

Friday 19 April 2013

## SCOTTISH GOVERNMENT

### Enterprise and Environment

**Richard Simpson (Mid Scotland and Fife) (Scottish Labour):** To ask the Scottish Government what research it is carrying out on the (a) benefits and (b) risks to pollinators of the use of neonicotinoid pesticides.

(S4W-13844)

**Richard Lochhead:** Together with other funders, the Scottish Government contributed £500,000 towards the Insect Pollinators Initiative (IPI).

The IPI supports nine research projects to help identify the main threats to bees and other insect pollinators and gain a better understanding of the complex relationships between biological and environmental factors which affect the health and lifespan of pollinators.

**Richard Simpson (Mid Scotland and Fife) (Scottish Labour):** To ask the Scottish Government what its position is of the size of the bee population.

(S4W-13845)

**Richard Lochhead:** Currently there are 1,014 active Scottish beekeepers with 8,769 colonies registered on BeeBase. All beekeepers in Scotland are encouraged to sign-up to this database to enable effective communications throughout the country.

The Scottish Government is also aware of the difficulties facing beekeepers at this time and is consulting with their stakeholders on the way forward.

**Neil Bibby (West Scotland) (Scottish Labour):** To ask the Scottish Government, further to the answer to question S4W-13054 by Derek Mackay on 5 March 2013, how much future waste it has calculated should be diverted from landfill to incineration in order to avoid EU penalty and in which local authority areas it is encouraging these modal shifts.

(S4W-13866)

**Richard Lochhead:** The Scottish Government met the 2013 EU Landfill Directive target two years early and is on track to meet the 2020 target. The Scottish Governments Zero Waste plan focuses on maximising the value of all material resources for our economy. This means seeking waste prevention, reuse and recycling opportunities ahead of incineration.

Taking the Zero Waste plan 70% recycling target into consideration, the Scottish Government produces annual estimates of the operational shortfall in capacity to treat Scotland's residual waste (waste that is not recycled). The current estimate indicates a shortfall of around 1.7 million tonnes. These figures are produced to help planning authorities and industry understand Scotland's needs and investment opportunities. After the material is mechanically sorted to remove any possible recyclable material remaining, treatment options include the production of waste derived fuels for export to continental fuel markets, biological stabilisation of materials for use in land restoration and energy production (anaerobic digestion and combustion).

**Neil Bibby (West Scotland) (Scottish Labour):** To ask the Scottish Government, further to the answer to question S4W-13054 by Derek Mackay on 5 March 2013, what contribution it expects energy from waste schemes to make to its (a) renewable energy, (b) zero waste and (c) sustainable development targets.

(S4W-13867)

**Richard Lochhead:** In 2010, the Sustainable Development Commission reported that energy from waste could contribute around 3% of Scotland's total heat and electricity demand. The study focused on the use of combustion and anaerobic digestion with biogas capture and the main technologies that could contribute to these outputs. It emphasised that the greatest output could be achieved if thermal

output is used for heat, as this would be more than 80% efficient. Thermal only output could equate to around 6% of Scotland's existing heat demand.

These opportunities need to be set against the Scottish Government's policy of continually reducing Scotland's residual waste and minimising the need for residual waste treatment through waste prevention, reuse and increased rates of recycling.

**Murdo Fraser (Mid Scotland and Fife) (Scottish Conservative and Unionist Party):** To ask the Scottish Government, further to the answer to question S4W-13239 by Fergus Ewing on 19 March 2013, what evidence it has to support the assertion that (a) the research carried out was fundamentally flawed and (b) modern turbines are more efficient.

**(S4W-13869)**

**Fergus Ewing:** In our view, the fundamental flaw in the report is its contention that a 15 year old wind turbine can be described as "mature". A turbine that has been operating for 15 years must clearly have been developed and installed at a time when the technology was still very much immature.

There is a wealth of information on the subject of wind turbine efficiency, available not only from the industry itself but also from credible independent commentators such as Bloomberg New Energy Finance (NEF). Analysis by Bloomberg NEF provides evidence that global capacity factors for onshore wind turbines have increased by 13 percentage points from a value of 21% in 1984 to 34% in 2011. Efficiency improvements such as better wind to power conversion especially at low wind speeds, better fluid dynamic modelling to inform device placement and more reliable machines have all contributed to the increased output from modern and thus genuinely mature devices.

**Claudia Beamish (South Scotland) (Scottish Labour):** To ask the Scottish Government what economic sectors it is exploring to identify additional policies and proposals for the second report on proposals and policies.

**(S4W-14185)**

**Paul Wheelhouse:** The draft Second Report on Proposals and Policies for meeting Scotland's greenhouse gas emissions reduction targets set out measures in a broad range of sectors across Scotland's economy. The Scottish Government is considering the recommendations that have been made in relation to all of these sectors as part of Parliament's scrutiny of the draft report.

**Claudia Beamish (South Scotland) (Scottish Labour):** To ask the Scottish Government which proposals from the draft Second Report on Proposals and Policies officials are reviewing with a view to turning them into firm policies.

**(S4W-14187)**

**Paul Wheelhouse:** The Scottish Government is reviewing the entire draft Second Report on Proposals and Policies in light of the recommendations that were made during the 60-day period for Parliamentary consideration. We will respond to those representations when we publish the final version of the Second Report on Proposals and Policies.

**Claudia Beamish (South Scotland) (Scottish Labour):** To ask the Scottish Government when it will publish the final version of the Second Report on Proposals and Policies.

**(S4W-14188)**

**Paul Wheelhouse:** A publication date has not yet been set for the final version of the draft Second Report on Proposals and Policies. The Scottish Government is working to complete and publish the final report as soon as reasonably practicable taking into account representations made during the Parliamentary scrutiny of the draft report.

## Governance and Communities

**Jayne Baxter (Mid Scotland and Fife) (Scottish Labour):** To ask the Scottish Government whether it will update its guidance on setting local speed limits in Scotland, in light of the publication of Department for Transport Circular 01/2013, Setting Local Speed Limits.

(S4W-13966)

**Keith Brown:** In its recent Circular 01/2013, the Department for Transport encouraged Traffic Authorities to "...consider the introduction of more 20mph limits and zones, over time."

Published in 2009, Scotland's Road Safety Framework to 2020 already includes a commitment to "...encourage local authorities to consider 20mph zones in all residential areas"; and Transport Scotland has been working with the City of Edinburgh Council to pilot such a zone without the inclusion of physical, traffic calming measures.

The introduction of 20mph speed limits and zones will generally be a matter for local authorities in their management of the local roads network. Once the Edinburgh pilot reports, we will share any emerging good practice with all Road Authorities in Scotland. However, we have no plans at present to update the previous Scottish Executive Circular ETLTD 1/2006.

**Gavin Brown (Lothian) (Scottish Conservative and Unionist Party):** To ask the Scottish Government how many public sector data centres there are and how many have been (a) established and (b) closed in each of the last 10 years.

(S4W-14046)

**John Swinney:** John McClelland's Review of ICT Infrastructure in the Public Sector in Scotland published in June 2011 estimated that within the public sector in Scotland there were more than 120 data centres and cost circa £275 million to build and maintain. These figures were based upon evidence obtained through two surveys which were undertaken in 2010 by Scottish Government Procurement and Grant Thornton on behalf of the local authorities. The survey rates were 48% and the results extrapolated to give the figures used in the report.

Scotland's Digital Future: Delivery of Public Services published in September 2012 included an action to develop a strategy for consolidation and reuse of world-class data centres available in the public and private sectors across Scotland. The Scottish Government is currently engaging with interested parties and collecting information to inform this strategy which we expect to be published later this year.

**Gavin Brown (Lothian) (Scottish Conservative and Unionist Party):** To ask the Scottish Government what the cost has been of establishing public sector data centres in each of the last 10 years.

(S4W-14048)

**John Swinney:** I refer the member to the answer to question S4W-14046 on 19 April 2013. All answers to written parliamentary questions are available on the Parliament's website, the search facility for which can be found at:

<http://www.scottish.parliament.uk/parliamentarybusiness/28877.aspx>.

**Gavin Brown (Lothian) (Scottish Conservative and Unionist Party):** To ask the Scottish Government what the total running costs have been for public sector data centres in each of the last 10 years.

(S4W-14050)

**John Swinney:** I refer the member to the answer to question S4W-14046 on 19 April 2013. All answers to written parliamentary questions are available on the Parliament's website, the search facility for which can be found at:

<http://www.scottish.parliament.uk/parliamentarybusiness/28877.aspx>.

**Mark McDonald (North East Scotland) (Scottish National Party):** To ask the Scottish Government what responsibility private landlords have for the conduct of their tenants.

**(S4W-14102)**

**Margaret Burgess:** Under Part 7 of the Antisocial Behaviour etc. (Scotland) Act 2004 a local authority may serve an antisocial behaviour notice on landlords where an occupant or visitor to a house let by the landlord engages in antisocial behaviour at or in the locality of the house. The notice will specify actions the landlord must take to address the antisocial behaviour.

From 1 May 2013 landlords will have a legal duty to provide new tenants with an information pack. The pack includes information for tenants and landlords on their respective obligations in relation to the conduct of tenancies.

**Mark McDonald (North East Scotland) (Scottish National Party):** To ask the Scottish Government what action can be taken against a private landlord who refuses to deal with an antisocial tenant.

**(S4W-14103)**

**Margaret Burgess:** Under Part 7 of the Antisocial Behaviour etc. (Scotland) Act 2004 local authorities have powers to serve an antisocial behaviour notice on a private landlord where an occupant or visitor to a house they let engages in antisocial behaviour at or in the locality of the house. The notice specifies actions the landlord must take to address the antisocial behaviour.

Local authorities must also have regard to antisocial behaviour by the landlord, the tenant, or at the property where an antisocial behaviour order has been served, for the purposes of landlord registration. Where evidence relating to antisocial behaviour results in a landlord being found not to be fit and proper, this may result in a landlord being refused registration, or having their registration revoked.

**Mark McDonald (North East Scotland) (Scottish National Party):** To ask the Scottish Government what requirement there is for tenancy agreements between private landlords and tenants to make reference to the behaviour of the tenant.

**(S4W-14104)**

**Margaret Burgess:** There is no statutory requirement for a tenancy agreement to make reference to the behaviour of the tenant. It is for the landlord and tenant to be satisfied as to what the specific terms of a tenancy agreement are.

Landlords are responsible for the property which they let, including for the conduct of the tenant. Local authorities have powers to serve an antisocial behaviour notice (ASBN) on a private landlord if they fail to take action where an occupant or visitor to a house they let engages in antisocial behaviour at or in the locality of the house.

**Margaret Mitchell (Central Scotland) (Scottish Conservative and Unionist Party):** To ask the Scottish Government how much each local authority collected through the 2012-13 business rate incentivisation scheme.

**(S4W-14256)**

**John Swinney:** How much each local authority collected in non domestic rates in 2012-13 will not be known until the final 2012-13 audited non domestic rate income returns are received in February 2014.

The Scottish Government is actively working jointly with COSLA and local government to review the BRIS targets for 2012-13 taking into account the latest business rates returns.

**Margaret Mitchell (Central Scotland) (Scottish Conservative and Unionist Party):** To ask the Scottish Government which local authorities exceeded their 2012-13 annual business rates' target.

**(S4W-14257)**

**John Swinney:** I refer the member to the answer to question S4W-14256 on 19 April 2013. All answers to written parliamentary questions are available on the Parliament's Website, the search facility for which can be found at:

<http://www.scottish.parliament.uk/parliamentarybusiness/28877.aspx>.

**Margaret Mitchell (Central Scotland) (Scottish Conservative and Unionist Party):** To ask the Scottish Government how much each local authority will receive in additional income as a result of the 2012-13 business rate incentivisation scheme.

**(S4W-14258)**

**John Swinney:** I refer the member to the answer to question S4W-14256 on 19 April 2013. All answers to written parliamentary questions are available on the Parliament's Website, the search facility for which can be found at:

<http://www.scottish.parliament.uk/parliamentarybusiness/28877.aspx>.

### Learning and Justice

**John Lamont (Ettrick, Roxburgh and Berwickshire) (Scottish Conservative and Unionist Party):** To ask the Scottish Government how many people in each year since 2007, with no prior convictions in the previous 10 years, have been given alternatives to prosecution, broken down by alternative.

**(S4W-13860)**

**Kenny MacAskill:** The information requested is shown in the following table. No information on non-court disposals is held for years before 2008-09.

Disposals received by individuals with no previous court convictions in past 10 years  
2008-09 to 2011-12

Disposal types	2008-09	2009-10	2010-11	2011-12
Police Disposals				
Anti-social behaviour Fixed Penalty Notice	23,999	29,461	25,758	24,798
Police Formal Adult Warning	5,240	5,827	5,283	5,802
Police Restorative Justice	2,299	2,171	1,658	942
Other Police Warning	70	84	212	2,021
Warning Letter (police/children's report)	2,460	2,032	1,897	1,707
COPFS Disposal				
Fiscal Fine	14,299	13,936	13,977	16,322
Fiscal Fixed Penalty Notice (Road Traffic Offences)	12,353	12,443	13,302	13,858
Fiscal Combined Fine and Compensation	507	766	836	1,043
Fiscal Compensation	1,014	1,088	1,015	639
Fiscal Fixed Penalties (Pre-SJR codes)	1,541	214	57	25

Notes:

1. People who are given more than one disposal in a single financial year will appear on more than one row but will be counted in each disposal once. For example, a person who receives three non-court disposals in 2011-12, two of which are Anti-social Behaviour Fixed Penalty Notices (ASBFPN) and one Police Formal Adult Warning will appear once in the row for ASBFPN and once in Police Formal Adult Warnings.
2. Information on the number of people with no previous convictions marked for social work diversion has not been included as the information cannot be extracted from the database.
3. Number of pre-Summary Justice Reform procurator fiscal fixed penalty codes. It is known that this category contains both fiscal fines and fixed penalties, however it is not possible to separate the numbers of each.

Source: Scottish Government Criminal Proceedings Database.

### Strategy and External Affairs

**Neil Findlay (Lothian) (Scottish Labour):** To ask the Scottish Government, further to the answer to question S4W-13213 by John Swinney on 22 February 2013, whether it will provide the salary level for each special adviser.

(S4W-13856)

**John Swinney:** Individual salary information is considered personal information and release would be considered a breach of data protection principles.

The current Special Adviser Pay Bands and Ranges and the number of Special Advisers within each Pay Band are:

Pay Band	Current Pay Range	Number of Special Advisers
1	£39,445 – £52,904	6
2	£51,041 - £67,709	3
3	£65,017 - £83,963	4
3 (premium)	£83,549 - £100,942	0
4	£86,965 - £104,462	0

As stated in the previous answer, the estimated cost of employing Special Advisers for the financial year 2012-13 is £922,678<sup>1</sup> – a real terms decrease of £60,389 from the 12-month cost of the 2006-07 Special Adviser team which, when up-rated to 2012-13 prices, cost £983,067<sup>2</sup>. Costs for 2013-14 are estimated to fall further to £912,956 in nominal terms (£895,055<sup>3</sup> in 2012-13 prices) – a real terms decrease of £88,012 below 2006-07 levels.

Notes:

1. Total costs include salary, ERNIC and employer pension contributions. The level of the employer ERNIC and pension contributions is not a matter for the Scottish Government. Estimate based on current team of 13 Special Advisers being in post for the remainder of 2012-13.
2. Salary, ERNIC, employer pension contributions and total costs figures have been converted into real terms (2012-13 prices) to adjust for inflation using HM Treasury deflators, published in December 2012. These were the latest available deflators at the time of calculation on 20 February 2013. It should be noted that the 2012-13 deflator is based on OBR forecast data from the UK Government Autumn Statement, December 2012.
3. See 2 for details on uprating.

### Transport Scotland

**Jayne Baxter (Mid Scotland and Fife) (Scottish Labour):** To ask the Scottish Government what its position is on the guidance in Department for Transport Circular 01/2013, Setting Local Speed Limits that for “residential streets and other town and city streets with high pedestrian and cyclist movement, local traffic authorities should consider the use of 20 mph schemes”.

(S4W-13967)

**Keith Brown:** I refer the member to the answer to question S4W-13966 on 19 April 2013. All answers to written parliamentary questions are available on the Parliament’s website, the search facility for which can be found at:

<http://www.scottish.parliament.uk/parliamentarybusiness/28877.aspx>.

**Jayne Baxter (Mid Scotland and Fife) (Scottish Labour):** To ask the Scottish Government what its position is on making greater use of 20mph speed limits without requiring the use of traffic calming.

(S4W-13968)

**Keith Brown:** I refer the member to the answer to question S4W-13966 on 19 April 2013. All answers to written parliamentary questions are available on the Parliament’s website, the search facility for which can be found at:

<http://www.scottish.parliament.uk/parliamentarybusiness/28877.aspx>.

*The following questions received holding answers:*

S4W-13843