given courts a range of community sentencing options for unpaid work. We are also piloting fiscal work orders in four areas. As an alternative to prosecution, people reported for low-level offending such as vandalism and graffiti will undertake between 10 and 50 hours payback.

Bill Kidd: Is the minister aware of the situation in Knightswood in Glasgow, where the Waterways Trust, working alongside local schoolchildren, recently enhanced the canal side with bright ceramic tiles and mosaics only to see them vandalised? Would he care to visit Knightswood with me to raise awareness of the problem and to publicise his plans to tackle it?

Fergus Ewing: I was not aware of the particular problem that the member highlights, but I would be happy to meet if that would assist him. We recognise that graffiti is a serious problem. Various statutory remedies for dealing with it have been provided, including the provisions in part 10 of the Antisocial Behaviour etc (Scotland) Act 2004, which introduced a ban on the sale of spray paint to under-16s as a useful step in preventing graffiti and vandalism. If someone is found guilty of selling spray paint to under-16s, they are liable to a fine not exceeding level 3 in the standard scale, which is currently £1,000.

Robert Brown (Glasgow) (LD): Is the minister satisfied that sentencers have available to them not so much sentencing options as projects and facilities through which community-based sentencing options can be carried out? Bearing in mind the pressures of prison overcrowding, is his priority to provide such sentences for minor offenders such as those to whom Bill Kidd referred, or is it to establish more workable and tough alternatives to custody in the light of the prison overcrowding challenge?

Fergus Ewing: The real tough option can be work in the community. Work of a demanding nature is perhaps more of a punishment and tougher than being given bed and board and sitting in a prison cell watching "Neighbours" on television. I agree entirely with the broader approach that Robert Brown suggests.

Some 6,000 community service orders and more than 2,500 probation orders with a condition of unpaid work attached to them were imposed by Scotland's courts in 2006-07. That means that courts ordered more than a million hours of work to be carried out. That is a high number, but we believe that much more can be done and that many more offenders whose crimes involve vandalism and graffiti should be dealt with in the community, giving payback rather than sitting on their haunches in a prison cell.

Richard Baker (North East Scotland) (Lab): Although I welcome the focus on tackling such offences, how effective can that approach be when the community safety budget is being cut in real terms?

Fergus Ewing: Once again, we hear more whining from members on the Labour benches but absolutely nothing in the way of alternatives. I would have thought that Labour would welcome the community sentencing approach and the facts that I have just announced, and would see that the future requires much more to be done in that regard, instead of giving us a scratched record of whining, whingeing, moaning and endless calls for more resources to be aimlessly ploughed into every problem under the sun.

Parking

4. Alex Johnstone (North East Scotland) (Con): To ask the Scottish Executive whether it supports the activities of local authorities that choose not to apply the law even-handedly across all sections of the community with regard to parking on public or private land. (S3O-4376)

The Cabinet Secretary for Justice (Kenny MacAskill): The Government expects the highest standards to be maintained in all aspects of public life in Scotland. With regard to parking, it is for each individual local authority to ensure that it complies fully with all relevant legislation, taking into account any particular local circumstances that require to be addressed in its area.

Alex Johnstone: Does the minister acknowledge that there is a problem with an unauthorised encampment that has been established by Travelling people where local authorities, for various reasons, have decided not to apply the law as they would to other sectors of the community, with the result that the law is applied only to those who choose to be bound by it or where it is easiest to apply? Will he undertake to give his full backing to local authorities on the issue to ensure that the law is applied even-handedly and fairly across the community in the future?

Kenny MacAskill: Absolutely. Alex Johnstone can rest assured that the Government will support

local authorities that implement the law. We must, however, recognise that local factors need to be taken into account, which is why we recognise and respect local democracy. There is a national strategy, which was commenced by a previous Administration, for managing unauthorised camping and dealing with Travelling people, but there will be local issues. Therefore, although I give the member the undertaking that he seeks, I ask him to accept that it is appropriate for local authorities, in acting within the confines of the law, to take their local circumstances into consideration.

Knife Crime

5. Mary Mulligan (Linlithgow) (Lab): To ask the Scottish Executive what measures it is taking to tackle knife crime. (S30-4416)

The Lord Advocate (Elish Angiolini): Tackling knife crime is a key priority and substantial action has been taken in recent years. The maximum sentence for carrying a knife in public was increased from two years to four years in the Police, Public Order and Criminal Justice (Scotland) Act 2006.

In 2006, my predecessor issued guidelines to the police, which I have maintained, to ensure that those caught carrying a knife will normally be kept in police custody until they appear in court. A revised prosecution policy on knife crime was also implemented. The revised policy means that, when an individual appears in court, prosecutors will oppose bail if he or she has one or more previous convictions involving possession or use of a knife. Bail will also be opposed if an accused has a previous conviction for an offence of violence that resulted in a custodial sentence.

When prosecutors are deciding on the appropriate court for proceedings and an accused has a previous conviction for a similar offence, there will be a presumption in favour of prosecution on indictment.

A number of other initiatives are being taken forward. They include: the national violence reduction unit's 10-year action plan, with education, prevention and rehabilitation at its heart; and the proceeds of crime investment, to give young people more positive alternatives. We are also consulting on a licensing scheme for dealers in non-domestic knives, which will help to prevent those deadly weapons falling into the wrong hands.

In the meantime, we continue to support tough enforcement by the police, with effective and co-ordinated action resulting in more than 2,000 knives being taken off the streets since May 2007.

Mary Mulligan: Can the Lord Advocate tell me what reasons, if any, she believes there are for the

Scottish Government continuing to hold out against a mandatory jail sentence for those who carry a knife?

The Lord Advocate: Sentencing is an issue for the courts. Policy decisions on a mandatory or minimum sentence are for others, rather than the Lord Advocate, to comment on. However, having looked at the possibility of the creation of a sentencing council, I think that the development of guidelines on sentencing would be a practical alternative to mandatory or minimum sentences, which can be arbitrary on occasion and which constrain our judges from using their discretion in circumstances in which pleas in mitigation might reveal circumstances that required a variation in sentencing from that which would be permitted in law. The alternative approach might result in very arbitrary results.

A sentencing guidance council, which would produce guidance, would assist the courts in their attempts to ensure that sentences in this serious area of criminality are tough and are sufficiently robust to satisfy the community's need for protection.

Kenneth Gibson (Cunninghame North) (SNP): Is locking up everyone who is caught on our streets with a knife a practical solution?

The Lord Advocate: I think that a strong deterrent message has to go out to those who have the propensity or inclination to carry a knife. A message has to go out to the parents, the sisters, the teachers and others in the community that carrying a knife might result in extremely serious circumstances. Young boys who might otherwise have pretty blameless lives might go out in fear and carry a knife because their peers do or because it has become trendy or fashionable. In Scotland, that cavalier attitude has had tragic consequences, and I make no apology for saying that these cases must be dealt with most seriously in order to deter others who might be inclined to behave in the same way. We require a strong deterrent policy on that basis.

Duncan McNeil (Greenock and Inverclyde) (Lab): Would any guidelines from the sentencing council change the current position regarding a mandatory custodial sentence for carrying a gun?

The Lord Advocate: That mandatory sentence is a matter for Westminster rather than this Parliament. However, I think that the guidance that would be issued would be taken into account by Westminster, and that, thereafter, judges would apply it using their common sense and experience as well as their knowledge of the personal circumstances of each case.

We are not dealing with widgets in court; we are dealing with extremely specific circumstances. Cases are very fact specific. It is important that our

courts are given the independence that will allow them to sentence correctly and to do so within a context in which there is clear guidance and an expectation of tough action.

Land Maintenance Companies (Title Deeds)

6. Angela Constance (Livingston) (SNP): To ask the Scottish Executive what progress has been made to protect residents whose title deeds bind them to a specific land maintenance company. (S3O-4435)

The Minister for Community Safety (Fergus Ewing): The Title Conditions (Scotland) Act 2003 provides a legal framework for the variation or discharge of burdens that are found in title deeds. Homeowners should first seek legal advice as to the appropriate option, according to their circumstances. Ministers have no powers to intervene in private disputes.

Issues can arise due to poor and unacceptable standards of service. The trading standards service is aware of such consumer protection issues and has mechanisms in place to deal quickly with disputes. The Office of Fair Trading is undertaking a market study into property managers in Scotland. I will meet the OFT later this month to discuss land maintenance companies.

Angela Constance: Recently, I had an informative meeting with the Lands Tribunal for Scotland, the details of which I will write to Mr Ewing about. As a result of that meeting, it is clear to me that the current legislation—the Title Conditions (Scotland) Act 2003—does not offer practicable protection or solutions to residents who are in the unique position of being bound to a land maintenance company. In the case of my constituents, the company involved is Greenbelt Ltd.

Will the minister give an undertaking to pursue a course of action that will give residents who wish to exercise their rights as citizens to change their land maintenance company an accessible and affordable route to do so?

Fergus Ewing: My officials are in contact with the Lands Tribunal and will work to examine and evaluate the issues that arise in connection with Greenbelt. I look forward to receiving Angela Constance's letter on an issue that she is pursuing tenaciously.

Complex legal areas are involved and we all wish to make progress on them. One reason why I arranged to meet the Office of Fair Trading in London later this month is so that I can see what, if anything, it can do to protect consumers. In this case, we are talking about a substantially reserved issue.

Trish Godman (West Renfrewshire) (Lab): I am given to understand that a company is contacting residents to say that it will help them through this legal minefield. The company is saying that its prime motivation is to clean up the industry and it claims that it is monitored by the Government regulator. What regulations apply to the transfer of land on housing estates to third parties, and which regulator monitors that area?

Fergus Ewing: I am not aware of the company to which the member refers. If she writes to me with the details, I will be in a position to reply.

Of course, when one buys property, one should take legal advice. Currently, there are no rules to prohibit the separate sale of amenity land within an estate. That is a law reform that no previous Administration sought to introduce; indeed, there may be problems in introducing it. In any event, given that any law reform would not be retrospective, it would not apply to those who have difficulties with land maintenance companies. Nonetheless, many members have raised the issue. The Government is very keen to work with members and their constituents to see whether any other remedy can be found.

Off-sales (Licence Withdrawals)

7. Jackson Carlaw (West of Scotland) (Con): To ask the Scottish Executive how many off-sales operators were issued with a warning in the last year for selling alcohol to children under 18 years of age and how many licences were withdrawn on that basis. (S3O-4382)

The Cabinet Secretary for Justice (Kenny MacAskill): Information on warnings that boards have issued is not held by the Government, but we know that licensing boards suspended for various reasons 29 licences in 2007, of which 14 were for on-sales and 15 were for off-sales.

We are also beginning to see the effects of test purchasing, which the police are using to crack down on rogue retailers. Since December, 1,073 premises have been tested, of which 176 failed their first test and a further 14 failed a second or subsequent test. That shows that test purchasing is working and licensees are sharpening up their act. A number of those who failed have had their licences suspended, which is the maximum sanction that is available at present. That will change next September when boards will have wider powers, including the power to revoke immediately a licence, which we support.

Jackson Carlaw: I thank the cabinet secretary for that comprehensive reply.

Let us set aside the heat of this morning's exchanges, when many of the cabinet secretary's colleagues spoke with the fervour of members of a new Scottish temperance party and not as

members of the Scottish National Party. Does he accept the validity of the concerns of a number of members that, before we rush to implement new and fresh legislation, we should first ensure that existing legislation and the legislation that is to come is given every opportunity to succeed? Other measures may be necessary thereafter, but we should not rush to introduce them before we have first ensured that existing legislation has been made effective.

Kenny MacAskill: This evening, I am going to the Scottish Licensed Trade Association's annual dinner. I do not know whether the association expects me to attend in a temperance capacity but I am certain that I will enjoy its hospitality, which I do not think will be dry, whatever the member may think.

We are enforcing the legislation. The changes in September 2009 are based on legislation that was not introduced by this Government but which was passed in the previous session of Parliament. We are enforcing existing legislation and implementing and rolling out legislation that is taking time to implement because of the transition period. As we said this morning, we will not hesitate to take action where appropriate to tackle the significant alcohol abuse problem that we face in Scotland.

Rural Affairs and the Environment

Flooding (Greenock and Inverclyde)

1. Duncan McNeil (Greenock and Inverclyde) (Lab): To ask the Scottish Executive what discussions have taken place with Scottish Water to ensure that flooding issues in the Greenock and Inverclyde area are tackled. (S3O-4413)

The Minister for Environment (Michael Russell): Scottish Water is aware, as is Duncan McNeil, of the flooding issues in the Greenock and Inverclyde area. As part of the current 2006 to 2010 investment programme, there are regular discussions with Scottish Water on how it is addressing sewer and other flooding to achieve a net reduction in the number of properties subject to flooding.

Duncan McNeil: Does the minister agree with Scottish Water that external flooding, which he will know is flooding in and around the boundary of someone's property, is a major issue? It is a recurring problem in my constituency; there have been more than 4,000 reports of it occurring since 2003, including the regular flooding of Inverkip Main Street and homes in Branchton and Braeside. Can the minister assure us that he will work with Scottish Water to ensure that investment is in place to deal with the problem, which is causing recurring damage and distress to residents throughout Inverclyde?

Michael Russell: I agree that external flooding is becoming a key issue. When Scottish Water's objectives were set for the current period, external flooding was not seen as the highest priority. Instead, it was agreed with the previous Administration that internal flooding, which causes a public health problem for residents, should be tackled. Scottish Water has made good progress on reducing the number of properties that are held on its internal flooding register. I agree that we must now take external flooding much more seriously. External flooding will feature in the objectives for 2010 to 2014. The Flood Risk Management (Scotland) Bill, which was introduced only two days ago, will address all types of flooding, including sewer flooding.

Stuart McMillan (West of Scotland) (SNP): Will anything in the Flood Risk Management (Scotland) Bill make it easier to achieve speedier flood resolutions in Inverclyde and other communities in the west of Scotland?

Michael Russell: The Flood Risk Management (Scotland) Bill contains a range of provisions that should make it easier for a range of authorities to tackle flooding issues. For example, flooding will be dealt with at a catchment level, so that all authorities can work together and bring together their resources to tackle it.

The bill will transpose the European Union floods directive, so it will address all types of flooding. We will also have much better flooding maps. Most important, the very lengthy period that it takes to take a flooding scheme from conception to delivery will be considerably truncated, and people will be able to influence the process much more.

Farming (New Entrants)

2. Jim Hume (South of Scotland) (LD): To ask the Scottish Executive how it will encourage new entrants into the farming sector. (S3O-4460)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): A dedicated measure in the Scotland rural development programme offers new entrants up to £27,395 of interest rate relief on commercial business development loans. The SRDP also offers young farmers enhanced capital grants—10 per cent above the normal rates—for business development, restructuring and diversification.

Jim Hume: What will the cabinet secretary say to those people who were led to believe that the new entrants scheme would provide an additional sum of £10 million for the remainder of the SRDP, but who now know that it is in fact a loan? It is not new money, but money taken from land management contracts. Can he explain how inflexible restrictions, such as the requirement for

new starts to apply 12 months prior to set-up, and their being unable to use the money to buy breeding ewes, for example, represent the best way to encourage new entrants to the industry?

Richard Lochhead: I will take great delight in telling Scotland's agriculture community that, for the first time, we have a dedicated £10 million fund for new entrants under the Scottish rural development programme, which I hope will prove a success in the coming years. The issue is complex, but finally we are attempting to address it. As the tenant farming forum discovered during its inquiry, there are no simple, easy, off-the-shelf solutions, contrary to what the member perhaps suggests.

I am happy to work with Jim Hume and other members to find solutions but, so far, there are no simple solutions and we must accept that the issue is challenging. However, the £10 million is new money and it is available under the Scottish rural development programme for new entrants.

John Scott (Ayr) (Con): Has the minister considered the suggestion in the report of the Scottish Conservative food security task force of pairing and supporting young farmers and new entrants with retired or retiring farmers who have no family of their own to carry on running their business? What level of interest has there been in the new entrants scheme so far?

Richard Lochhead: There has been interest in the measure under the Scottish rural development programme, as I outlined in my previous answer, and some awards have been offered to applicants. On the Conservative party's report, I welcome any good ideas from any part of the Parliament. I will soon be responding to the tenant farming forum's report, which suggests a range of measures, and I am happy to build in the measures that the member suggests.

Sarah Boyack (Edinburgh Central) (Lab): Will the cabinet secretary listen to the farmers who tell us that the qualifying criteria for his system mean that many new entrants are simply not eligible to apply?

Richard Lochhead: I will take on board that concern. The programme is new, and we should all be big and bold enough to accept that there might be some teething problems. I am unaware of the particular concerns that some members have mentioned, but I am happy to take them on board, as we have the ability to tweak or amend the programme as appropriate. I am certainly willing to do that to make its measures more attractive.

Locally Sourced Food

3. David Whitton (Strathkelvin and Bearsden) (Lab): To ask the Scottish Executive what

progress has been made, as a result of its food procurement guidelines, on increasing the amount of locally sourced food. (S30-4426)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): Currently, information on increases in the amount of locally sourced food is not held centrally. Under the Scottish national food and drink policy, I announced a work stream called walking the talk, which will help Scotland's public sector to become an exemplar on food procurement. The work stream will address how to measure the amount of locally sourced food and how to improve the uptake of the food procurement guidelines.

David Whitton: I thank the cabinet secretary for his answer, but it does not take us much further forward. We believe that, where the Government is responsible for providing meals, whether in hospitals, prisons or even schools, the food should be nutritious and, where possible, organic and locally sourced. We have heard from the cabinet secretary that the Government wants to encourage local supply, and we have heard about guidelines being revised, but when will farmers in my area know when the guidelines on the supply of food in the public sector will be issued?

Richard Lochhead: Scotland's public authorities have existing guidelines, and I urge all authorities to use them to increase local procurement. Like other members, I am extremely keen for us to measure the progress that we make on local food procurement. However, it is difficult even to define the word "local" when it comes to local food sourcing. That is one of the first issues that we must address. Indeed, the definition and interpretation of "local" is being addressed by one of the food and drink policy work groups.

I am confident that there has been an increase in the local procurement of food produce. That is certainly the case with the Government's own contracts. Indeed, one of the Government contracts, for 4,000 civil servants, is up for renegotiation, and we hope to make it an exemplar of local food sourcing. Of course, we must be cognisant of European procurement rules, but we want to push the boundaries as far as we can.

Aileen Campbell (South of Scotland) (SNP): I acknowledge the cabinet secretary's reply to David Whitton. Does the cabinet secretary agree that local food should play a major role in the implementation of the free school meals policy that the Cabinet Secretary for Education and Lifelong Learning outlined today? Does he also agree that that policy gives us a huge opportunity to learn lessons from Finland, which used local food, where possible, to help it to shake off its sick man of Europe tag?

Richard Lochhead: I agree. I am pleased that a number of school meals pilot projects around Scotland—in particular, the recent project in the Western Isles—use locally sourced food. Shetland Islands Council has another pilot project in the pipeline, and we have seen the success of the hungry for success initiative that was piloted in East Ayrshire by Robin Gourlay, who is involved in the Scottish national food and drink policy work stream. The free school meals policy is a huge opportunity. I urge all schools to source as much food as possible locally as the policy comes on stream in the coming months and years.

Nanette Milne (North East Scotland) (Con): The cabinet secretary mentioned the successful pilot in East Ayrshire where local food was used in schools. Has he discussed with other local authorities the possibility of rolling out the programme to other parts of Scotland? If so, what were the outcomes of those discussions?

Richard Lochhead: The Cabinet Secretary for Education and Lifelong Learning has had such discussions. I take a keen interest in the matter, because we support that approach across the Government. The East Ayrshire initiative has been very successful, which is why Robin Gourlay, who piloted it, chairs the work stream that is charged, as part of policy development, with spreading best practice throughout Scotland.

Flood Management (Highlands and Islands)

4. David Stewart (Highlands and Islands) (Lab): To ask the Scottish Executive what progress it is making on flood management schemes in the Highlands and Islands. (S3O-4424)

The Minister for Environment (Michael Russell): Flood risk management schemes are the responsibility of the local authorities concerned, not the Scottish Government, as local authorities are best placed to assess local need. That will continue to be the case under the new Flood Risk Management (Scotland) Bill.

David Stewart: The minister will be aware that Scotland has only 50 per cent of the high-resolution radar coverage that is required to provide effective advance warning of pluvial flooding, compared with about 95 per cent coverage in England. There are major gaps in Moray and the Highlands and Islands. Will the minister ask the Met Office for an immediate weather radar network review, to provide the technology to give advance warning to residents in Moray and the Highlands before the trauma of flooding occurs? That would be a real historic concordat between the Scottish Government, the Scottish Environment Protection Agency and the Met Office to protect our threatened rural communities.

Michael Russell: I am entirely happy to support the member's call for the Met Office to provide the coverage to which he refers. In the report on its inquiry into flooding and flood management, the Rural Affairs and Environment Committee recommended that such coverage be provided. As the minister responsible, I accepted that recommendation, which we are continuing to take forward. We are in regular contact with the Met Office to ensure that it provides the coverage that people in the Highlands and Islands and other areas where coverage is lacking deserve. Weather radar is an important part—although not the only part—of the flooding early warning system.

Dave Thompson (Highlands and Islands) (SNP): Will the minister take into account the visual and practical effect of flood defences on the River Ness, and the need to enhance the visual impact of the river—which is one of Inverness's main attractions—and the general ambience of the area? In particular, will he ensure that the issue is taken into account in funding?

Michael Russell: Funding for flooding is part of the historic concordat between the Scottish Government and local authorities. How flood defences look and fit in with the surrounding landscape is an important consideration. We are keen to encourage greener flood defences—natural flood defences often fit more happily into landscapes than do traditional concrete walls. Equally, there are ways of constructing flood defences that are not intrusive. I entirely accept Dave Thompson's point, as does everyone who is involved in designing and providing flood defences. Everything is done to ensure that flood defences are appropriate, especially in places such as Inverness, but they must also be effective.

Elaine Murray (Dumfries) (Lab): The minister will be aware that sudden and severe flooding incidents are increasingly problematic throughout Scotland—in the Highlands and Islands and in communities such as Eaglesfield, Annan and Langholm in Dumfries and Galloway. Has he approached his counterparts in the United Kingdom Government to discuss funding to ensure that the coverage that my colleague David Stewart mentioned in connection with the Highlands and Islands is also made available throughout the south of Scotland?

Michael Russell: The member is right about the need for radar coverage throughout Scotland, and that the financial responsibility for providing such coverage lies with the UK Government. The Met Office is the agency that should provide it. I would, of course, be happy to work with members across the chamber to ensure that the Met Office and the UK Government fulfil those responsibilities.

Flood Management

5. Dr Richard Simpson (Mid Scotland and Fife) (Lab): To ask the Scottish Executive what funding has been allocated to deal with new flood management issues in Scotland. (S3O-4422)

The Minister for Environment (Michael Russell): Funding for flood alleviation measures was included in the record levels of funding for local government over the period covered by the 2008 to 2011 spending review. We have also allocated £8.6 million to the Scottish Environment Protection Agency to deliver a national flood warning dissemination programme for Scotland and another £1 million to enable it to fund a new flood warning scheme for the north-east of Scotland. We have allocated £235,000 to research projects to inform and provide evidence to support the development of flood risk management policy, and we have agreed to provide £179,500 over three years to assist the National Flood Forum, which has done tremendously good work south of the border, to establish a presence in Scotland.

Dr Simpson: The minister will be aware of the significant flooding that occurred in Tillicoultry and Milnathort, which are in my constituency. After that flooding, Clackmannanshire Council and Perth and Kinross Council held public meetings to inform residents about future flood defences and how to prepare themselves for possible future flooding. What steps has the minister taken with SEPA and the Convention of Scottish Local Authorities to ensure that members of the public who may be affected by flooding in the way that my constituents in Tillicoultry and Milnathort were affected are given direct advice on how best to prepare themselves properly for that threat?

Michael Russell: Dr Simpson raises important issues. Defending against flooding is not simply a matter of building concrete walls. I do not want to go into the details of why the concrete walls in Milnathort did not work, because on-going legal issues are involved.

Individuals must realise that they can suffer unexpected flooding and they must be ready. Flooding can happen very quickly, including in places with no experience of flooding, especially if there are extreme weather events. In all circumstances, the Government advises and will continue to advise that people should have adequate insurance. We will discuss that matter a great deal as the Flood Risk Management (Scotland) Bill is considered in the Parliament. Such insurance can be obtained in most places. If there are difficulties with obtaining insurance, it is often possible to make changes to properties to allow it to be attracted.

There are also means by which people can defend their properties. If a property has been

flooded, its reinstatement to a higher flood resilience status will make an enormous difference. Development work has shown that having a resilient property as opposed to a non-resilient one can reduce the time taken for people to move back into their property from months or years to weeks or even days.

Mary Scanlon (Highlands and Islands) (Con): The cabinet secretary will be familiar with the flood alleviation scheme in Elgin, which includes a plan for a relief channel near the cathedral. SEPA wants that channel to remain dry, whereas Scottish Natural Heritage wants water to run through it all the time. What advice would the minister give to local authorities that face contradictory advice from those statutory bodies?

Michael Russell: Mary Scanlon has pointed to one of the reasons why we need the Flood Risk Management (Scotland) Bill. We need to modernise flood legislation so that everybody can work together. By taking the catchment approach and bringing together all the bodies that are involved, we will resolve issues of the type to which she refers. I am certain that the issue that she raises will be resolved, because there is good will on all sides and a desire to ensure that the flood defences in every part of Scotland are effective. The Flood Risk Management (Scotland) Bill will make the resolution of such issues easier than ever. I am glad that we are now getting round to changing 50-year-old legislation that is around 25 years out of date.

Waste Recycling (Joint Facilities)

6. Michael McMahon (Hamilton North and Bellshill) (Lab): To ask the Scottish Executive what support it is giving to local authorities to enable them to provide joint facilities for waste recycling. (S3O-4412)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): It is a matter for local authorities to negotiate contracts and enter into whatever partnerships they consider necessary, either with the private sector or other local authorities, to provide and utilise recycling waste facilities on a joint basis.

Michael McMahon: The cabinet secretary's response is some way short of providing any reassurance that existing targets can be met in the present circumstances. We do not want to get into an argument about ring fencing or otherwise, but can the cabinet secretary tell the chamber how he can ensure that local authorities know how much money is available, what targets they must meet and what commitments they are required to give in single outcome agreements? Without any reassurance on that, there will be no commitment; there will be only hope and crossed fingers that local authorities will be able to deliver in the

manner that he wants them to deliver on everyone's desire for more efficient waste recycling.

Richard Lochhead: Michael McMahon paints a picture of doom and gloom, whereas the story throughout Scotland is optimistic and positive. In South Lanarkshire Council's area, for instance, the household waste recycling rate is 35.4 per cent, which is quite a bit above the national average. Things are going smoothly in the member's area.

We are working closely with local authorities on a range of campaigns. They are well aware of our targets. We have had many meetings with local authorities and the Convention of Scottish Local Authorities to discuss the issues. The zero waste fund will contribute to infrastructure projects, and discussions about each local authority's share of that fund are advanced.

Local authorities have a generous settlement. They are aware of the targets, which they mention in their outcome agreements. They have plenty of opportunities to make progress and to help to protect Scotland's environment.

The Presiding Officer (Alex Fergusson): We have a little time in hand for the next debate, so I will take one more question.

Development Sites (Hazardous Waste)

7. Margaret Mitchell (Central Scotland) (Con): To ask the Scottish Executive what its policy is on the development of sites that may be contaminated by hazardous waste. (S3O-4374)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): The Scottish Government considers the suitable-for-use approach to be the most appropriate to deal with contaminated land. That approach focuses on the risks of land contamination and recognises that the risks that any given level of contamination present depend on the use of the land, any proposed development and the requirements for remediation. The primary consideration is the identification of risks to human health or the wider environment.

Margaret Mitchell: Is the cabinet secretary aware of a proposal to develop the former landfill site at Kilgarth, between Coatbridge and Glenboig in my constituency, as part of plans to construct a large rail freight terminal? Given that concern is widespread among local people about the disturbance of hazardous waste, which is thought to be from a hospital, will he give my constituents assurances to allay their fears?

Richard Lochhead: I am sure that the concerns that Margaret Mitchell outlined are a familiar story to many of us who have issues with contaminated land in our communities. Perhaps that shows how

standards today have changed from those in the past. If she writes to me about the issue, I will certainly investigate her concerns.

Foot-and-mouth Disease

The Presiding Officer (Alex Fergusson): The next item of business is a debate on motion S3M-2635, in the name of Richard Lochhead, on the Scudamore report into foot-and-mouth disease.

14:58

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): The debate allows us to consider the review by Professor Jim Scudamore, with support from John Ross, of Scotland's response to last year's foot-and-mouth disease outbreak in Surrey. I am sure that we all thank Professor Scudamore and John Ross for their substantive and helpful report, which makes several positive recommendations that can only help to protect Scotland's livestock sector through improved preparedness for the future. The report was published just before the summer recess. The debate will help to ensure that the Parliament's views are reflected in how the recommendations are progressed.

Members will recall that the foot-and-mouth outbreak was confirmed on 3 August, following the leak of the virus from the Pirbright site. On confirmation of the disease, the Scottish Government acted quickly to put in place movement restrictions, given the significant uncertainty of disease spread and how devastating its impact can be.

Our handling of those movement restrictions reflected an important lesson that was learned from the 2001 outbreak reviews. Throughout, we worked with stakeholders to minimise the impact of the necessary restrictions. We worked hard to lift them whenever and wherever it was considered safe and appropriate to do so. Our ability to do that was heavily supported by the analytical work on risk levels to Scotland that was undertaken by the Scottish Government's centre of excellence in epidemiology, population health and disease control.

Within days of the restrictions being lifted after the first outbreak, the disease was again confirmed in Surrey on 12 September. That was a devastating body blow to the industry, which had started to see the light at the end of the tunnel after the earlier disruption, and it happened at the peak time of the year for animal movements, particularly in the sheep sector.

It was clear to me that we must do everything that we can to reduce disruption in future, so I commissioned Professor Scudamore to review Scotland's handling of the outbreak.

Overall, the Scottish response to the outbreak was a strong team effort between Government,

industry and others. Professor Scudamore concluded:

"the FMD outbreak was handled well by the Scottish Government which reacted swiftly and in line with contingency planning arrangements."

On the contribution of the wider agriculture community and everyone else who was involved, including Scottish Government officials, Professor Scudamore said:

"The Scottish agricultural community as a whole should be commended for their role during this difficult period in working with government to reduce the risk to Scotland of disease incursion and spread."

The Scudamore report provides an invaluable set of conclusions, many of which are applicable to areas beyond foot-and-mouth disease. In taking forward the conclusions, we will be ambitious and apply the findings broadly.

Supporting animal health and welfare is a priority for the Scottish Government. High levels of animal health and welfare are good for animals, for the livestock sector and for Scotland. We have a reputation for quality produce, to which animal health and welfare contributes. The Scottish Government acknowledges that good standards contribute to a sustainable livestock industry. Although we do not currently have the budget for animal health and welfare, we will continue to maintain our support for areas for which we have financial responsibility.

Although Government has a significant role to play, I stress that the only people who can make a real difference to animal health and welfare standards are animal keepers. Government's role is to help when that is appropriate. Animal keepers must recognise their responsibility and the potential impact of their actions. We recently witnessed examples of poor practice when, for bewildering and incomprehensible reasons, some individuals saw a need to source stock from bluetongue-affected areas.

We asked Professor Scudamore to review our actions and to identify measures that would mitigate the impact of future outbreaks and practical steps that we could take to protect our red meat sector. He made 55 recommendations, which we are working to implement.

Sensible sourcing of stock—the first theme of the report—is just one element of disease preparedness. We have accepted that movement licences should be prepared in advance, particularly to allow low-risk movement to happen quickly when that is appropriate. Such an approach would reduce some of the pain of a necessary movement ban and will be informed by detailed risk assessments, to justify movements. High-risk movements are less easy to relax and it is important that the reasons for that are understood.

The package will sit alongside the contingency plan and will provide clarity on what will happen in an outbreak, thereby allowing farmers and crofters to plan for themselves. The national contingency plan worked well in practice, but the review found areas for improvement, particularly in highlighting links to other, more operational, plans such as those of Animal Health. The experience of last year also showed that the plan lacks detail on the implications of a movement ban. We have accepted those points and we have commissioned an independent expert to revise the plan, which will then be put out to public consultation in November. The plan will continue to be a framework, to reflect the reality that every outbreak will be different.

We will also consult on the communications strategy, which is an integral part of our disease control response. Changes will build on innovations that we made last year, such as our use of text messaging.

During the outbreak, there was considerable discussion about regionalisation within Great Britain to allow resumption of exports from areas that were considered to be low risk, such as Scotland. The term "regionalisation" often meant different things to different people. The report highlights the challenges that are associated with regionalisation in the United Kingdom, given the nature of food chain logistics and supply routes. For example, 55 per cent of Scottish lambs are slaughtered outside Scotland—that was highlighted last year. That can make it harder to concentrate activity in a geographic area, which in essence is what the regionalisation debate is about.

Later this year, I will meet stakeholders to ensure that there is a common understanding of the issues and that there is consensus on the right approach for Scotland. Our aim must be to minimise the risk of disruption to our industry from events elsewhere while maintaining all our important trade links. In advance of that meeting, my officials have been considering practice elsewhere in Europe. We have had initial discussions with the European Commission. The discussions have highlighted the complexity of regionalisation and raised the possibility of assisting some or all Scottish islands. Of course, it would depend on the specific disease scenario, but trade with other countries could be permitted in the event of an outbreak.

Our discussions with industry might include abattoir provision, particularly in rural areas. It is in the industry's interests to maintain a good network of abattoirs, to retain production in Scotland and to protect Scotch and Scottish brands. I was pleased to note the recent approval of the Islay abattoir.

Overall, Scudamore concluded that relationships among Administrations worked well. The Department for Environment, Food and Rural Affairs had to deal with extremely difficult circumstances and, in the main, performed well. However, communications among the Administrations were not perfect. One of several examples that come to my mind is the fact that, despite the existence of previously agreed official communication channels, I first heard of the Pirbright connection to the outbreak via BBC News 24. As members can imagine, my officials would have preferred advance warning. We need to work on our communication channels.

The review highlighted other areas for reform. First, although the Scottish Government has full responsibility for animal health and welfare policy, the budgets are held on a Great Britain basis. That results in a lack of alignment of policy and financial responsibility, which is in no one's interest. Secondly, the arrangements are managed under a concordat written in 1999. There is a wide divergence in the understanding of the spirit and intent of the arrangements, and the people who wrote the concordats are no longer working in the relevant departments.

We are working hard to update the arrangements. The joint ministerial committee is considering the revision of the overarching memorandum of understanding among all the Administrations of the United Kingdom. That will follow on naturally from the resolution of GB budgets. We await imminent information from DEFRA on current spend so that we can conclude discussions on the potential devolution of GB budgets. This week, we have seen DEFRA making decisions under the cost-sharing umbrella, which impact on Scotland through DEFRA's control over the budget.

I must stress that, although I am keen to achieve better alignment of policy and budget responsibilities, I will accept only an offer that is right for Scotland. We must ensure that appropriate arrangements are in place to deal with the contingent liabilities of a large outbreak like that of 2001. In that context, I welcome the Liberal Democrat amendment to the motion.

We must also recognise that the negotiations are happening against a financial background of a falling baseline. No matter what the outcome, we will need detailed discussions with stakeholders to inform them of what are likely to be difficult decisions about our funding priorities in the months and years ahead.

Control over the budget will allow the Scottish Government to take decisions that are in Scotland's best interests. At present, financial decisions are principally taken by DEFRA ministers with input from those in the devolved

Administrations. We are working to address that, but we must get the right solution for Scotland, not just any deal that DEFRA cares to offer us. It is essential that we minimise the impact of DEFRA's cost cutting on any budget that is eventually transferred to Scotland.

The European Commission recently announced its intention to introduce new animal health legislation by 20 November 2008. I am keeping a close eye on developments in Europe so that we are prepared both to influence and to respond in the best interests of Scotland. However, DEFRA has decided to implement responsibility and cost sharing ahead of the European timetable. Although I have much sympathy with the principles of responsibility and cost sharing, I am already on record as having concerns about the DEFRA timetable and about the importance of demonstrating that its proposals are affordable and consistent with a sustainable industry, particularly at this time of significant economic pressures on Scotland's rural communities and livestock sector.

Once we are clear about the outcome of negotiations with Whitehall and we know Europe's timetable, I will make proposals for the Scottish agenda for animal health and welfare. On the back of the report, I have already announced that we will take forward the review of the delivery landscape, and we are establishing a short-term, issue-focused expert forum to do that. We must continue to engage with stakeholders as we have done successfully on bluetongue vaccination.

Finally, we must make more of our European Union relations. They worked well during the outbreak last year, and we have made more progress. A ban on Scottish exports was threatened because bovine tuberculosis-positive animals were imported to the Netherlands from south of the border. Thankfully, our negotiations as part of the UK team ensured that Scotland escaped it.

We are committed to building our contacts. I wrote to Commissioner Vassiliou to welcome the European Commission's recent announcement on an animal health strategy, using the opportunity to seek changes in the current bluetongue regulations.

Each outbreak is unique, and we will learn lessons from the last outbreak just as those dealing with it learned from 2001. Foot-and-mouth reminds us that our livestock sector faces many challenges. I note the Labour and Conservative amendments, and I welcome the fact that they highlight many of those challenges.

The Scottish Government is urgently addressing many of the issues through the common agricultural policy health check and the review of

the less favoured area support scheme, which is one of the main support mechanisms. We are also addressing the recommendations in Professor Scudamore's report, which I hope that we can all work together to take forward to ensure a sustainable livestock sector in Scotland.

I move,

That the Parliament supports the Scudamore report's conclusions on Scotland's handling of the 2007 foot and mouth disease outbreak, contained in *Foot and Mouth Disease Review (Scotland) 2007*, and welcomes the Scottish Government's commitment to take the recommendations forward, including consideration of any potential opportunities for regionalisation and other steps to minimise the potential future disruption to the Scottish livestock industry.

15:09

Sarah Boyack (Edinburgh Central) (Lab): For colleagues' information, let me first welcome Rhoda Grant to the Labour rural and environment team. Rhoda Grant will help to provide maternity cover for Karen Gillon, while the latter recovers from the successful arrival last week of Johann Maggie. I am sure that members will want to join me in recording our best wishes to Karen and her family.

It is a sobering thought that, although last year's foot-and-mouth outbreak did not reach Scotland, we were heavily affected by its impact. Therefore, the Scudamore report is a welcome review of what lessons we can learn for the future and what priorities the Scottish Government should act on to prepare for, and to avoid, such outbreaks in future.

Obviously, last year's outbreak caused major economic damage to our farming industry, our rural communities and the operation of many companies. Clearly, it was a horrendous time for communities financially and it caused much uncertainty for businesses. The after-effects are still being felt by many.

As the cabinet secretary observed, the circumstances of last year's outbreak were different from those of the 2001 outbreak, but the impact was still severe. A welcome conclusion that can be drawn from the Scudamore report is that, although it lists 55 recommendations in total, there is clear evidence of lessons having been learned from the 2001 outbreak. I join the cabinet secretary in putting on record our praise for how the many agencies, farmers and communities dealt with the crisis last year. However, it is obvious that improvements could be made in how we gear up to avoid another outbreak.

The Labour amendment draws attention to two areas in which we consider that more work is needed to create better options for the future, and it also highlights the need to help the pig industry, which is still suffering from the aftermath of the

outbreak. We deliberately lodged an add amendment because we have taken at face value the Scottish Government's intention to make progress on the recommendations in the report. Although we agree with the two points that are highlighted in the motion—the consideration of regionalisation and of other steps to minimise future disruption to the livestock industry—we have attempted to focus debate on the issues that we believe would help those points to be taken forward.

In particular, the issue of abattoirs needs to be addressed. As we have discussed several times in the current parliamentary session, the location of abattoirs goes to the heart of the issue about the long journeys that our animals need to travel to slaughter. We believe that a more localised approach would add value to animal welfare and would be better for local farming communities. I will come on to say what we think needs to be done later in my comments.

Secondly, we have highlighted the unique circumstances of our islands, which must be central to any future discussions on regionalisation. The islands are the easiest place to start with that. There is an extremely strong case for allowing a regionalised approach to kick in at the start of any future problem.

Thirdly, our amendment highlights the need to support the pig sector. As recently as yesterday, the NFU Scotland made representations to the Rural Affairs and Environment Committee on the case for action.

As Scudamore acknowledges, regionalisation is not a simple issue. Our view is that we must be careful in considering the implications of such an approach. Clearly, we share an island with England and Wales and our food chains are highly centralised. In addition, the market for much of our livestock—particularly sheep, as last month's report from the Royal Society of Edinburgh highlighted—is down south. Therefore, there would be challenges in going for a simplistic approach to regionalisation. The most recent outbreak never reached Scotland or the north of England, but the livestock distribution chains, the strategy of containment and the importance of consumer confidence were such that the whole country was deeply affected. More thought needs to be given to the issue.

We have consistently argued that the Scottish Government could have done more to support our farming industry last year. Faster action should have been taken. In fact, we believe that last year's outbreak made the case for devolved government. As the minister has highlighted, our actions must be an integral part of the GB response to dealing with the big picture of the crisis, but we must have flexibility to initiate

support for farmers who are experiencing a harsher climate and may face more problems as any crisis drags on.

Recommendation 42 highlights the fact that the Scottish Government should recognise that, especially if foot-and-mouth disease occurs at certain critical times of the year, there should be a trigger point for a welfare scheme. The trigger point should be set out in the Scottish Government's FMD contingency plans. I hope that the minister will accept that recommendation. One lesson that can be learned is that, depending on the time of year, our agriculture industry can be hit particularly badly, as happened last year. We strongly support recommendation 42.

Labour MPs and MSPs lobbied the UK Government on the particular issue of relaxing the rules on driver hours. We recognised that when animal movements were allowed again, there would be a huge backlog and swift action would be needed to enable the industry to get back on its feet and start to deal with the backlog as swiftly as possible. Again, the report recommends that trigger points be established jointly with DEFRA and the Department for Transport. We would be interested to know what progress has been made there to ensure that if a derogation is needed, it would be a straightforward issue and could be swiftly secured.

We believe that the role of the Scottish Government is crucial in creating a more viable and sustainable industry. That is why, in all the debates on farming over the past few months, such as on LFASS and the rural development programme, we have highlighted the particular issue of local abattoirs. I am glad that the cabinet secretary mentioned them in his speech. The issue of local abattoirs across the country must be considered. The matter commands cross-party support and is part of a joined-up approach to local food procurement. If we are going to get sustainable, viable markets for our livestock industry, we need to complement the existing retail and processing opportunities for our farming communities and have a more localised approach. The matter should not be left up to individual communities; there should be a strategic approach that links agriculture policy more securely with rural development policy and economic development policy more generally. We understand the economic logic of our existing food chains, which is why we think that there needs to be Scottish Government intervention if we are to see new markets and new food supply chains being established. We understand that there are no easy options in debates on regionalisation—that point is highlighted in the Scudamore report—but work must be done on those issues.

We particularly think that our islands need to be protected from the worst impact of foot-and-mouth disease. Because they are not part of the main European epidemiological unit, there should be opportunities for negotiating opt-outs from an early stage. That should just be a given, unless there are arguments that would override that. The presumption needs to be shifted.

One of the key sets of recommendations in the Scudamore report concerns the review of the concordats that govern relationships between the UK and Scottish Governments. We have now had two full sessions of the Scottish Parliament and two outbreaks of foot-and-mouth disease during that time. We agree that this is an appropriate time to review the effectiveness of the concordats. We welcome the fact that discussions are continuing.

I will not spend much time talking about the importance of relationships between the UK Government departments, because the cabinet secretary highlighted that. A fascinating part of the report recommends the drafting of

“a guidance paper on relationships with the Devolved Administrations in order to stress the importance of respecting confidentiality and of being as open as possible.”

I am sure that if we talked to all the ministers around the UK Governments, they would each have examples of areas in which they liked guidance that would have helped to achieve a balanced approach.

On the Liberal Democrat amendment, having read the Scudamore report, we believe that a number of options must be considered, and different options are set out in the report. We will not support the Liberal Democrat amendment without consideration of other parts of the equation. It is not that we are hostile to considering devolving a proportion of the animal health budget; we think that now is the right time to discuss the matter. However, what is the answer to recommendations 35, 36, 37 and 49, for example? It seems to us that we must consider all the issues together rather than pick one element. As the cabinet secretary highlighted, there are both complexities and dangers in going down the route that the Liberal Democrats suggest, so we want it to be considered properly. As one of the parties to the Calman commission, we would want the suggestion to be looked at in the round, alongside other devolution issues. We are not against discussing the issue—now is the right time to do so—and the Scudamore report puts it centre stage for this debate, but we think that more work is required and we do not believe in an incremental approach. Every time somebody suggests that something—either devolved or reserved—needs to be sent one way or the other, we must take a proper, coherent approach.

There are issues in the report that need action. Looking back, it is much easier to see where the actions needed to be taken—that is always the case. However, we welcome the fact that, a year on, we now have an independent report. We would like the Scottish Government to identify which of the recommendations it will implement and what the timetable is for that.

Finally, on the fact that there are still industries that are suffering from last year's outbreak, our amendment refers to the need for practical help for our pig industry. Only yesterday, representatives of the pig industry called on the Scottish Government to do more to help out. The minister established a pig task force, but our understanding is that it has not done what the NFUS thinks needs to be done to support farmers who are still struggling. We have not been specific or prescriptive, but we think that it would be a good move if the Parliament as a whole supported action this afternoon and called on the Scottish Government to do more. The NFUS believes that its case is well argued and that there are precedents.

I move amendment S3M-2635.3, to leave out from “to minimise” to end and insert:

“such as the role that local abattoirs might play and the unique circumstances of Scotland's islands; notes however the continuing difficulties experienced by the pig industry, and calls on the Scottish Government to take urgent action to support the Scottish pig industry and to consider further action to minimise the potential future disruption to the Scottish livestock industry.”

15:20

John Scott (Ayr) (Con): I declare an interest as a farmer, and indeed one whose business was adversely affected by the foot-and-mouth outbreaks in 2001 and 2007.

I welcome the report compiled by Jim Scudamore and John Ross and point out that we would not be having the debate if the Labour Government at Westminster had acted responsibly and not allowed foot and mouth to escape from Pirbright. Indeed, routine maintenance of the secure drainage system at the research establishment, documented by DEFRA as far back as 2003, was all that would have been required to stop the outbreak happening, and the Labour Government stands condemned in the eyes of rural Scotland for its negligence. As is documented in the report, the outbreak happened at absolutely the worst time of the year for sheep producers, and did economic damage to pig and cattle farming as well as to hauliers, processors and exporters. That the outbreak could have been avoided is little short of criminal. The Labour Government has still to accept responsibility for its actions or, in this case, inaction.

However, we are where we are, and today Scottish Conservatives welcome the report and its conclusions. We welcome the categorisation of the priorities in the report as high, medium and low, and agree that among the 55 recommendations, recommendations 20, 23, 28, 54 and 55 should be high priority. Scottish Conservatives believe that it is vital that a fully developed UK risk hierarchy is created—recommendation 23—based on veterinary assessments, but that as much flexibility as possible should be built into the system.

Common sense dictated that Scottish islands would be less at risk than Scottish border areas from the spread of FMD from England, yet for too long they were treated similarly. We agree with recommendation 20 that priority movements and scenarios with appropriate timetables should be created as part of future contingency planning. Of course, different strains of FMD and their respective virulence make contingency planning and a one-size-fits-all approach almost impossible, but different scenario planning for a future event can only be beneficial. I welcome the minister's comment that he will consult further on that in November. In that regard, I would suggest that recommendation 53 be raised to a high priority and that a formal review and regular updating of UK plans is vital, as the most up-to-date science and methodology of dealing with the disease worldwide must be noted and learned from. Although it goes without saying that Scottish contingency plans must be updated and kept under review, I acknowledge the sterling work of Charles Milne and his team, the stakeholder group and the minister during the recent crisis.

On regionalisation, Scottish Conservatives would support the recommendation that our Government should work with DEFRA and the EU to produce a standardised set of terms for regionalisation in the event of an FMD outbreak. The establishment of detailed rules for the movement of livestock and associated products between different risk areas and zones is essential. If such plans had been in place in 2007, Scotland might have escaped much of the devastating impact of the outbreak.

Protocols need to be developed between DEFRA and our devolved Government, and existing concordats should be reviewed to deliver a more coherent and fit-for-purpose vehicle to deliver a response to a future outbreak of FMD. Areas of financial responsibility should be more clearly defined to allow better contingency budget planning and to deliver a greater sense of accountability. While we believe that that should be part of the Calman inquiry, I welcome the minister's work in that area so far.

As I said earlier, we are where we are, and today—as our amendment notes—our food producers, processors and crofters are still coming to terms with the financial impact of the most recent outbreak. Indeed, I warned at the time that the full financial effect of the outbreak would be felt only in June and July this year—a time of year when farming overdrafts are at their highest. It is no coincidence that the exodus of sheep and cattle from our hills in Scotland is accelerating. For some farmers—particularly tenant farmers—and crofters in our most fragile areas, FMD was the straw that broke the metaphorical camel's back. The 5 per cent reduction in breeding sow numbers since June last year bears witness to that.

I will be fair: the Government, by paying £6 per head per ewe, acknowledged the seriousness of the case at the time. Our pig producers were less fortunate: many of them suffered crippling financial losses and remain uncompensated to this day. They are vital in keeping abattoirs open throughout the country, and I endorse Sarah Boyack's remarks in that regard. With breeding sow numbers at a record low, one has to fear for the critical mass of the industry—which is concentrated in the north-east of Scotland—withstanding the current better market returns for producers.

We welcome the Scudamore report's analysis and recommendations. However, we believe that the Scottish Government must now do what it can to plan for any such future event. In the wake of the FMD debacle, the Government must continue to support our rural areas, where morale is low following a difficult harvest and wet summer and viability is problematic. Aside from contingency planning, farmers and crofters must believe that the Government is interested in securing a viable future for them, which means removing the barriers to farmers doing what they do best: producing food.

Entrepreneurial endeavour must be encouraged by reducing red tape and regulation. The Scotland's Environmental and Rural Services report, which is expected to contain detailed recommendations on reducing that burden in a meaningful way, cannot come soon enough.

An integrated land use policy must be established as soon as possible—

The Minister for Environment (Michael Russell): I point out to the member, as he mentioned the SEARS project, that this week I chaired a meeting of the SEARS board and we are already well on target with the reduction inspections. I have already met farmers who have been inspected once instead of three times by the agency. The work is progressing well, but we have more to do.

John Scott: I am grateful to hear that work is progressing, and I look forward to legislation being repealed as a result of it.

Renewing the Scotland rural development programme priorities as early as January is fundamental for food security, which must be considered intelligently alongside demands for more housing, forestry, recreational space and environmental enhancement. The report is good and welcome, and it should be adopted and acted upon. However, it cannot be considered in isolation, and the Government must do what it can to take our land-based industries forward in a positive way.

I move amendment S3M-2635.1, to insert at end:

“notes the continued economic impact of the outbreak on Scotland’s beef, sheep and pig farmers, and calls on the Scottish Government to address proactively the continuing decline in livestock numbers across Scotland.”

15:27

Jim Hume (South of Scotland) (LD): Like John Scott, I declare farming interests. Today’s debate marks an important step forward in how we deal with future outbreaks and threats of foot-and-mouth disease and other diseases in Scotland.

Recently, as the Cabinet Secretary for Rural Affairs and the Environment noted, we have watched as bluetongue has crept into parts of England—God willing, it will not make its way across the border to Scotland. It is important to note—I am glad that the cabinet secretary did so—that bluetongue incidents in England this year have all resulted from infected imported animals. I hope that, as the debate continues long after 5 o’clock today, Mr Lochhead and his officials will seek to protect Scotland from infected animals crossing the border or coming in from further afield once the vaccination programme starts running. I also hope that they will make a plea to farmers and others not to import animals from infected areas at all—there is no excuse for that.

We welcome Jim Scudamore’s report and I am pleased that the Government is committed to taking forward its recommendations. That will be a long and complicated process, but a necessary one. No one—especially no one who lives and works in my region, the South of Scotland—wishes to see a repeat of what happened in 2007 and 2001.

I was at the coalface during the outbreak in 2001, hill farming and acting as a go-between for NFUS members and officials. I was fielding folk’s heartbreaking and life-destroying concerns every minute of the day. People’s livelihoods were wiped out overnight, as all members will have seen on television. I witnessed that at first hand, and I

never want to live through that outbreak or last year’s again.

The timing of the 2007 outbreak was worse, as livestock were ready to be moved off the islands and the hills for the winter. The distress and economic impact that both events caused directly and indirectly cannot be overestimated, and neither can the animal welfare implications of the outbreaks and the effect of the outbreaks on the number of sheep—as John Scott mentioned—and cattle in Scotland.

We therefore need to create a workable system of protection for Scotland’s flocks and herds that safeguards a future for our livestock producers through healthy markets at home and in the EU and, of course, the important international markets. In other words, we need to create a system that reacts quickly and flexibly to the needs of the Scottish situation.

The key issue is how we can protect Scotland from disease while getting the market back to normal as quickly as possible so that we do not allow significant damage or disruption to the rural economy and the livestock sector. The bottom line in an FMD situation is that there has to be unfailing communication and clear arrangements between the Scottish and UK Governments. As an aside, I say that I have no doubt that the UK Government should tighten up customs to reduce the chance of illegally imported meat entering the country in future.

Regionalisation is imperative. It became crystal clear early in the 2007 outbreak that, for both economic and animal welfare reasons, we needed restrictions to be relaxed in a monitored way to allow businesses to operate where it was safe for them to do so. A regionalised system is critical for the future.

Michael Russell: I think that everybody would welcome the member’s point about regionalisation. He talked about his experience in 2001; one of the big differences between 2001 and 2007 was the growing appreciation in 2007 that regionalisation could provide the solution. Does he accept that that argument has now been made in the farming community?

Jim Hume: I believe that it has been made.

I also agree that we need to consider a future funding mechanism for policies on the control of exotic diseases in Scotland. That brings me to the Liberal Democrat amendment. Agriculture is devolved and we therefore have full control of animal health and welfare policy, yet DEFRA still controls the funding for that. As responsibility for policy has been fully devolved to the Scottish Government, it is only logical that the budgets to deliver that policy should also be devolved,

including the funding that is required to control major outbreaks of disease.

The current position is an anomaly of the Scotland Act 1998. The money that Scotland gets from the Barnett formula does not include money for animal health, which is kept instead in the overall UK animal health pot. Scotland's share of the money would be better used if it was devolved, but with the proviso that we still had access to the UK Treasury's reserve if and when required. After all, there are no natural or trade barriers between Scotland and England, and not many of us want to erect any such barriers.

At present, when Scotland decides to follow its own policy route, we retrospectively look to DEFRA or the Treasury to fund our policies. Colleagues will recall that the problem arose last year when a welfare disposal scheme seemed to be the only way in which to deal with animals that were left on the hills without enough food, but the implication of our following our own policy was that there was no guarantee of any funds from DEFRA or the Treasury to cover the costs to the Scottish Government.

I acknowledge the cabinet secretary's attempts to have Scotland's share of the agriculture budget fully devolved. I sincerely hope that he and others will support the Liberal Democrat amendment, which calls for exactly that but, importantly, with an emphasis on our still having access to the UK Treasury's reserve. I hope that the negotiations will result in a devolved budget that is proportionate to the importance of agriculture in Scotland's broader economy.

I ask all members in the chamber to support the Liberal Democrat amendment.

I move amendment S3M-2635.2, to insert at end:

"believes that, although the devolution settlement has largely been a success for Scottish agriculture, the current position whereby Scotland decides on animal health policy but has no control over its funding is an anomaly of the Scotland Act 1998, which is detrimental to relationships between the two administrations, and calls on the Scottish Government to press the case for devolving a proportionate share of the animal health budget currently held at Westminster to Scotland, while preserving the right to access the UK Treasury reserve fund."

15:33

Rob Gibson (Highlands and Islands) (SNP): The review of the response to the outbreaks of foot-and-mouth disease in Scotland in August and September 2007 makes a number of key points. Broadly, it applauds the Scottish Government's reaction and the actions that it took. The Government reacted quickly and effectively when it became clear that there was an outbreak, despite working within limited remits. Some of

today's debate is about the scale of those remits and their limits.

Listening to the opening speaker for the Labour Party, I found it interesting that the UK Government was prepared to blur the question of moral and legal responsibility for compensation for foot-and-mouth disease, which lies with it, by trying to avoid the issue of transparency and pleading that certain things ought to be confidential. If we did not know that—

Sarah Boyack: Will the member take an intervention on that point?

Rob Gibson: No, because I want to develop my point. I am talking about what we experienced.

As the minister has suggested, some decisions that were made by ministers at DEFRA were not in the best interests of Scotland. Decisions also changed, and we would have liked more transparency.

I welcome the backing of the NFUS for the recommendation on the devolving of budgets to the Scottish Government. The NFUS said:

"We endorse the recommendation that the financial arrangements are made clear and that budgets, where appropriate, are transferred fully intact to the Scottish Government to implement all the policies related to exotic disease control."

A call for regionalisation recognises the strength of the Scottish Government's position. We could take forward a range of policies that are more important to us than they are to people further south.

In relation to animal welfare, we have heard from Labour about the pig industry. As the task force reported, the pig industry wanted two headage payments, but it was impossible to meet many of those kinds of demands. If we want a pig industry in the future, we will have to consider it in terms of our policy on the security of our food supply. We will have to ask whether the industry can be organised differently and whether the monopoly that seems to be developing is good for the industry in this country. We might even have to consider extensification and how we grow the feed for pigs. Issues of animal welfare, of biosecurity and of food security all tie in together.

Inevitably, remarks have been made about the import of cattle affected by bluetongue. If we have a strong policy of using native breeds that are suited to our conditions, there should be less and less need to import cattle. It is important to acknowledge that there are good commercial reasons why we have developed the use of European breeds of both cattle and sheep. However, when we consider food security and biosecurity, we have to wonder whether we can continue to allow the free market in beasts that are

alive. I think that we can find ways of doing things differently.

Consideration of the report and of our experience of foot-and-mouth disease, and consideration of the potential impact of bluetongue, led me to wonder about our ability to do testing here in Scotland. We have the technical ability, although we hope that it will never be required. However, the contingency plan for dealing with exotic diseases will have to be turned into a national plan, and we will have to be able to test here, so that things can be done more quickly.

Biobest, which is based at Edinburgh technopole—my colleague Alyn Smith MEP visited it recently—specialises in veterinary virology. Biobest offers herd care to farmers and has expertise in testing for numerous diseases. However, it finds it difficult to find approval to test when there are outbreaks and the Westminster Government steps in. That is an example of why we have to regionalise our policy and why we have to ensure that we have the capacity to undertake such testing here in Scotland. We need the full range of abilities in order to tackle any outbreaks. I hope that the cabinet secretary will take up that point in summing up.

I represent the Highlands and Islands, and our island issues will be mentioned by other members. They are a special case. Because we have to remove so many sheep in the autumn, there have to be plans for dealing with that in any year. We could have a summer during which very little feed is growing, so we have to be able to deal with that.

If we are going to have more local slaughtering, will we, like Austria, allow part-time abattoirs? In certain places, abattoirs would have to be part-time. If we are going to have them, can we work out a business plan to support a wider range of abattoirs? I would like to see that. I hope that we can agree that a national plan for dealing with exotic diseases should also consider such issues.

15:40

Elaine Murray (Dumfries) (Lab): I first spoke about foot-and-mouth disease in the chamber—indeed, in its predecessor up the Royal Mile—on 28 February 2001, when the results of the first two suspected cases in Scotland, both of which were in my constituency, were being anxiously awaited. Six years and seven months later, having returned to the topic on several occasions in between, here I am again. Perhaps I should apologise to the chamber for speaking about foot-and-mouth disease yet again. However, the frequency with which the topic has been discussed in the Parliament has been born out of necessity, not choice.

As the cabinet secretary has described, there has been an iterative process as we have learned how to improve our response to further outbreaks in the future. The Scudamore report on the 2007 outbreak is the most recent contribution to that process of improvement. The report rightly mentions the hard work and dedication of the staff in the Scottish Government and their delivery partners in minimising the impact of the 2007 outbreak in Scotland. It commends the Scottish agriculture community as a whole for its role in working with the Government, and I commend the cabinet secretary for his efforts during the 2007 outbreak to keep MSPs such as me informed about what was happening. I recall getting a telephone call from him as I was waiting outside the catacombs in Paris, telling me that the animal movement restrictions were going to affect the Dumfries and Lockerbie agricultural show—which, for the first time, I was not attending. The report also rightly looks at what can be learned and makes various recommendations.

Like other members, I will address the issue of regionalisation. The review's conclusion is that Scottish agriculture is so closely integrated into the UK that Scotland should remain a part of the GB epidemiological unit—a phrase that I would not try to say after a couple of glasses of wine. The reasons for that are explained in chapter 3. There is no physical barrier between England and Scotland as there is between England and Northern Ireland. In the 2001 outbreak, the first cases that were detected, at the beginning of March in Dumfriesshire, originated through contact with infected animals at the markets in Hexham and Longtown. The high number of animal movements across the border makes the tracing and inspection of all animals that are moved into Scotland difficult. Indeed, the present state of our information technology systems for animal tracing in the UK makes them not really suitable for that task.

However, the report suggests that we could consider regionalisation within Scotland on the basis of risk assessment, as happened to some extent in 2001. Other European Union countries are developing that approach. The Netherlands is mentioned in the report as being, like Scotland, a major exporting country that is well advanced in developing contingency plans for regionalisation in the event of an outbreak within the country, in a neighbouring country or elsewhere in the EU.

It is not proximity to the origin of an outbreak that is most important, but the movement of livestock, vehicles, people and equipment between the areas of outbreak and other areas. It is those factors that would need to be assessed to ascertain the FMD status of each area. The report recommends that the Government develop and consult on a number of regionalisation scenarios.

Those could include, as Sarah Boyack said, creating a different status for the islands, which are physically separate from the mainland; for areas where there are low stocking densities and few animal movements; or for areas where there are physical barriers that discourage animal movements across the boundaries.

Dr Scudamore's report states that the relationship between DEFRA and the Scottish Government worked well on balance but that there were some issues of contention between the two Administrations. The report suggests that the concordats that were drawn up in 1999 should be reviewed. As the cabinet secretary said, there were times when DEFRA failed to inform the Scottish Administration of developments. On the other hand, there were times when the Scottish Government made assumptions despite being given contrary evidence from DEFRA. The sheep welfare scheme is a contentious example of that.

Richard Lochhead: Can the member elaborate on how we did not communicate properly with the UK Government on the sheep welfare scheme?

Elaine Murray: Dr Scudamore goes into that in chapter 6. DEFRA informed the Scottish Government on 15 August that it was not going to implement the sheep welfare scheme, yet the Scottish Government—maybe an official—seemed to continue to believe that there would be a Great Britain-wide scheme. That, unfortunately, led to the impression that the Governments were bickering as the industry was suffering.

To return to the concordats, I believe that they might be historic concordats in a different sense of the word "historic", as they should be consigned to history and reviewed, because they are no longer relevant to the current situation.

As others have said, one of the issues that became apparent during the 2001 outbreak of foot-and-mouth disease was the excessive distances that animals are transported for slaughter. Of course, that is highly undesirable from the point of view of animal welfare, the environment, disease control and our efforts to develop the potential of locally sourced food in the interests of economic development and tourism in our communities. It does not make economic or environmental sense to transport animals hundreds of miles, in some instances, to be slaughtered and then to transport their carcasses back for processing.

In June, at the Royal Highland show, the Scottish Government announced the progress that it was making in developing its national policy for food and drink. I hope that locally sourced food will become part of that policy. In fact, we argued for that two weeks ago in the debate on less favoured area support. As others have said, progress in that

regard will require an increase in the availability of local abattoirs and local food-processing facilities. That will add value to food products in rural communities. A strategy to increase the number of abattoirs would help rural economies and contribute to the ability of Government to apply a regional strategy in the event of an animal disease outbreak. I would, therefore, be interested to hear from ministers how that approach will be progressed.

15:46

Alasdair Allan (Western Isles) (SNP): Other members have ably recalled the impact that the foot-and-mouth disease outbreak had on Scotland's rural communities. The impact was felt no less keenly in crofting than in farming communities, as people in my constituency and other Highlands and Islands constituencies will testify.

The marginal nature of crofting will have been brought home to the cabinet secretary recently when he saw the lamb prices at the mart in Stornoway, and to the chamber more generally yesterday, when we debated the Government's response to the Shucksmith report.

Crofting is essential to the social fabric of a place such as the Western Isles, although its existence is continually under threat, either from the economic climate or from actively daft proposals such as Europe's plans for the electronic identification of animals. Last year, the greatest threat to the sector came from the inability to move livestock to mainland markets, which was coupled with a long-term threat that it might prove to be impossible to import rams from the mainland.

The outbreak fell at the worst possible point in the agricultural year. The problem, of course, originated some 500 miles away and was not of the Scottish agriculture industry's making. It was not the fault of English farmers, either. Unlike in the 2001 outbreak, there was little mystery this time about where the virus had come from—there was no need this time to speculate about whether pigs had been fed Chinese food. The foot-and-mouth virus that has destabilised the farming industry in Scotland was, as we know, released in error from a UK Government lab. Nonetheless, it fell to Scotland to act quickly to minimise disruption here, and the Scudamore review praises the Scottish Government for doing just that, saying that there is widespread agreement that the Government here handled the situation well. Indeed, within three hours of the outbreak in England being confirmed, an action plan was put into effect by the Scottish ministers.

None of that is to minimise the pain that ensued. However, the fact that action was taken quickly allowed the action to be brought to an end quickly, too, with movements within the islands being among the first relaxations.

I am sorry but, at this point, the consensual tone—which I would dearly love to be maintained on issues that are of such obvious consequence to rural Scotland—will have to be abandoned.

“It is time the gloves were taken off and, if need be, for battle to commence. If this means that the Scottish government has to publicly, forcefully and loudly promote a policy which is at odds with its Westminster counterpart, then so be it.”

Those are the words not of the SNP but of the magazine *The Scottish Farmer*.

The one thing that not even the most zealous advocate of the UK Government could argue with a straight face is that the UK Government was helpful on the issue of compensation. There is not the slightest doubt that, although the Scottish Government paid out, the responsibility lay with the UK Government. As the NFUS and many others have pointed out, given that the UK Government paid out after the 2001 outbreak, there is no reason why it should not have done so after the 2007 outbreak.

To this day, the attitude of Hilary Benn, the Secretary of State for Environment, Food and Rural Affairs, remains shrouded in mystery, to put it politely. Over the course of a weekend, his draft speech promising assistance to Scottish farmers and crofters was mysteriously abbreviated to remove such a promise. That was despite the fact that, for reasons that are best known to those who wrote the Scotland Act 1998 and its attendant concordats, although policy on animal welfare is devolved, the budgets that govern it are reserved. If there was any further room for doubt, the Scotland Act 1998 (Concurrent Functions) Order 1999 spells out that the Scottish Government retains responsibility for disease compensation payments made under the tuberculosis and brucellosis legislation but the Ministry of Agriculture, Fisheries and Food will make compensation payments for all other notifiable diseases. All that is even before we bring to mind whose lab it was that released the infection in the first place.

The reason for bringing all this to the fore a year on is that Scotland has had to find support for compensation from within existing budgets. It has had to use moneys that could have been used to support other areas of agriculture and rural development, despite not having any legal responsibility for making compensation payments.

If, God forbid, there is another outbreak of foot-and-mouth disease, we have to learn from

Scudamore’s recommendations. We should pursue a science-based approach of the kind that the Scottish ministers pursued in 2007. As other members have said, we should also examine the case for more localised restrictions on movement, where that is consistent with scientific advice. Above all, we have to act quickly. We must heed Professor Scudamore’s call for a clearer set of ground rules between the UK and Scotland; that means that we should revisit the concordats—which, in many respects and on the face of it, one would have thought were pretty clear—if they remain open to wilful misinterpretation, as recent evidence suggests they do.

First and foremost, we have to find a solution that puts to the forefront the interests of our farmers and crofters. We have to ensure that never again are they subject to the kind of disruption that they have suffered as a result of foot-and-mouth disease in recent years. Professor Scudamore’s recommendations are to be welcomed in that context.

15:52

Peter Peacock (Highlands and Islands) (Lab):

There can be few more critical episodes in the life of agriculture than an outbreak of foot-and-mouth disease. As other members have said, over the past decade, we have seen the devastating impact that an outbreak of FMD anywhere in the UK can have on livestock and livelihoods across the entire country. It is right that we should learn the lessons of the most recent outbreak and apply them in planning our response to any further potential outbreaks.

Over the time of the previous and current Administrations, we have been fortunate to have at our disposal in Scotland highly expert and dedicated Executive staff to advise ministers. In such situations, ministers always have to take a science-based approach. Only the rashest minister would ignore the expert advice and guidance that is available to them. Scudamore makes the point that we need to retain that expertise in Scotland. I share that view, and I hope that his reference does not imply that there is a threat to that expertise. I am sure that the minister can reassure the chamber on that matter in his summing up.

Scudamore makes many recommendations. I have no doubt that the cabinet secretary will want to implement them all—indeed, many are entirely uncontentious and technical in nature. Scudamore is clear on the need for Scotland to remain part of the GB epidemiological unit; industry stakeholders endorse that view. He makes it clear that Scottish agriculture is so woven into the UK market and supply chains that it cannot be seen as a separate entity. That is the context within which the report

refers to the debate on regionalisation. Scudamore makes it clear that the matter is not straightforward but highly intricate, and that the price of any change that is not thoroughly thought through could be high.

On regionalisation, the report can give the impression of facing two ways. In paragraph 7 of the executive summary, the report makes it clear that

“Unless there is a change in the trading patterns within GB it is difficult to envisage how many of the potential options for regionalisation of Scotland would be economically viable or practical to administer.”

That points us in the direction of doubting the practicality or wisdom of adopting a regional approach, using Scotland as a region. There should be no glib talk of regionalisation being a simple process or panacea.

However, the report then appears to open up the debate about possible regionalisation by referring to a number of scenarios and discussing the need for detailed cost benefit analysis, full economic appraisal and the like. It concludes:

“This would enable the Scottish Government and stakeholders to evaluate the options and to agree a clear policy on regionalisation in the event of a future FMD outbreak.”

We must be clear that Professor Scudamore is not saying that there should be a policy of regionalisation; he is urging a clear policy debate about the question of regionalisation. After close examination, the conclusion could be that regionalisation was not in all circumstances in Scotland's interests. If there is to be further investigation and examination of regionalisation—I have no problem with that and support it—the debate must include the merits or otherwise of Scotland not being one unit or one region.

At the time of the last outbreak, I was struck by the talk about how far Surrey is from the Scottish border. The implication was that because the outbreak was far to the south it was wrong that we were caught up in its consequences. However, such comments ignore the fact that parts of Scotland are much further away from the Scottish border than Surrey is. Scotland covers a huge area and if, God forbid, Caithness, for example, were to be the source of a future outbreak, might not the people of Dumfries and Galloway wonder why they were caught up in a single Scottish region for some purposes?

As Sarah Boyack said, the unique position of our islands is an issue. In any debate about regionalisation, we must consider what special provisions and arrangements could be put in place to give them maximum protection, but also maximum freedom. I noted what the minister said about that and am encouraged by his comments. Our amendment draws attention to the issue.

I am not naive enough to believe that any of this is easy—it is not at all easy. Just as the GB agriculture industry is interwoven between Scotland, England and Wales, it is also interwoven between different parts of Scotland, with animal movements taking place on a vast scale. All I say, in the context of a regional approach, is that the question whether Scotland is naturally one region must be explored. I have an open mind about the outcome.

As other members have said, opening up a debate on a regional approach raises issues about where current slaughtering activity takes place. The supermarkets are hugely influential in that regard. What seems like sound commercial sense to the supermarkets in the normal foot-and-mouth-free periods that we enjoy can suddenly seem like a major impediment to our markets when an outbreak occurs. However, change to that process will be colossal. Rob Gibson alluded to some of the economic facts that might come to bear in thinking about alternatives. Without the co-operation of the supermarkets in a wider national emergency planning framework, the issue will present massive challenges, but we must think about it as part of the debate about developing a more local approach to slaughtering and to our food market. We should not underestimate the challenges that we face.

Sarah Boyack referred to the plight, which is still outstanding, that faces the pig industry as a consequence of the previous FMD outbreak. The NFUS has been critical of the Government's response to its own task force. In fact, yesterday's NFUS press release made it clear that none of the task force recommendations had been followed through. The Rural Affairs and Environment Committee will ask the minister to come and give further evidence on the matter—I hope that he can do that.

Professor Scudamore points to some friction between the Scottish and UK Governments. He highlights the belief in the south that some of the suggestions that have emanated from Scotland are politically motivated rather than scientifically based. I am sure that ministers would deny that and Professor Scudamore states that, in his view, any such belief in the south was not correct. However, the fact remains that that belief was held and it could have had an effect on inter-Government relations and actions. It is a serious matter.

If I wanted to do so, I could make trenchant political points about the way in which the Scottish Government sometimes conducts itself, but I will resist that temptation and make only the following point. The way in which Governments deal with each other is hugely important. If an atmosphere is engendered in which motivations for actions can

be questioned, that can have real consequences. If those consequences affect the action that is taken in emergency situations such as foot and mouth, they can be very serious. The fact that Governments develop apparatus to deal with each other, for the most part very civilly, is not an accident. I encourage the Scottish Government to reflect on that matter as part of the process of re-examining the concordats to which Professor Scudamore refers.

Richard Lochhead: Given that the member raised the subject, can he provide clarity by saying whether he believes that the Scottish Government took any decisions during the foot-and-mouth outbreak on a political basis?

Peter Peacock: I make the point that Professor Scudamore makes—he does not believe that the people in the south should have thought what they did. My point is that they thought that, and that there are reasons why they thought that. I simply suggest that the Government should reflect on that.

Professor Scudamore has written a good report, which should help to improve future planning arrangements. I am sure that the actions that will flow from the report will do just that.

16:00

Liam McArthur (Orkney) (LD): I very much welcome the debate. The amendments to the motion, including the one in my name, and the exchange that has just taken place between the cabinet secretary and Mr Peacock, should not mask the fact that there is general political consensus on the issue and on the recommendations that emerged from Professor Scudamore's review. As other members have said, we owe Professor Scudamore, John Ross and others a significant debt of gratitude, and I gladly add my thanks to them. I am also happy to endorse the welcome that is set out in Richard Lochhead's motion for

"the Scottish Government's commitment to take the recommendations forward".

Last year's foot-and-mouth outbreak caused significant disruption and hardship for our agriculture sector. The costs have been estimated at around £32 million. However, although there were days and weeks last summer when it did not feel like it—Jim Hume, John Scott and Elaine Murray spoke from experience—we had learned many of the lessons that arose from the previous outbreak in 2001. Last year was an uncomfortably early test, following on from 2001. By and large, the test was passed, but Professor Scudamore has highlighted ways in which everyone involved can help to develop our level of preparedness. The review and the debate are important, and

what we commit to do in the future, in both reducing risk and managing outbreaks, is crucial.

As Elaine Murray and other members have done, I record again my thanks to the Cabinet Secretary for Rural Affairs and the Environment and his officials—not least Charles Milne—for their efforts to keep me and other members informed during last year's outbreak.

Although the disruption to farmers and crofters in Orkney, as well as to the wide array of ancillary and related businesses, was significant, I am aware that it could have been markedly worse. The fact that it was not worse was due in part to the willingness of the veterinary services, officials and ministers to listen to the points that were being made by my local industry, Orkney Auction Mart and me. I say that in the hope that the positive lessons that were learned last year will not be lost.

The experience shows that, in Scotland itself, it was possible to take measures that were proportionate with the level of risk and which did not insist on the maxim of all together or not at all. That was very welcome, and I certainly endorse that approach. Indeed, I am conscious that calls might be made for a similar approach to be taken in proposals that are being developed by the Scottish ministers to combat the serious and present threat of bluetongue. Again, I am grateful to the cabinet secretary for his engagement with me and my local industry on that issue, and I look forward to developing those discussions in the coming days.

The Government motion lays particular emphasis on the review's recommendations regarding regionalisation, but last year's experience demonstrates, as Peter Peacock said, that we cannot afford any lazy or partisan assumptions about what that might mean. We do ourselves no favours by insisting "It's our oil" but also "It's your exotic animal disease." I recall from the debate last September that some Scottish National Party members urged ministers to class Scotland as a single epidemiological area. To do that would stand science on its head, and I am glad that the cabinet secretary gave the notion short shrift; he set out the reasons for that again this afternoon. The simple fact is that Great Britain is a single epidemiological area. The way in which our agriculture industry is set up—and must continue, if it is to remain sustainable—involves considerable trade flows north and south of the border. That trade involves live animals as well as a wide variety of animal products. I note in passing that, sadly, too much processing of Scottish primary produce is still done outside Scotland, representing a loss to our economy of much of the added value of those products. I know that the

cabinet secretary will wrestle with that issue, as did his predecessor.

The cross-border trade is of vital importance, particularly in the areas that are represented by my colleague Jim Hume. When the Scottish ministers seek

“to minimise the potential future disruption to the Scottish livestock industry”,

as the Government motion states, it is essential that they do not simply seek to draw a cordon sanitaire along Hadrian’s wall. Rather, they should make the case with stakeholders north and south of the border for a rigorous and effective—but also proportionate and risk-based—response to any outbreak of disease. I would like to hear the views of the Minister for Environment on that when he sums up.

The Liberal Democrat amendment seeks to address an anomaly of the devolution settlement that has become more obvious over time and which draws further support from the experience of both FMD outbreaks. As members are aware, the Scottish Government has full policy responsibility for animal health and welfare, yet the budget still resides with DEFRA. Whatever justification existed back in 1999—I recognise that budgets were generally spent through UK-wide bodies such as the former state veterinary service—that disjuncture between policy and budget has become increasingly unsustainable, not least because of the challenges that are involved in unravelling it.

I understand that DEFRA ministers are not opposed in principle to such devolution of resources. Unfortunately, Treasury ministers have the upper hand, so time is of the essence. The Treasury has long had an agenda of passing on the cost of disease outbreaks to the industry, despite a lack of clarity over the nature of the risk and what is and is not in the industry’s gift to control.

Time is of the essence in making the changes that will match up policy and budgets. Since 2006-07, the overall budget for animal health has been depleted; as the cabinet secretary said, any transfer now must not risk the maintenance of existing activity. It is worth pointing out that, given the proportionately high levels of livestock in Scotland, a simple Barnett calculation is likely to be inappropriate and inadequate.

A similar situation exists with Animal Health. With headquarters in Worcester and funded by DEFRA, the agency operates in Scotland to policy determined by the Scottish ministers, who have their own chief veterinary officer and veterinary team at Pentland house. That seems to make little sense. The CVO and veterinary team should have

a direct link and communication with veterinary implementation on the ground in Scotland.

Our amendment is not about pulling up the drawbridge but about finding a more sensible means of working. Crucially, it would require the Scottish ministers to be able to continue to access the UK contingency reserve fund. At present, applications are made when large amounts of unforeseen expenditure are incurred by any of the UK Administrations. That is a sensible approach and must be safeguarded. The issue goes to the heart of why the failure of the UK Government to compensate for damages that were incurred last year is unacceptable.

The changes that we propose would enable a more sensible distribution of responsibility and resource, and address Professor Scudamore’s calls for greater clarity about and understanding of financial arrangements. I hope that they will enjoy the support of the Parliament.

16:06

Aileen Campbell (South of Scotland) (SNP):

Today’s debate has been a useful opportunity to thrash out what happened during last year’s foot-and-mouth outbreak and to examine ways of ensuring that, if another outbreak occurs, measures are in place to deal with it swiftly. I am heartened to hear the cabinet secretary’s thoughts on how we can take forward some of the Scudamore report’s recommendations.

I am sure that all members agree that we cannot afford to let the farming industry experience any more heartache. For that reason, we must guard against future outbreaks and ensure that, if there is an outbreak, what Government does is appropriate. Only a fortnight ago, we debated in the chamber the plight of Scotland’s hill farmers, many of whom are retreating from the hills because of the industry’s precariousness. We heard that incomes are down but feed bills are rising. Because of that fragility, we need to ensure that everything that is within the powers of the Parliament is done to protect Scotland’s food producers. As we noted in the debate on hill farming, it is not just farmers who suffer; the web of industries that rely on producers—abattoirs, butchers, float drivers and marts—is also affected.

The foot-and-mouth outbreak had significant pertinence to the South of Scotland region which I represent. In September last year, there was a suspected scare at Lanark mart after one sheep was found to have lesions inside its mouth. Thankfully, the results of tests came back negative. However, after testing, the complete shutdown of the mart and delays in sales, buyers went home leaving many lots unsold. The mart was praised for its efforts, but the impact on

incomes was felt by farmers not just in Clydesdale but throughout the country.

We all remember the sinking feeling of reading about the outbreak in Surrey last year. My sister, who is a member of a young farmers club in Dumfries, told me that folk in that group were in tears, as the news brought back memories of the previous time the area suffered an outbreak of foot-and-mouth. As Jim Hume indicated in his personal account of what happened in 2001, the images of the mass cull of millions of sheep and cattle in that year remain fresh in the memory of people in the South of Scotland.

If news of the outbreak were not bad enough, reports of what the UK Government had said were a sucker punch too far. As Alasdair Allan indicated, there was utter disbelief at the actions of Hilary Benn, who said in one breath that the UK Government would help Scotland's farmers but in the next that it would help only the English livestock sector. Not only were Scotland's farmers penalised for an outbreak hundreds of miles away, through no fault of their own, but they had to hear that they were being abandoned by the UK Government.

It is clear from the Scudamore report that such mishandling and lack of communication cannot be replicated and that better communications and relationships need to be established between the two Governments. I know that the Scottish Government did everything that it could to force Westminster's hand at this awful time for rural Scotland, but co-operation needs to be two way. The UK Government needs to work constructively with the sector here and to realise the error of what happened last year. I hope that the Scudamore report will serve to focus the mind.

One Clydesdale farmer told me how he was affected by the foot-and-mouth scares, how his income fell, how his day-to-day business was interrupted, and how he could not get lambs to the butcher or to other grazings. He also said that, in light of the messages that he heard from London, it was a bizarre anomaly that the Scottish Government has the policy tools to deal with foot-and-mouth disease but not the direct funding. It is clear from what he and others have said that what happened last year cannot be replicated. That is why I am pleased that the report was produced.

The report praises the Scottish Government for the way in which it handled the foot-and-mouth outbreak and notes that it acted in the best interests of the Scottish industry to ensure a return to normal conditions as quickly as possible. It is important that it also acknowledges the work of the stakeholders who attended meetings at short notice and contributed their expert knowledge and advice in working with the Government to ensure a speedy recovery from the crisis.

Although the report praises the Scottish Government, we cannot afford to rest on our laurels. Instead, we must ensure that the recommendations and thoughts that are included in it are considered and acted on in a sensible and appropriate manner. I am pleased that there will be a consultation in November.

The co-operation of the UK Government will be needed to implement the recommendations fully. I hope that that Government takes heed of what the report says and considers devolving budgets for service delivery to the Scottish Government so that it is responsible for the delivery of disease control. I think that farmers want that and that the NFUS backs it.

A fortnight ago, many of us spoke passionately in the hill farming debate about how we must protect rural Scotland and how different and special our rural economy is. Areas that cover 85 per cent of Scotland are recognised as less favoured areas; that means that there cannot be a homogeneous, one-size-fits-all policy operating centrally. Ideas about isolating Scotland from certain disease controls in order to protect itself and its export markets must be explored.

Given the ever-increasing amounts of international exports, it is clear that Scotland will not always be free of disease in the future. Therefore, we need to be clear about who will support our farmers and who will compensate them if another disaster occurs. Our Government must work with the UK Government and the EU—that is important—so that our distinctly Scottish voice is heard loud and clear. My preference is for the Scottish Government to have full control; it should look after Scotland's rural communities and agricultural interests. Indeed, it may come as no surprise that I can think of a simple way to end the blurring of lines that separate which Government is responsible for which area of disease control policy: one layer of Government could be taken out of the equation. Until that happens, I hope that the Calman commission will, as Sarah Boyack suggested, look closely at the Scudamore report and realise the real and tangible merits of devolving more powers to the Scottish Parliament.

16:12

Michael McMahon (Hamilton North and Bellshill) (Lab): Some members may be surprised that I am taking part in this debate—some of our front-bench members certainly are—but I hope that my colleagues from rural parts of Scotland will not mind my intruding on their territory. I remind them that foot-and-mouth disease is not solely a rural problem; it can and has affected other parts of Scotland, such as the area that I represent in deepest Lanarkshire.

I welcome the Scudamore report, and record my thanks to Professor Scudamore and his team for carrying out the review. The report is a wide-ranging and comprehensive analysis of the problems that foot-and-mouth disease can bring to urban communities as well as to rural communities.

My constituency of Hamilton North and Bellshill is home to only four small farms, which make up little of the local economy. More than 1,500 jobs rely on fish processing in my constituency, which puts the scale of farming in it into context. However, those jobs give me as a representative of a landlocked urban constituency more than a passing interest in rural affairs.

My area is synonymous with logistics and transportation; it is also home to one of the largest rendering plants in Scotland. Therefore, when a foot-and-mouth problem emerges, my constituency—particularly the community of Newarthill—becomes central to addressing one of its outcomes. I fully understand the importance of abattoirs and rendering plants because of that and commend their work in general terms. However, more attention must be paid to the impact of those businesses on the communities in which they are established, particularly during periods of crisis.

The extensive use of the Omoa works in my constituency when animal culls were necessary highlighted several issues. As the plant is some distance from where the animals involved are reared, the carcasses are transported hundreds of miles to it. Many of us will find it hard to remember a hot summer in Scotland, but when a local plant exudes nauseating odours into the air around urban villages even in the dead of winter, members can imagine the level of the problem that a little heat can add to the already abhorrent smell that comes from the plant. I assure those who are not familiar with that smell that it is one of the most awful smells that anyone has the misfortune of experiencing. I grew up in Newarthill. Like others in the village, I had to live with the smell day in and day out.

I am in no way suggesting that rural communities should suffer the smell just because they produce its source. I am saying that the regulation of such plants must be stringent, so that, wherever an abattoir or rendering plant is located, it has no adverse impact on its surroundings. I am not suggesting that the plant in my constituency needs to be closed. I welcome the jobs that it provides, but I urge a drive to make abattoirs local. Positive aspects of that would be employment opportunities for local people and the obvious reduction in carbon emissions.

Had the previous owners of the Omoa works remained in place, I would have argued for the plant's closure—I argued for that in the past. At

the time of the foot-and-mouth crisis, the plant made great play of the fact that it was indispensable, so it was above the law. The Scottish Environment Protection Agency had a terrible problem in trying to make the company comply with odour emission regulations. The company had a strong bargaining position and knew it, so it felt under no obligation to respect the community. In that period, the emissions that affected local communities increased beyond the serious existing problem. However, the plant is now under new ownership and is operating in a manner that locals accept is greatly improved. That is clear evidence—if it were needed—that rendering facilities are not a problem in themselves.

For practical reasons, it makes more sense for dead animals to be transferred to a facility that is close to the area where they were killed. That would mean that the smell that is generated is not as strong as that which my constituents experience all too often when dead animals are transferred from places such as Aberdeenshire and beyond and are left to putrefy in lorries while waiting to be rendered, having decayed as they travelled hundreds of miles.

Abattoirs provide a useful service, but the sector should have more competition, so that communities are not blighted by selfish companies such as that which operated in my constituency. I urge the Scottish Government to develop more local abattoirs to help the farming industry first and foremost, and to give us a more effective and competitive system when disposing of animals during crises that diseases such as foot and mouth cause.

16:18

Dave Thompson (Highlands and Islands) (SNP): I have experience of dealing with a foot-and-mouth disease outbreak. As the director of protective services with Highland Council in 2001, I was in charge of the council's animal health and welfare and emergency planning responsibilities. As such, I was put in charge of the council's response to the outbreak that year.

I was a leading player in the multi-agency emergency group, which was established to co-ordinate the Highland response. That group included representatives from many bodies, such as council departments, the police, the NFUS, the Scottish Executive's Environment and Rural Affairs Department and Highland Health Board.

One controversial measure that we introduced was disinfectant baths on the roads that led into the Highlands, so that every vehicle that entered the region was disinfected to prevent its carrying in the disease. Other concerns were the closure of

countryside paths and the movement of animals into and around the Highlands, which caused us several severe headaches. That time was difficult and stressful for everyone, but we were ultimately successful. The key to our success was that we acted quickly and decisively, just as the Scottish Government did last year.

I welcome the Scudamore report's conclusions on Scotland's handling of the 2007 foot-and-mouth outbreak in Surrey. I also welcome the Scottish Government's commitment to take forward the report's recommendations.

As has been said, although the disease came nowhere near Scotland, the impact of the outbreak and of the UK Government's reaction was keenly felt by Scotland's hard-pressed farmers—even farmers and crofters in Shetland, who are many miles from Surrey. I am sure that the farmers of Surrey would agree that that was ridiculous in the circumstances. As Peter Peacock said, some parts of Scotland are further from the border than Surrey is, which reinforces the need for regionalisation.

The Scudamore report makes key points in support of the Scottish Government's reaction to the outbreak and its subsequent actions. For example, Professor Scudamore said that the Scottish Government's actions were

“in the best interests of the Scottish industry”.

He also said:

“As soon as FMD was confirmed in August and again in September the Scottish Government acted quickly and decisively”.

Professor Scudamore said:

“There has been a perception in England that a number of the actions taken by the Scottish Government were purely for political reasons and not related to best scientific and veterinary advice. From the evidence available this does not appear to be the case. The Scottish Government took appropriate action”.

I hesitate to mention Peter Peacock again, but his comments on the matter were bizarre and probably related more to Labour paranoia than to anything else.

The source of last year's outbreak was a UK Government-owned laboratory in Pirbright, in Surrey. There is no doubt that the UK Government badly let down Scotland's farmers and the 67,000 people who are employed in the industry in Scotland when it refused to accept responsibility for the impact of the crisis. When news of the FMD outbreak and its implications for Scotland became clear, the Scottish Government reacted quickly and effectively, despite the fact that it had a limited remit. The Scottish Government's actions were supported by the NFUS. The report commends stakeholders for their work with the Government during the crisis.

However, Labour and the Lib Dems, who had just been thrown out of power by the Scottish electorate, accused the SNP of using the crisis as an opportunity to pick a fight with Westminster. That was hardly a constructive contribution at a time when Scotland's farmers were facing potential financial ruin and there was a real possibility that animals would starve.

Our farmers, who faced the loss of their livelihoods as a result of a crisis that flowed from a Government hundreds of miles away, had every right to seek compensation there and then. After all, £24 million was paid in compensation as a result of the 2001 outbreak, as Alasdair Allan said. However, our farmers' pleas fell on deaf ears. Hilary Benn was going to announce a fast-track compensation programme for Scotland's affected industries, but when he made his speech in the House of Commons no offer was made to Scotland's livestock industry—I make no apology for repeating what Alasdair Allan said in that regard. However, £12.5 million was made available to farmers in England. That confirmed beyond doubt the belief in the Scottish industry that the UK Government was playing politics with Scottish farmers' livelihoods and our vital livestock industry, just as it is playing politics with the Scottish council tax benefits system.

The Scudamore report underlines the fact that as a small nation Scotland was better able to use its communication channels with industry stakeholders during the crisis. That clearly demonstrates the advantages of handling such matters ourselves, to the benefit of the industry and affected communities. The Scottish Government's swift response helped to keep Scotland free of foot-and-mouth disease. I am pleased that the report backs the Government's desire to devolve animal health budgets. It is vital that that should happen before DEFRA reduces expenditure on animal health.

I whole-heartedly welcome the report and the Scottish Government's commitment to taking forward the recommendations that it contains.

16:24

Liam McArthur: It is groundhog day.

We have had a useful and interesting debate. I rectify my earlier error in not welcoming Rhoda Grant to her maternity cover duties, and I salute the maiden contribution of our new urban farmer, Michael McMahon—he is not in the chamber.

Although amendments to the motion were lodged, the debate has highlighted the degree of consensus in the Parliament on Professor Scudamore's review and the Government's response to it. I commented on that during my earlier speech when I talked about the rationale

behind the amendment that I lodged. It might be helpful if I take a little time to consider the amendments in the names of Sarah Boyack and John Scott.

It will not surprise Sarah Boyack to hear that I respond well to any motion or amendment that seeks to highlight the unique circumstances of Scotland's islands. Unlike the more impetuous Mr Allan, I will resist the temptation to go into detail on how that is so; suffice it to say, I firmly agree with the sentiment.

In fairness, as I said earlier, my experience during last year's outbreak was that, on the whole, the Government and its agencies recognised that uniqueness. I recall making representations on several occasions on sanctioning the movement of animals on and between islands at the earliest opportunity, and I also successfully argued against requiring animals to be sent for slaughter to the central belt when facilities were available closer to hand in Dingwall. However, I urge the cabinet secretary to ensure that all the lessons are learned, whether they are positive or negative.

The point about local abattoir facilities has merit. I know from experience the critical role that Orkney Meat plays in my constituency. Not only does the facility provide jobs, it retains value in the islands, ensures that Orkney can continue to trade on the basis of quality, and helps to support a wide range of other businesses, from local butchers and retailers to those involved in the tourism sector. Nevertheless, the costs are not insignificant. As the cabinet secretary is well aware from our recent correspondence and our meeting yesterday, where it is not possible to dispose of waste locally the costs involved in shipping waste product off island are not inconsiderable.

John Scott: Does the member accept that, notwithstanding the desirability of increasing slaughter capacity in Scotland, the limiting factor is cost—veterinary costs in particular? As he has been in correspondence with the minister, does he know how that could be addressed or from what budgets funds might come?

Liam McArthur: I do not know whether the member is referring to local abattoir costs or veterinary costs.

John Scott: Veterinary costs.

Liam McArthur: In relation to local abattoirs?

The Deputy Presiding Officer (Alasdair Morgan): Let us not have a conversation.

Liam McArthur: I did not quite understand the intervention. If the member wants to write to me, I will correspond with him.

I take this opportunity to thank Richard Lochhead for his assistance with Orkney Meat's

problems, although I remind him that a solution has yet to be identified. Local abattoirs can serve a useful role. Sarah Boyack articulated that well, as did those from the Islay abattoir who gave an excellent presentation in the Parliament during the recent Scottish food fortnight.

The second part of the Labour amendment highlights a serious problem and one that the Government has singularly failed to get to grips with in the past year. It would appear that there is now a stand-off between the industry and ministers, which is deeply worrying and extremely damaging to that key part of the agriculture sector.

Members will recall that ministers were forced into agreeing to set up a task force last year, such was the sense of anger among pig farmers that their interests had been ignored when the Government announced its plans for compensation. For ministers then effectively to ignore all the task force recommendations beggars belief. A funding package of £1 million was announced amid the now customary fanfare of spin and hype but, as other members have noted, the NFUS made it clear to the Rural Affairs and Environment Committee that that was made up of recycled money and addresses none of the farmers' concerns and that £700,000 has not been released and is subject to as yet unspecified constraints.

Richard Lochhead: It is erroneous to say that we have ignored all the recommendations because some are being taken forward. I accept that two key recommendations were not taken forward, including that for two separate headage payments. We felt that they would not provide value for money or help the long-term sustainability of the sector. I hope that the member will accept that comment and the fact that major changes have taken place in the industry since the report was first compiled.

Liam McArthur: I certainly accept that there have been changes since the task force was set up and its report was published, but the words about recommendations being ignored were the NFUS's, not mine. Ministers will have to resolve those issues and do so quickly. The Liberal Democrats will support John Scott's amendment, although it presents me with some difficulty. I agree that last year's foot-and-mouth outbreak continues to have an economic impact on the industry and that the Government should address proactively the continuing decline in livestock numbers across Scotland, but the amendment, and indeed the Tories, would have a great deal more credibility were it not for the fact that, during the recent debate on LFASS, they failed to lift a finger to help bring forward payments for farmers and crofters. In light of the serious cash-flow problems faced by those in hill and island areas,

earlier payments would have made a real difference.

Tory MSPs like to assert that they are the farmers' friends—indeed, as we get closer to the December council meeting, we will no doubt hear that they are the fishermen's friends as well. However, as the Government is increasingly finding, simply asserting that something is an article of irrefutable faith is not credible. It needs to be based on real action, and it is time for Mr Scott and his colleagues to assert themselves more in holding the Government to account.

As I said earlier, in pursuing opportunities for regionalisation, the Scottish ministers must not overlook the interconnections within the farming industry in Britain. As the minister acknowledged, such connections help to explain why we are a single epidemiological unit. Co-operation, collaboration and good communication must be at the heart of the approach of the respective Government ministers and officials, as the cabinet secretary pointed out in his opening remarks. That does not—and should not—preclude robust arguments being made where genuine differences of opinion exist, but those must not be driven by ulterior political motives.

I share the frustration and anger that is felt by the industry, the cabinet secretary, Alasdair Allan and *The Scottish Farmer* at the refusal of UK ministers to make their contribution to compensating those who suffered losses. The cabinet secretary is also absolutely right to express disbelief that he and his officials learned of the source of the 2007 outbreak from BBC news. However, holding press conferences in Westminster to release correspondence between ministers is not the manner in which the industry, the public or this Parliament expects the Scottish ministers to behave. As Jim McLaren said in evidence to the Calman commission last month,

"Antagonism is always generated between Administrations of different colours, which is unhelpful."

In effect, he was saying, "An exotic animal disease on both your houses."

16:31

Nanette Milne (North East Scotland) (Con): I, too, add my congratulations to Karen Gillon and welcome Rhoda Grant to her new role. I will miss Rhoda's presence on the Public Petitions Committee.

This afternoon's debate has been constructive and, by and large, useful. Like other speakers, I add my thanks to Professor Jim Scudamore and his team—including former NFUS president, John Ross—for producing a practical and positive report that has been generally welcomed by the farming industry. The report addresses most of the

concerns that Scottish farmers and crofters have about tackling future animal disease outbreaks.

As John Scott said, the Scottish Conservatives support the broad thrust of the report. Like Professor Scudamore and speakers from other political parties, we pay tribute to the good work that was done in 2007 by a number of key organisations, including the Government's executive agency Animal Health, the Meat Hygiene Service and local authorities. The work that was done by many individuals, including those in the agriculture sector, was crucial in reducing the risk of disease incursion and spread. Their work minimised the impact that the outbreak in the south-east of England had on Scotland—an outbreak that, as we have heard, could have been avoided.

We agree with the NFUS that the shortcomings in surveillance in Surrey that resulted in the re-emergence of foot-and-mouth disease are unacceptable and need to be addressed. We also agree with the cabinet secretary that those who keep animals must take responsibility for monitoring their welfare.

Jim Hume: Does the member also agree with the NFUS that the budget for animal health should be devolved to Scotland?

Nanette Milne: I will come to that in a minute.

Last year's outbreak in England could hardly have come at a worse time for Scotland's livestock farmers—and the sheep sector in particular—not least because grazing was running low even before the movement restrictions were imposed. Thus, it was essential that disruptions to the norm were kept to an absolute minimum while, at the same time, a science base was adopted.

Sadly—as we heard in the recent parliamentary debate on hill farming and as is highlighted in the excellent reports from the Royal Society of Edinburgh and the Scottish Agricultural College—economic conditions for our sheep farmers and crofters have deteriorated since last year. The Scottish Government's immediate focus must be on doing whatever it can to support that very fragile sector, which is experiencing the loss of critical mass in sheep numbers in many areas.

The report's recommendations on the development of a risk hierarchy for priority movements based on veterinary assessment and a review of Scotland's foot-and-mouth disease contingency plan to ensure that it is fit for purpose are both commonsense proposals that we look to ministers and officials to deliver without delay.

The Scottish Conservatives also welcome the priority that the report gives to regionalisation. We recognise that complexities are involved, but regionalisation is desired by our farmers and

crofters. It is important that preparations are made now so that the groundwork is completed. Given that regionalisation will involve working closely with other UK Administrations and the EU Commission, I welcome the fact that the cabinet secretary has already engaged with the Commission on the issue. I hope that he will continue to press the EU and the UK Government on regionalisation. If Scotland could maintain its export status in the event of a future outbreak in the south of England, that would be a huge lifeline for our farming sector.

We share the concern about the lack of clarity about which Administration has responsibility for key areas, particularly funding. We fully support the recommendation that existing concordats are urgently reviewed and that financial arrangements are made clear. However, to answer Jim Hume and to follow on from what John Scott touched on in his opening speech, because we are reluctant to pre-empt the outcome of the Calman commission's continuing work, we, like Labour, will not support the Liberal Democrat amendment. It is essential, however, that we get clarity in those areas and that the lines of responsibility are as open and as clear as possible to all stakeholders. We are happy to support Labour's amendment, which focuses on the problems still facing the pig industry and on the benefits that remote and rural Scotland could derive from the return of local abattoirs.

Most farmers and crofters in Scotland felt that communication was strong during last year's outbreak. The Conservative party is grateful for the efforts made by the cabinet secretary and the chief veterinary officer to keep us informed as the outbreak progressed. Nevertheless, we agree with the report that the communications strategy should be updated to take account of the recommendations and that the most modern technology should be used to ensure that communications are as smooth as possible.

It is pleasing that the generally consensual tone of the debate reflects the welcome that most people in the agriculture sector and all related stakeholders gave to the Scudamore report's publication earlier in the year. We all undoubtedly hope that we will not see a recurrence of the devastating foot-and-mouth disease in the future. However, implementing the report's recommendations should go a long way towards making Scotland as well prepared as possible to deal with an outbreak in the most effective way and allow normality to return to the sector as speedily as possible after an outbreak is confirmed.

Given the severe economic pressures that currently face farmers and crofters, it is vital that they can feel confident that the Government has in

place all the necessary systems and procedures to minimise the impact of any future outbreak. We urge ministers to work closely with NFU Scotland and others, as they implement the report's recommendations, in the interests of not only Scottish farmers and crofters, but the Scottish rural economy.

The Deputy Presiding Officer: I call Rhoda Grant. You have up to 10 minutes.

16:37

Rhoda Grant (Highlands and Islands) (Lab): Thank you, Presiding Officer. I am grateful for the time. I thank members for their good wishes.

Unlike others, I want to put on record our thanks to the staff involved for their hard work and dedication. We thank, too, the Scottish agricultural community for working with Government.

I want to amplify comments made by Jim Hume. We have had a wholly technical debate, but the outbreak affected people and we cannot forget its effect on those who had to live through it. They did not know when their stock could be moved and were sometimes caught out with their stock in the wrong place. They had to worry about that and find solutions. We must always remember the human cost of an outbreak. I am glad that lessons have been learned from the 2001 outbreak; that is heartening. However, the report highlights the need to take into account changing circumstances and the need for robust planning.

An issue that has come up a lot in the debate is the need for regionalisation. Elaine Murray said, and others agreed, that we need to be part of the UK epidemiological unit—I laughed at other people trying to say that, and now I have got my comeuppance. Our trading patterns are such that we cannot cut ourselves off from the rest of the UK. Light lambs go south to markets and slaughter for supermarkets is done outwith Scotland, so we must be careful about how we take regionalisation forward. My colleague Peter Peacock talked in depth about the complexity of the issue.

Richard Lochhead rightly said that there must be consensus when considering regionalisation—I very much agree. Liam McArthur said that regionalisation had to be risk-based and proportionate so that our response was proportionate and that it was not just about drawing lines on a map. We do not want regionalisation to close down trading links, as the industry is struggling enough. However, we must consider that approach as a contingency. As the Scottish Government's report "Foot and Mouth Disease Review 2007: Economic Impact in Scotland" says, islands lend themselves to regionalisation. It states:

“Hence a plausible alternative approach might have been to treat Scottish islands as separate from the mainland”.

I would like something like that to happen. People on islands watched as restrictions were lifted in Northern Ireland, while they had much more biosecurity than in other areas. The issue must be considered in the round.

If regionalisation is to work we must consider the location of abattoirs. The Government is considering using the less favoured area support scheme and the rural development programme to help provide abattoirs. However, as many members have said, including Sarah Boyack and Rob Gibson, we need a strategic approach. There is no point in leaving it up to local communities to establish abattoirs in their areas, because they must be strategically placed so that they fit in with the contingency plan that we draw up. Elaine Murray highlighted the issue as being important if we are to access local food. If we are serious about encouraging local markets and local food, we must have local abattoirs.

There are issues to address, such as whether the abattoirs would be part time, how they would be funded and where they would be built. Michael McMahon talked about the wider issues of rendering plants and travel distances. All those issues must be considered seriously and in the round. Richard Lochhead talked about Government giving responsibility to the agricultural community, but the Government has a role to work with the community to identify the areas and the approach. There is consensus in the Parliament that local abattoirs would be a good thing, so I look forward to members supporting our amendment, which highlights the need for such abattoirs. The contingency plan would also affect the siting of abattoirs and rendering plants, and many members talked about the planning process for that.

We must consider our response to outbreaks that occur at different times of the year, because that would change the way in which we deal with them. Richard Lochhead mentioned that the second outbreak was badly timed for the sheep sector in the Highlands. It was at a time of year when most sheep were being transported to market, so there was a big impact on the industry. Therefore, in drawing up a contingency plan, we need to consider the different sectors, the various times of year and market patterns. A contingency plan is not a document that is drawn up and put on the shelf; it has to be taken down and worked on as market conditions change, so that it is mindful of those conditions.

As Sarah Boyack said, the contingency plan could include issues to do with working time directive derogations. When are derogations triggered? Do we have to push for them, or could

they happen automatically? Richard Lochhead mentioned applying for movement licences in advance. I would be grateful to hear more about that. He talked about low and high risks and risk assessment, but we need more information on how that would work. If proposals are being drawn up, it would be a good idea to consult the industry. John Scott mentioned scenario planning and ensuring that we keep up to date with scientific processes.

All members seemed to agree that we must review the concordats and their effectiveness. It is disappointing that the concordats that were in place in 2001 and which appeared to work well when a Liberal Democrat rural affairs minister was dealing with them could not cope when we had a change of Government to the SNP. Many SNP members have used the debate to have a go at the devolution settlement. I am grateful to Dave Thompson for reminding me of the reasons for the concerns about leaks of confidential information. His leader, the First Minister, released confidential information at a press conference—he did not try to hide that. I am not sure that Scudamore says that there was no reason for the mistrust; that leak was blatantly a reason. My colleague Peter Peacock talked about that, and about the need to have a grown-up relationship with other Governments. The matter cannot be dealt with whimsically, or in the way in which it has been, and the present Government needs to examine it closely. We cannot play politics with people's lives—the issue is much too serious.

The Liberal Democrats raised the funding issue, but—as my colleague Sarah Boyack said—we cannot support their amendment. It is not that we are not willing to discuss the matter, but we feel that the funding and the devolved settlement need to be considered in the round as part of the Calman commission.

Alasdair Allan and John Scott attacked Labour ministers because of the Pirbright outbreak. I expect that from Alasdair Allan, but I gently remind John Scott about the Tory Government's handling of the BSE and salmonella outbreaks. In contrast to that, the Labour Government acted quickly, asked the correct agencies to examine what had happened and took decisive action.

John Scott: Will the member accept that the BSE outbreak was totally different? The best scientific advice that was available from the Swann Committee and the Spongiform Encephalopathy Advisory Committee formed the basis of the Government's position at that time—1996—which is completely different from not carrying out the maintenance programme at Pirbright.

Rhoda Grant: Every outbreak and crisis is different. I was trying to make the point that the

Labour Government took decisive action. It is the action that a Government takes in a crisis that is important.

A lot of members talked about the pig industry. It is crucial that we protect that industry, and I am concerned about the issues that members have raised. I am also concerned by the suggestion that European, or non-UK, pork is being marketed in the UK with a UK label. We rightly have high welfare standards that cost our pig farmers more. I am not arguing against those, but food must be labelled properly to ensure that people know what they are buying, how they are buying it and that they are supporting our industry.

I would like to talk about a lot of other issues, but I am running out of time—I did not think that that would be possible. I am glad that we have learned lessons from the 2001 outbreak and that the Cabinet Secretary for Rural Affairs and the Environment is talking about the lessons that the Government can learn from the 2007 outbreak.

Our amendment highlights practical action. Regionalisation is complex, but it needs to be explored as a possible vehicle to protect our industry, and that has to be done while protecting our markets. We need to explore all avenues to minimise future disruption of our livestock industry in the case of any future outbreaks, but we also need to safeguard the industry in the current climate. I urge the minister to act on our concerns.

16:48

The Minister for Environment (Michael Russell): I welcome Rhoda Grant to her new—albeit temporary—role, while Karen Gillon is away breeding an even larger majority for herself in Clydesdale. I offer my congratulations and those of my party to Karen and her new arrival.

I also welcome Liam McArthur to his new position. I am sure that he will not mind my saying that he chided me yesterday for not having welcomed him, but I am glad that I waited until today because I saw a truly remarkable performance. I have never heard a member speak twice in the same debate, but he could go further: I would now like him to speak for and against a motion in the same debate to prove his versatility.

Those who do not want political plain speaking should look away now, because I have three strong political points to make before I get to the consensual part of my speech.

First, Peter Peacock's remarks on political influence on decision making were disgraceful. He used dog-whistle politics of the worst sort to play to the lowest common denominator in the Labour Party, which demeaned the debate and his contribution to it. There is no evidence that there

was such influence: Scudamore specifically says that there was not, so it should not have been referred to as it was.

Secondly, I will speak about compensation, which flows from that. DEFRA speaks about cost and responsibility sharing, but on this occasion it shirked its responsibilities and refused to meet the cost. There is no way we can get around that fact, so it is surprising that Labour members did not mention it. The farmers did not come to the Scottish Government asking for resources. They went to the UK Government because all the law in practice said that that is where they should go, but they got nothing. The Scottish Government, with its limited resources, had to step up to the plate and provide a package. Those are the facts, and we should have them on the record.

Thirdly, I am disappointed that neither Labour nor the Tories will support the Lib Dem amendment. In our usual generous way, we will support all the amendments, but there is an important point to be made about the Liberal Democrat amendment, which should be supported. It is not just that we support the ideas that it contains, nor even that the Lib Dems support them; it is that the ideas are supported by NFU Scotland, whose press release states:

“Animal health and welfare is a devolved matter but the budgets are not and these remain buried in Westminster. Scotland's Cabinet Secretary for Rural Affairs ... has voiced his concern over this arrangement and he has our full support in having this anomaly addressed as soon as possible.”

Scudamore makes the same point in paragraph 21 of the report.

Many people suspected that the Calman commission was always going to be a fig leaf and an excuse for inaction. When there is consensus and a clear demand for action that will make a practical difference for our farmers, it should be supported. I hope that, even at the eleventh hour, the Conservatives and Labour will change their view of the Liberal Democrat amendment.

John Scott: Does the minister understand that, although we are sympathetic to the amendment, the issue should not be dealt with in isolation? The discussion should take place in the round, which is why we believe it is an issue for Calman. We do not oppose the amendment in principle.

Michael Russell: First, the matter is urgent, so we cannot wait—DEFRA budgets are already shrinking. Secondly—to use an agricultural term—fine words butter no parsnips. We should take some action and not just talk about it.

The rest of the debate was consensual, so I will draw attention to some of the issues that Parliament has addressed and agreed on. The first is regionalisation, which we are happy to

accept is an opportunity and not a certainty. The Scottish Government is committed to engaging with stakeholders throughout the supply chain to get clear agreement on what regionalisation means and under what circumstances it would work for Scotland. Our trading partners and the European Commission must agree to the proposals, but the door is open to discussions on regionalisation and what might arise from it. We should support that progress.

Secondly, the islands were mentioned first by John Scott and then by Alasdair Allan, Rob Gibson and a number of other members. The Scottish Government did give the islands special treatment based on the science, and would expect to do so wherever possible. We can possibly get EU support to allow the islands to continue to export, subject to particular circumstances, and the matter will be much to the fore in our upgraded contingency plan. Given my responsibility for crofting, I remember that difficulties arose daily. We need to build into any contingency plan any arrangements that operate as of right, but we have to negotiate that. We cannot impose it.

On welfare slaughter, which Sarah Boyack raised, the role of the welfare slaughter scheme will be reflected in the contingency plan. It will not and should not be a first choice, and the need for it can be reduced by effective contingency planning. On drivers' hours, which she also spoke about, we continue to raise the matter with the UK Administration: we are engaging directly with the UK Government on the matter. We must avoid the difficulties that arose in 2007, because they impacted both on animal welfare and on individuals' earning opportunities.

We all agree about abattoirs and we know that further action is necessary. This summer, I visited the small abattoir on Tiree, just as last year I was at the small abattoir outside Castlebay on Barra. An effective service can be provided close to the supply route, but we have to ensure that we do that as a matter of negotiation; we cannot impose that, either.

It is important to recognise that not all is doom and gloom. Movements in prices in the past year have benefited a variety of producers in all sectors. There are many problems, but they can be addressed. The Scudamore report, like the Government in its actions, segments the problems, addresses them and tries to build confidence in the sector. Earning capacity is based on confidence. One of the confidence-building measures will be a contingency plan on which we can consult. Rhoda Grant mentioned risk assessments related to the contingency plan. Part of the consultation on the full contingency plan will have to be consultation on risk assessments.

We could go into a whole range of other issues.

Alex Johnstone (North East Scotland) (Con): Go on then.

Michael Russell: I will resist the temptation.

A number of members spoke about the human cost of foot and mouth. Elaine Murray said that, when she received her call from the cabinet secretary last year, she was outside the catacombs in Paris. I was outside the Dumfries and Lockerbie show, and the feeling there was one of extreme nervousness and worry. People in Dumfries had enormously bad memories of 2001, and those memories came flooding back. The nervousness was made especially obvious by the fact that the animal lines at the show were empty. Normally, they are completely full. That was a feature of show after show during the summer. The shows that survived were almost empty because there were no animals.

The impact of foot and mouth is still felt in the south-west of Scotland. On Sunday I was in Moniaive, where I was opening the "Striding Arches" project—Andy Goldsworthy's new sculpture project within the landscape. The genesis of the project was Andy Goldsworthy's concern for the area, and the feeling that there had to be new things happening and new signs of hope. Foot and mouth is still a strong memory in the area.

The job of any Government is to communicate and to build confidence. A number of members have paid tribute to Richard Lochhead in the role that he played, and I want to tell one story that brings that home, because it is not just Scudamore who acknowledges Richard Lochhead's important role. The first thing I was told when I arrived at the Dumfries show in the morning was that he had already spoken to the show's secretary to reassure her about the arrangements that were being put in place. The cabinet secretary did not just chair national meetings, but was in touch with the people who matter on the ground. It was the leadership that was shown by him, by the Scottish Government and by the people who worked for the Scottish Government—in alliance with the farming community in Scotland—that made all the difference. The one thing that we must remember is that we did not get foot and mouth. Unlike in 2001, when the infection caused enormous problems, in 2007 the disease did not come here. We had effective controls, we had leadership and we had plans that worked.

As every member has said, all outbreaks are different. We do not know what the future will bring: future outbreaks will not be the same as previous outbreaks. However, if we have a flexible contingency plan, if we have the right risk assessments and if we have the will of the farming

and rural communities to support the difficult, costly and time-consuming measures that will have to be put in place, then we will have a real opportunity—[*Interruption.*]

The Presiding Officer (Alex Fergusson): Order. There is too much noise in the chamber. I am sorry about that, minister.

Michael Russell: If we have all those things together, we will have a real opportunity of taking this issue forward and ensuring that, if there is any threat in the future, we will overcome it.

I will return to two points. First, the responsibility that we expected to be shown by DEFRA was not shown: the cost was not paid, so the Scottish Government measured up as it had to measure up. Secondly, we do not rest on our laurels. The Scudamore report was commissioned in order to find out both what worked and what did not work. We will now take the report forward. We are always keen to do better: that is the hallmark of this Government and it is fortunate that we are here to do it.

16:58

Meeting suspended.

Parliamentary Bureau Motions

16:59

The Presiding Officer (Alex Fergusson): The next item of business is consideration of two Parliamentary Bureau motions. I invite Bruce Crawford to move motion S3M-2648, on committee membership, and motion S3M-2649, on substitution on committees.

Motions moved,

That the Parliament agrees that—

Cathie Craigie be appointed to replace Charlie Gordon as a member of the Audit Committee;

Wendy Alexander be appointed to replace David Whitton as a member of the Economy, Energy and Tourism Committee;

Claire Baker be appointed to replace Mary Mulligan as a member of the Education, Lifelong Learning and Culture Committee;

Malcolm Chisholm be appointed to replace Richard Baker as a member of the Equal Opportunities Committee;

Charlie Gordon be appointed to replace Malcolm Chisholm as a member of the European and External Relations Committee;

David Whitton and Jackie Baillie be appointed to replace Elaine Murray and Tom McCabe as members of the Finance Committee;

Jackie Baillie be appointed to replace Rhoda Grant as a member of the Health and Sport Committee;

Mary Mulligan be appointed to replace Johann Lamont as a member of the Local Government and Communities Committee;

Marlyn Glen and Bill Butler be appointed to replace Rhoda Grant and Claire Baker as members of the Public Petitions Committee;

Elaine Murray be appointed to replace Des McNulty as a member of the Rural Affairs and Environment Committee;

Peter Peacock and Marilyn Livingstone be appointed to replace Cathie Craigie and Marlyn Glen as members of the Standards, Procedures and Public Appointments Committee;

Malcolm Chisholm and Tom McCabe be appointed to replace John Park and Jackie Baillie as members of the Subordinate Legislation Committee;

Des McNulty be appointed to replace David Stewart as a member of the Transport, Infrastructure and Climate Change Committee.

That the Parliament agrees that—

David Whitton be appointed to replace George Foulkes as the Scottish Labour Party substitute on the Economy, Energy and Tourism Committee;

Cathy Peattie be appointed to replace Claire Baker as the Scottish Labour Party substitute on the Education, Lifelong Learning and Culture Committee;

Johann Lamont be appointed to replace John Park as the Scottish Labour Party substitute on the Equal Opportunities Committee;

Ken Macintosh be appointed to replace Jackie Baillie as the Scottish Labour Party substitute on the European and External Relations Committee;

Lewis Macdonald be appointed to replace Peter Peacock as the Scottish Labour Party substitute on the Finance Committee;

Frank McAveety be appointed to replace Irene Oldfather as the Scottish Labour Party substitute on the Health and Sport Committee;

Richard Simpson be appointed to replace Marlyn Glen as the Scottish Labour Party substitute on the Justice Committee;

Paul Martin be appointed to replace Rhoda Grant as the Scottish Labour Party substitute on the Local Government and Communities Committee;

Claire Baker be appointed to replace Marilyn Livingstone as the Scottish Labour Party substitute on the Public Petitions Committee;

Rhoda Grant be appointed to replace David Stewart as the Scottish Labour Party substitute on the Rural Affairs and Environment Committee;

Mary Mulligan be appointed to replace Trish Godman as the Scottish Labour Party substitute on the Standards, Procedures and Public Appointments Committee;

David Stewart be appointed to replace Richard Baker as the Scottish Labour Party substitute on the Transport, Infrastructure and Climate Change Committee.—[Bruce Crawford.]

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

Point of Order

17:00

Michael McMahon (Hamilton North and Bellshill) (Lab): On a point of order, Presiding Officer. It is normally understood that, as a courtesy to both constituency and list members, when a minister visits a constituency or makes an announcement from a constituency, those members are advised of that occurrence. The Labour and Liberal ministers previously had failings in that regard and it is understandable that, on occasions, the current ministers will make similar errors. However, when previous failures occurred it was regarded as an oversight rather than as a deliberate slight. Parliament's standing orders require courtesy to members and the ministerial code of conducts requires more—that both MSPs and MPs be treated with courtesy in such circumstances.

This morning, an announcement was made by the Cabinet Secretary for Education and Lifelong Learning. I am advised that the constituency MSP and the MP were told, but I know for a fact that the Labour list MSPs were not told. In the circumstances, it is difficult to understand how an oversight could have occurred, as some members were advised of the visit but others were deliberately not advised. Presiding Officer, can you advise me whether the matter falls under the Parliament's standing orders or under the ministerial code of conduct, so that this discourtesy towards members may be addressed?

The Presiding Officer (Alex Fergusson): As the member has been made aware, the matter does not fall under the standing orders. It is, therefore, not a matter for me. However, I am sure that the Government would wish to discuss the question of courtesy among ministers, so I advise the member that he might wish to pursue the matter under the ministerial code of conduct.

Decision Time

17:02

The Presiding Officer (Alex Fergusson): We come to decision time. There are 11 questions to be put as a result of today's business.

The first question is, that amendment S3M-2631.2, in the name of John Swinney, which seeks to amend motion S3M-2631, in the name of Derek Brownlee, on local government finance, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Ahmad, Bashir (Glasgow) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Brown, Robert (Glasgow) (LD)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Finnie, Ross (West of Scotland) (LD)
 FitzPatrick, Joe (Dundee West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hume, Jim (South of Scotland) (LD)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McArthur, Liam (Orkney) (LD)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McMillan, Stuart (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Neil, Alex (Central Scotland) (SNP)
 O'Donnell, Hugh (Central Scotland) (LD)
 Paterson, Gil (West of Scotland) (SNP)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Robison, Shona (Dundee East) (SNP)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Scott, Tavish (Shetland) (LD)

Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stephen, Nicol (Aberdeen South) (LD)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Tolson, Jim (Dunfermline West) (LD)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stewart, David (Highlands and Islands) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

ABSTENTIONS

Aitken, Bill (Glasgow) (Con)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brownlee, Derek (South of Scotland) (Con)
 Carlaw, Jackson (West of Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West of Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)

Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)

The Presiding Officer: The result of the division is: For 65, Against 38, Abstentions 16.

Amendment agreed to.

The Presiding Officer: The second question is, that amendment 2631.1, in the name of Andy Kerr, which seeks to amend motion S3M-2631, in the name of Derek Brownlee, on local government finance, be agreed to.

Amendment agreed to.

The Presiding Officer: The third question is, that motion S3M-2631, in the name of Derek Brownlee, on local government finance, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Ahmad, Bashir (Glasgow) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Brown, Robert (Glasgow) (LD)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Finnie, Ross (West of Scotland) (LD)
 FitzPatrick, Joe (Dundee West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Glen, Marilyn (North East Scotland) (Lab)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hume, Jim (South of Scotland) (LD)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McArthur, Liam (Orkney) (LD)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McMillan, Stuart (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Neil, Alex (Central Scotland) (SNP)
 O'Donnell, Hugh (Central Scotland) (LD)
 Oldfather, Irene (Cunninghame South) (Lab)

Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Robison, Shona (Dundee East) (SNP)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stephen, Nicol (Aberdeen South) (LD)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Tolson, Jim (Dunfermline West) (LD)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Whitton, David (Strathkelvin and Bearsden) (Lab)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stewart, David (Highlands and Islands) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)

ABSTENTIONS

Aitken, Bill (Glasgow) (Con)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brownlee, Derek (South of Scotland) (Con)
 Carlaw, Jackson (West of Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West of Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)

Lamont, John (Roxburgh and Berwickshire) (Con)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)

The Presiding Officer: The result of the division is: For 68, Against 34, Abstentions 16.

Motion, as amended, agreed to.

Resolved,

That the Parliament calls on the Scottish Government to publish in detail, prior to the introduction of a council tax abolition Bill, how it proposes to allocate to each local authority local income tax revenues and all other sources of funding, including revenue support grant and non-domestic rates income, together with indicative figures for each local authority for the first year of operation of local income tax, and how stability of funding is delivered to ensure that no local authority loses revenues directly because of the introduction of the new tax system in the event of the Bill being enacted, and believes the UK Government should agree that Council Tax Benefit money forms an integral part of local government finance and should be available to local government as part of decisions by the Scottish Parliament to reform local taxation in Scotland.

The Presiding Officer: The fourth question is, that amendment S3M-2629.1, in the name of Kenny MacAskill, which seeks to amend motion S3M-2629, in the name of Murdo Fraser, on age limits on purchases of alcohol be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Ahmad, Bashir (Glasgow) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 FitzPatrick, Joe (Dundee West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)

McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McMillan, Stuart (West of Scotland) (SNP)
 Milne, Nanette (North East Scotland) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Carlaw, Jackson (West of Scotland) (Con)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Annabel (West of Scotland) (Con)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 MacDonald, Margo (Lothians) (Ind)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahan, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Mulligan, Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West)

(LD)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stewart, David (Highlands and Islands) (Lab)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

The Presiding Officer: The result of the division is: For 48, Against 71, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The fifth question is, that motion S3M-2629, in the name of Murdo Fraser, on age limits on purchases of alcohol be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Carlaw, Jackson (West of Scotland) (Con)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Glen, Marilyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Annabel (West of Scotland) (Con)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)

Lamont, John (Roxburgh and Berwickshire) (Con)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 MacDonald, Margo (Lothians) (Ind)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahan, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Mulligan, Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stewart, David (Highlands and Islands) (Lab)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Ahmad, Bashir (Glasgow) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 FitzPatrick, Joe (Dundee West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)

Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McMillan, Stuart (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

The Presiding Officer: The result of the division is: For 72, Against 47, Abstentions 0.

Motion agreed to.

That the Parliament rejects the Scottish Government's proposals to raise the age limit for purchasing alcohol from off-licences and supermarkets from 18 to 21.

The Presiding Officer: The sixth question is, that amendment S3M-2635.3, in the name of Sarah Boyack, which seeks to amend motion S3M-2635, in the name of Richard Lochhead, on the Scudamore report into foot-and-mouth disease, be agreed to.

Amendment agreed to.

The Presiding Officer: The seventh question is, that amendment S3M-2635.1, in the name of John Scott, which seeks to amend motion S3M-2635, in the name of Richard Lochhead, on the Scudamore report into foot-and-mouth disease be agreed to.

Amendment agreed to.

The Presiding Officer: The eighth question is, that amendment S3M-2635.2, in the name of Liam McArthur, which seeks to amend motion S3M-2635, in the name of Richard Lochhead, on the Scudamore report into foot-and-mouth disease be agreed to.

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Ahmad, Bashir (Glasgow) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Brown, Robert (Glasgow) (LD)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)

Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Finnie, Ross (West of Scotland) (LD)
 FitzPatrick, Joe (Dundee West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hume, Jim (South of Scotland) (LD)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McArthur, Liam (Orkney) (LD)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McMillan, Stuart (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Neil, Alex (Central Scotland) (SNP)
 O'Donnell, Hugh (Central Scotland) (LD)
 Paterson, Gil (West of Scotland) (SNP)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Robison, Shona (Dundee East) (SNP)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stephen, Nicol (Aberdeen South) (LD)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Tolson, Jim (Dunfermline West) (LD)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Carlaw, Jackson (West of Scotland) (Con)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Glen, Marlyn (North East Scotland) (Lab)

Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Annabel (West of Scotland) (Con)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahan, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

ABSTENTIONS

MacDonald, Margo (Lothians) (Ind)

The Presiding Officer: The result of the division is: For 64, Against 54, Abstentions 1.

Amendment agreed to.

The Presiding Officer: The ninth question is, that motion S3M-2635, in the name of Richard Lochhead, on the Scudamore report into foot-and-mouth disease, as amended, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Ahmad, Bashir (Glasgow) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Brown, Robert (Glasgow) (LD)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)

Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Finnie, Ross (West of Scotland) (LD)
 FitzPatrick, Joe (Dundee West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hume, Jim (South of Scotland) (LD)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McArthur, Liam (Orkney) (LD)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McMillan, Stuart (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Neil, Alex (Central Scotland) (SNP)
 O'Donnell, Hugh (Central Scotland) (LD)
 Paterson, Gil (West of Scotland) (SNP)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Robison, Shona (Dundee East) (SNP)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Stephen, Nicol (Aberdeen South) (LD)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Tolson, Jim (Dunfermline West) (LD)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley)

(Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McMahan, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Mulligan, Mary (Linlithgow) (Lab)
 Murray, Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stewart, David (Highlands and Islands) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

ABSTENTIONS

Aitken, Bill (Glasgow) (Con)
 Brocklebank, Ted (Mid Scotland and Fife) (Con)
 Brown, Gavin (Lothians) (Con)
 Brownlee, Derek (South of Scotland) (Con)
 Carlaw, Jackson (West of Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West of Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)

The Presiding Officer: The result of the division is: For 64, Against 38, Abstentions 16.

Resolved,

That the Parliament supports the Scudamore report's conclusions on Scotland's handling of the 2007 foot and mouth disease outbreak, contained in *Foot and Mouth Disease Review (Scotland) 2007*, and welcomes the Scottish Government's commitment to take the recommendations forward, including consideration of any potential opportunities for regionalisation and other steps such as the role that local abattoirs might play and the unique circumstances of Scotland's islands; notes however the continuing difficulties experienced by the pig industry; calls on the Scottish Government to take urgent action to support the Scottish pig industry and to consider further action to minimise the potential future disruption to the Scottish livestock industry; notes the continued economic impact of the outbreak on Scotland's beef, sheep and pig farmers; calls on the Scottish Government to address proactively the continuing decline in livestock numbers across Scotland; believes that, although the devolution settlement has largely been a success for Scottish agriculture, the current position whereby Scotland decides on animal health policy but has no control over its funding is an anomaly of the Scotland Act 1998, which is detrimental to relationships between the two administrations, and calls on the Scottish Government to press the case for devolving a proportionate share of the

animal health budget currently held at Westminster to Scotland, while preserving the right to access the UK Treasury reserve fund.

The Presiding Officer: The 10th question is, that motion S3M-2648, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, on committee membership, be agreed to.

Motion agreed to.

That the Parliament agrees that—

Cathie Craigie be appointed to replace Charlie Gordon as a member of the Audit Committee;

Wendy Alexander be appointed to replace David Whitton as a member of the Economy, Energy and Tourism Committee;

Claire Baker be appointed to replace Mary Mulligan as a member of the Education, Lifelong Learning and Culture Committee;

Malcolm Chisholm be appointed to replace Richard Baker as a member of the Equal Opportunities Committee;

Charlie Gordon be appointed to replace Malcolm Chisholm as a member of the European and External Relations Committee;

David Whitton and Jackie Baillie be appointed to replace Elaine Murray and Tom McCabe as members of the Finance Committee;

Jackie Baillie be appointed to replace Rhoda Grant as a member of the Health and Sport Committee;

Mary Mulligan be appointed to replace Johann Lamont as a member of the Local Government and Communities Committee;

Marlyn Glen and Bill Butler be appointed to replace Rhoda Grant and Claire Baker as members of the Public Petitions Committee;

Elaine Murray be appointed to replace Des McNulty as a member of the Rural Affairs and Environment Committee;

Peter Peacock and Marilyn Livingstone be appointed to replace Cathie Craigie and Marlyn Glen as members of the Standards, Procedures and Public Appointments Committee;

Malcolm Chisholm and Tom McCabe be appointed to replace John Park and Jackie Baillie as members of the Subordinate Legislation Committee;

Des McNulty be appointed to replace David Stewart as a member of the Transport, Infrastructure and Climate Change Committee.

The Presiding Officer: The 11th question is, that motion S3M-2649, in the name of Bruce Crawford, on behalf of the Parliamentary Bureau, on substitution on committees, be agreed to.

Motion agreed to.

That the Parliament agrees that—

David Whitton be appointed to replace George Foulkes as the Scottish Labour Party substitute on the Economy, Energy and Tourism Committee;

Cathy Peattie be appointed to replace Claire Baker as the Scottish Labour Party substitute on the Education, Lifelong Learning and Culture Committee;

Johann Lamont be appointed to replace John Park as the Scottish Labour Party substitute on the Equal Opportunities Committee;

Ken Macintosh be appointed to replace Jackie Baillie as the Scottish Labour Party substitute on the European and External Relations Committee;

Lewis Macdonald be appointed to replace Peter Peacock as the Scottish Labour Party substitute on the Finance Committee;

Frank McAveety be appointed to replace Irene Oldfather as the Scottish Labour Party substitute on the Health and Sport Committee;

Richard Simpson be appointed to replace Marlyn Glen as the Scottish Labour Party substitute on the Justice Committee;

Paul Martin be appointed to replace Rhoda Grant as the Scottish Labour Party substitute on the Local Government and Communities Committee;

Claire Baker be appointed to replace Marilyn Livingstone as the Scottish Labour Party substitute on the Public Petitions Committee;

Rhoda Grant be appointed to replace David Stewart as the Scottish Labour Party substitute on the Rural Affairs and Environment Committee;

Mary Mulligan be appointed to replace Trish Godman as the Scottish Labour Party substitute on the Standards, Procedures and Public Appointments Committee;

David Stewart be appointed to replace Richard Baker as the Scottish Labour Party substitute on the Transport, Infrastructure and Climate Change Committee.

Margo MacDonald (Lothians) (Ind): On a point of order, Presiding Officer, I apologise to you and the chamber if I am in error raising this, but I may have inadvertently voted for Mr MacAskill and not Mr Fraser. If I have done a Cathie Craigie—*[Laughter]*—should my recourse be to the official report or is it enough that I have put it on record?

The Presiding Officer (Alex Fergusson): As Ms MacDonald is fully aware, that is not a point of order. The matter is now on the public record. I hope that she is satisfied. I now close this meeting of Parliament. No—I do not; we move to the members' business debate.

Alloa to Fife and Edinburgh Rail Link

The Deputy Presiding Officer (Trish Godman): The final item of business today is a members' business debate on motion S3M-2419, in the name of Jim Tolson, on the Alloa to Fife and Edinburgh rail link. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes that the South East of Scotland Transport Partnership has proposed that a feasibility study into a rail passenger service between Alloa or Stirling and Edinburgh via Fife should be sought; believes that the upgrading of the Charlestown Junction would allow a direct rail service between Alloa and Edinburgh and improve direct freight operations from the west coast via Stirling-Alloa and into Rosyth; notes that the usage of the newly reopened Stirling-Alloa rail service has greatly exceeded the forecast passenger numbers, and believes that there is a strong case for early work to explore the opportunities to increase the sustainable transport options available to people in the Stirling, Fife and Edinburgh areas.

17:11

Jim Tolson (Dunfermline West) (LD): It gives me great pleasure to open the debate this evening on the important issue of providing improved passenger and freight rail services for my constituency and surrounding areas.

There is no doubt that rail is proving to be the travel mode of choice for an increasingly significant number of people in Scotland. Over the past 10 years, rail passenger numbers have grown year on year, and double the number of people now use rail than was the case 10 years ago.

Passenger projections for all the new lines that have been opened in the past few years have proved to be underestimates. The success of new lines from Bathgate to Edinburgh, Milngavie to Glasgow, and Alloa to Stirling is unprecedented. For example, the newly re-opened Stirling to Alloa railway service carried a total of 64,000 passengers in the first two four-week periods after it began operating in May 2008. If that level of patronage continues, the total for the first year will be around 416,000 passengers, which is almost a three-fold increase on the forecast of 155,000. As we move into an era of high oil prices, we all recognise that public transport, particularly rail transport, will become even more successful and important.

Dunfermline West has enjoyed economic buoyancy over the past few years. Dunfermline is fast becoming a successful small city, with commuters moving into superior housing and travelling to employment destinations in east and central Scotland. Connecting Edinburgh directly

with Kincardine, Alloa and Stirling would further enhance Dunfermline West's reputation as the place in which to live, work and invest. The line would bring benefits not only for people in my constituency but for those in the whole of east and central Scotland, particularly those who live in areas with poor public transport services.

The upgrading of the Charlestown rail junction to the west of Dunfermline is a crucial part of the improvements that are required to make the line suitable for passenger use. In effect, the existing twin track of the Fife circle line and the single track branch to Kincardine—and now Alloa and Stirling—form two sides of a triangle. Upgrading the junction would complete the third side of the triangle, which is essential for future passenger and freight movements. For example, it would make sense to start a passenger service to connect Stirling with Alloa, west Fife and Edinburgh. That would increase travel opportunities and enhance the frequency of Stirling to Alloa services.

Completing the Charlestown junction is important for future freight use, including the building of the new Forth bridge and major expansions on the Rosyth waterfront that are planned by Babcock, Forth Ports and the Scarborough Muir Group. In addition, the rail freight operator English Welsh and Scottish Railway recently announced that, by the end of the year, all its freight services will use the new Stirling-Alloa-Kincardine line, thus reducing journey times and carbon dioxide emissions. EWS supports the upgrading of the Charlestown junction, believing that it would bring significant benefits for freight movements.

The minister will recall that supporting an international container port at Rosyth is one of the Scottish Government's nine original planning priorities in the national planning framework. I suggest that enhancing rail facilities, as recommended in my motion, would assure Rosyth's position as a major east coast freight port and allow it to compete on a level playing field with east coast ports in England.

The other crucial aspect of upgrading the line is the provision of additional stops along the route to maximise passenger uptake from the west Fife villages and beyond—Dollar and the surrounding areas. Improved signalling and passing places are also important, so that we can reap the benefits of the welcome freight line and accommodate an upgraded passenger service, which would reduce stress on the busy Fife circle line. Peak train services between Fife and Edinburgh currently operate at full capacity, particularly during the morning peak, with many rail users coming from west Fife and beyond. Users of Rosyth, Inverkeithing, North Queensferry, Dalmeny and

South Gyle stations would all benefit from increased services to Edinburgh, including the ones that would arise from the proposal. Most of those places are important park-and-ride locations, and South Gyle is also an important destination for Edinburgh Park. Services would also connect with the future tram link to Edinburgh airport.

I urge the minister to consider the details that I have put before him and to give an undertaking to Parliament to support the south east of Scotland transport partnership's call for a feasibility study. He should also consider the significant benefits that this sustainable transport proposal would bring, not only to my constituency but to a significant element of the passenger and freight rail services in eastern Scotland, at a crucial time of unprecedented passenger and freight rail growth.

17:17

Christopher Harvie (Mid Scotland and Fife) (SNP): I thank Jim Tolson for securing the debate and for raising the possibility of a rail passenger loop from Stirling and Alloa to Edinburgh via Fife. As someone who is old enough to have travelled on the original line through Oakley before it closed, I am glad to support the motion.

I will not cite the statistics, because members already have them, but I will mention that the young man who served me breakfast this morning, realising that the motion was being debated today, said that the Stirling-Alloa-Kincardine rail link has been great for him, because his in-laws live in Alloa. The line knocks 20 minutes off the journey time and it is cheaper when he is taking the kids. There are already many satisfied customers.

The Alloa line will become the main heavy freight route into Fife—the link between the kingdom and Grangemouth and Mossend for container traffic—but it is a freight line between Alloa and Dunfermline, so care has to be taken with the capacity, timetabling, signalling and passing loops and the chord line outside Dunfermline.

The upper Forth is developing as a major city region, and the line could be part of a circular railway linking the communities of Falkirk, Stirling, Alloa, Dunfermline, Queensferry and Linlithgow, which have a population of a quarter of a million in all. In the longer term, the region could provide a habitat that balances Glasgow to the west and Edinburgh to the east, with an almost unparalleled offering of castles and palaces; historic towns, from Culross to Linlithgow; universities and colleges; and industrial monuments, ranging from the Forth bridges to the Falkirk wheel.

There are some problems with 20mph restrictions between Alloa, Longannet and Dunfermline, which will mean a fairly lengthy programme of upgrading, but perhaps that could be contained within the improvement of the Edinburgh to Glasgow line as, with its electrification, Turbostar trains will be released to trickle down to Fife when they are replaced by electric units. An initial goal could be an hourly to half-hourly train from Glasgow via Alloa to Dunfermline, which could build up to a ring railway.

The growth in rail transport that Jim Tolson mentioned might make us reconsider the multimodal nature of the second Forth crossing. A cable-stayed bridge could have a high-speed rail link, rather than a tramway, with the same profile as a motorway, of the sort that is being incorporated into the Fehmarn bridge between Germany and Denmark. That would work out, kilometre for kilometre, cheaper than the planned Forth crossing.

As for possible new stations, Kincardine could be a tourist goal, and Culross is an undervisited but beautiful miniature. There could also be a station at Cairneyhill, near Dunfermline.

I turn now to a factor that will govern the next few months. As a means of generating interest, I suggest going back to the past and running a series of steam passenger trains around the circuit during the coming summer of homecoming. The Scottish Railway Preservation Society, of which I am a founding life member, is helpfully situated at Bo'ness, and two or three trains could be run on Sundays, when there are fewer freight trains around, to accustom people to the new utility around the upper Forth. Given the precedent of recent excursions in Wales, that would be a substantial and rousing success.

17:21

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I congratulate Jim Tolson on securing his members' business debate on an important issue, which now requires political impetus behind it. That is the point—nobody is asking for hard cash at the moment; rather, a feasibility study is being asked for, which is appropriate. None of us is an expert on rail, but we know what our constituents want—connectivity and good public transport. Part of that will be brought about by the delivery of the new connection.

I understand that steam trains are already running on the line—trains have been coming up from York—but that it is not suitable for passenger traffic at the moment, because of the slow nature of the line and problems with signalling. Nevertheless, such issues can be addressed.

When I was first elected in 1999, I had three objectives for my constituency of Ochil, which is now represented by Keith Brown. The first was to end the road to nowhere, which seemed to be the epitome of bureaucratic nonsense—two roads, partly European Union funded, to join Alloa and Stirling that failed to meet across a 600yd gap. The second was the creation of an upper Forth crossing. I am delighted to be the first person in the chamber to say that it is now called the Clackmannanshire bridge, for which I thank the Minister for Transport, Infrastructure and Climate Change. When I was MSP for Ochil, I campaigned for it, and I know that Keith Brown has campaigned for it, too. The bridge name helps to open up Clackmannanshire. The third objective was the Alloa railway. That project was a long struggle, and costs rose in a way that none of us predicted.

Notwithstanding those important measures for Clackmannanshire, further connectivity into Fife is important. Although other members have mentioned the connection to Edinburgh, which is important, as Jim Tolson indicated, the east-west connection, joining up with Glasgow, is also important. At the moment, people in Fife have to go to Edinburgh before going across to Glasgow, and people travelling from Alloa have to go via Stirling and Edinburgh and then over the Forth bridge to get to Fife by rail. The connectivity that the proposed scheme would provide is important.

A freight line exists, but I do not know how heavily it is used. Having an up-to-date freight line that goes through to Rosyth will be important for strategic development, as will passenger transport to Rosyth if our ferry system is to work effectively.

I understand that there are problems with connectivity to Edinburgh, relating to the Forth bridge. I do not know how much of the capacity problem is related to signalling, or indeed to absolute capacity, but I am sure that the feasibility study will investigate that. I am delighted to support the projected addition to rail connectivity, to connect parts of my constituency of Mid Scotland and Fife in a modern way.

17:24

Murdo Fraser (Mid Scotland and Fife) (Con): I congratulate Jim Tolson on securing the debate, which is on a matter of great interest to his and my constituents. It is worth remarking as an aside that in recent weeks we seem to have had something of a flurry of members' business debates that relate to issues in Fife. I cannot imagine for the life of me why that should be; perhaps we can speculate on it later in the debate.

Today, we are talking about extending an important rail service from Alloa and Stirling to

Edinburgh, via Fife. Like all other members who have spoken, I welcome the prospect of extending the passenger service from Alloa and Stirling to Dunfermline and Edinburgh.

Jim Tolson spoke about the success of Alloa station. I understand that, since the new station was opened in May this year, the popularity of the service has surpassed expectations, as 35,000 passengers use it each week. That is excellent news and it underlines the importance of the line. It is right that there should be a review of the train service to see what can be done to improve it. It seems possible to extend the line towards Dunfermline.

I offer one note of caution. Fife rail services to Edinburgh have been a major part of my mailbag for many years; I am sure that Mr Tolson, as the constituency member for Dunfermline West, has had the same experience. The Fife lines and the Forth rail bridge are already under severe pressure from the volume of train services that use them. Over the years, I have raised the issue in meetings with First ScotRail, and I am pleased to say that progress has been made. First ScotRail has made it clear that one of its priorities is to improve the service to Fife, as trains are often overcrowded and do not meet passenger need. If we are to encourage people out of their cars and on to the train, we must have a service that is reliable and has enough capacity for all the commuters who want to use it.

I understand that in the past the problem was a lack of capacity at Waverley—First ScotRail could not put on more trains because there was insufficient platform space at Waverley to accommodate them. I know that work is being done to alleviate that problem, but capacity at Waverley remains an issue.

Margaret Smith (Edinburgh West) (LD): I welcome the chance to agree with Murdo Fraser about capacity at stations in Edinburgh. Work has been under way at Waverley and Haymarket, and there are plans for other phases of work at Haymarket. The Minister for Transport, Infrastructure and Climate Change may want to address station capacity in his closing remarks.

Murdo Fraser: I thank Margaret Smith for that lengthy intervention, which was addressed to the minister rather than to me, but I will forgive her on this occasion.

The other issue that Mr Tolson raised is the possibility of using the line for additional freight services, especially to connect with the port of Rosyth. He spoke about the developments at Rosyth waterfront, with which members will be familiar. If new businesses are to develop there, it makes sense for them to have the opportunity to use the rail service to transport freight. If

businesses have access only to the road network, as is the case at present, they will put pressure on the existing Forth crossing and the new crossing that is to be built. I have pursued getting more freight off the roads and on to rail vigorously in another part of Mid Scotland and Fife—the A9 corridor. Although that is outwith the scope of this debate, it is clear that the two issues are interrelated.

Rail travel works and is attractive only if trains are running. At First Minister's question time, there was an exchange about strikes on the railways. I would be interested to learn what action the minister is taking to avoid strikes. There is no point in our trying to get passengers on to the railways if they lose confidence when trains do not run and they go back to using their cars.

I welcome the debate and will listen with interest to the minister's response.

17:28

Keith Brown (Ochil) (SNP): I, too, congratulate Jim Tolson on securing this debate—well done to him for getting in so quickly. It is good to have the chance to debate this issue on the back of the success of what we prefer to call the Alloa to Stirling line, rather than the Stirling to Alloa line.

As Richard Simpson mentioned, he and I are veterans of a successful rail campaign. It is interesting to note the pattern that such campaigns have followed. As the person who proposed the public transport fund bid for Clackmannanshire Council and, subsequently, the Stirling-Alloa-Kincardine Railway and Linked Improvements Bill, which was promoted by Clackmannanshire Council, I see an emerging pattern, but there is one difference between the campaigns. A huge number of agencies were involved in the Stirling to Alloa project, which was in a state of considerable flux. Although the current campaign is still relatively fragmented, there is more stability, so it should be easier to get the initiative off the ground.

It is fair to say that consideration of the Stirling-Alloa-Kincardine link, if we may call it that, is essential to the discussion. That line is mostly used by passengers, but some freight travels on it. If we did not have it, we would not be discussing what we are discussing. For many people in Clackmannan, Kincardine and Culross, the discussion is not about a new connection, but a chance for their villages to get on the national passenger network.

Several members have mentioned the popularity of the new line. It has been projected that more than 400,000 people will use it this year, which is far more than the estimates on which the project was predicated. That is testament to the fact that

there is increasing interest in and demand for rail services—I think that Jim Tolson spoke about that.

I have had a number of meetings with Ian Chisholm of the south east of Scotland transport partnership, and am pleased that that partnership is proposing a study. I have also met the minister to discuss the matter. Obviously, there are many demands on his budget, especially with the new Forth crossing, but the door has not been closed on considering the project. Today, there was a useful meeting with Network Rail, which some members were able to attend. We found out about the practical problems that exist and the different options that are available, depending on what is intended. We may go for a stage-by-stage approach. Obviously, there are straightening works to be done, and there are additional signalling requirements. Those of us who were involved in the work on the Alloa line will know how central signalling was to the problems that were endured in that project. There is a lack of signalling capacity and expertise, especially in design, in this country. I think that we had to rely on signal designers from India and eastern Europe.

Different options are available, but the most essential thing is that we get things off the books with a study. The Scottish transport appraisal guidance 1 study that SEStran, I think, proposed will go only so far; the active involvement of Transport Scotland in a study is crucial. As Richard Simpson said, commitment is not needed; it can simply consider the options and the costs. Such a study would not be definitive by any means, but it would certainly give us a better idea of the passenger demand that exists and the benefits that would result. The wider benefits to central Scotland, not only the benefits that would result to the local area, were crucial to winning the Stirling-Alloa-Kincardine line.

It is also important that we do not forget the options at Rosyth. As a result of the efforts of the minister and others on the ferry link with Europe, a real possibility exists of having a genuinely integrated transport network. Freight and passengers can come directly from Europe and go straight on to Edinburgh or Glasgow. Freight can then go on to Ireland. There is real potential for integrated rail improvements to the transport network in my part of Scotland. In the meantime, we can consider, for example, direct links from Alloa to Edinburgh, which could also go the other way. That would certainly improve that service even further.

I am delighted that the motion has been lodged. We are at the start of a process. Through Clackmannanshire Council, I have called for Fife Council to become engaged in the project for two

and a half years. I hope that, following the first study, we will move forward to further success.

17:33

The Minister for Transport, Infrastructure and Climate Change (Stewart Stevenson): I will start by briefly referring to the proposed industrial action, which is within the terms of the motion, as it is on sustainable transport options for the Stirling, Fife and Edinburgh areas. I understand that the National Union of Rail, Maritime and Transport Workers—the RMT—and railway representatives will be at the Advisory, Conciliation and Arbitration Service at 10 o'clock tomorrow morning. Like the First Minister today, we encourage all the parties to take a mature and sensible approach and to use the opportunity to bring to the table an independent third party that is skilled in mediation and negotiation. We hope that doing so will deliver the outcome that we all seek.

Murdo Fraser asked why we are having so many debates on Fife. The answer to that question is straightforward. The transport minister lived in Fife from 1947 to 1969, which is why we are having so many debates on transport in Fife. Members across the chamber know about the commitment to and interest in Fife that I retain. Some members of my family remain there.

Murdo Fraser also talked about the pressure on train transport from Fife. We recently announced 1,200 additional seats throughout Scotland's network, which will be welcome. Some 500 of those are geared towards creating additional capacity from Fife to Edinburgh. That opportunity was created in particular by getting English Welsh & Scottish Railway freight traffic off the bridge. That has meant better use being made of the bridge's paths, which were one of the constraints. There are constraints at Waverley, but the constraints on the bridge were rather more important.

We are examining capacity at other stations. For additional capacity at Haymarket, we have retained platform 0, which is not being used. The Edinburgh to Glasgow improvement programme shows the priority that we give to rail and we will consider stations as part of that.

I congratulate the motion's proposer, Jim Tolson, on obtaining this important debate. He raised several matters, including the Rosyth container depot. Quoting Babcock's response to the consultation on the draft version of the second national planning framework might be useful. It says that opening the Stirling-Alloa-Kincardine railway loop

"will effectively divert all coal freight trains off ... the Forth Rail Bridge and reroute them through Stirling ... It is our

view that services into Rosyth via Elbowend and Charlestown Junctions could easily be provided”.

Babcock is on the case. That was some of the input that we have received.

It is worth making the point that in rail freight, which I support strongly, a key aspect is having alternative paths. Very little—if any—rail freight is likely to use the line from the east to Longannet, but it remains important as an alternative path for operational reasons, so there is no prospect of downgrading.

Members have referred to speed limits, which are quite low on the route that we are discussing. Average speeds in some parts are as low as 20mph, and 30mph is the general average. To bring the route into use for passenger travel, considerable investment would be required.

Chris Harvie suggested that we are looking at cheaper roads—that relates to sustainable transport options for Stirling, Fife and Edinburgh, Presiding Officer—than the Forth replacement crossing. However, it should be remembered that we are using outcome pricing, which includes a lot of inflation, and half the cost is for roads. I was pleased to hear Richard Simpson say that no one is asking for hard cash.

Dr Simpson: At present.

Stewart Stevenson: I noted the words “at present”.

I am pleased that our putting Clackmannanshire on the transport map through the name for the new bridge has given so much pleasure. Support for that name was decisively clear.

Keith Brown talked about the STAG appraisal that SEStran is pursuing. It is important to remember that STAG appraisals are mode independent. Although a decision that we require to provide additional rail connections in a corridor might be the result of a STAG appraisal, the appraisal could say something different. However, I accept that, given the existing railway and the wider benefits to which Keith Brown referred, it would be perverse not to consider railways seriously.

Jim Tolson is likely to be in serious trouble with his party leader, as he has asked for additional money when his leader wants to carve £800 million out of the public spending budget, but perhaps we will discuss that at greater length on another occasion.

The Stirling-Alloa-Kinross railway has been an outstanding success. It is first class and there is no more enthusiastic supporter of the railway than me—as a user and as the minister responsible for targeting investment. It is part of a

£1.5 billion programme of investment by the Government in new infrastructure.

It is important that we consider more broadly what we are trying to do for Edinburgh and sustainable transport, by getting up to six trains an hour between Edinburgh and Glasgow—two with journey times of 35 minutes—by improving services for Fife and by improving bus services. It is a delight to travel behind a bus from Fife that announces that Wi-Fi is available on board and to know that there are leather seats on the bus. The quality of offering across a range of transport modes is improving. I think that all members will welcome that.

I congratulate Jim Tolson on bringing the matter to our attention and allowing us to explore the issues for Fife and for wider Scotland—we must put the debate in that context—on a fairly non-partisan basis. I hope that the SEStran STAG appraisal proceeds at a reasonable speed and I look forward to the outcome.

Meeting closed at 17:40.

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