

*Tuesday 10 September 2013*

## **SCOTTISH GOVERNMENT**

### **Enterprise and Environment**

**Kevin Stewart (Aberdeen Central) (Scottish National Party):** To ask the Scottish Government how many complaints have been received by each local authority regarding nuisance gulls in each of the last 10 years.

**(S4W-16705)**

**Paul Wheelhouse:** The Scottish Government does not hold this information. However, during the last ten years, 17 MSP's have written to the Scottish Government regarding this issue.

**Kevin Stewart (Aberdeen Central) (Scottish National Party):** To ask the Scottish Government whether it plans to review the protection offered to gulls by the Wildlife and Countryside Act 1981.

**(S4W-16706)**

**Paul Wheelhouse:** All wild birds are protected by law in Scotland. The Scottish Government has no plans to review the protection offered to gulls.

Scottish Natural Heritage General Licence 03/2013, which allows local authorities and authorised persons to control or manage certain birds, including herring gulls, greater black-backed gulls, and lesser black-backed gulls, for the protection of public health, public safety and to prevent the spread of disease, is reviewed on an annual basis by Scottish Natural Heritage.

In recognition of the scale of the difficulties that can arise where gulls interact in urban environments, the Scottish Government has funded a study on control of gulls in Dumfries which provided a number of recommendations which should be of use to local authorities in their efforts to tackle similar difficulties regarding urban gull populations.

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government how it will implement the two-year moratorium on the use of neonicotinoids that will begin on 1 December 2013, and what advice is it giving to farmers regarding the use of pesticides for the protection of crops from that date.

**(S4W-16742)**

**Richard Lochhead:** We have made sure that stakeholders have been made aware of the forthcoming changes through two articles in Scotland Rural University College (SRUC) Crop Protection reports (supported under the Scottish Government SRUC advisory activity), and through discussion in our Common Agricultural Policy stakeholder group and with the industry.

In Scotland the main implications of these restrictions will be for oilseed rape growers. Any crops sown before 1 December 2013 can be grown and harvested as normal. It will not be possible to sow any more seed treated with the three neonicotinoids named by the European Commission (imidacloprid, clothianidin and thiametoxam) after 1 December 2013. We understand that the seed industry is already adapting to these new requirements.

**Claire Baker (Mid Scotland and Fife) (Scottish Labour):** To ask the Scottish Government, further to the answer to question S4W-15500 by Richard Lochhead on 14 June 2013, in light of figures from the National Fallen Stock Company suggesting that, in the last year, there has been a 50% increase in fallen stock recorded on farms in Scotland, what additional measures and resources it will deploy.

**(S4W-16790)**

**Richard Lochhead:** This year's severe winter weather resulted in a significant number of livestock deaths across Scotland. The Scottish Government has made £6.5 million compensation available to farmers, with more than £730,000 going directly to over 4,000 farmers for fallen stock collection costs.

The Scottish Government continues to ensure that the welfare needs of livestock in Scotland are met and continues to encourage pro-active farm health planning and best practice.

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government whether any person other than a qualified veterinary surgeon is legally permitted to kill a dog using a captive bolt gun and, if so, for what purpose and under what circumstances.

**(S4W-16822)**

**Richard Lochhead:** There is no legal restriction under animal welfare legislation on who may kill a dog using a captive bolt gun for any purpose. If used correctly, a captive bolt gun should result in immediate loss of consciousness. However, if a captive bolt gun is used in a way that causes suffering, this would be an offence under the Animal Health and Welfare (Scotland) Act 2006.

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government whether it is a legal requirement for an operator to hold a slaughter licence or certificate of competence in order to kill a dog using a captive bolt gun.

**(S4W-16823)**

**Richard Lochhead:** There is no legal requirement for an operator to hold a slaughter licence or certificate of competence to kill a dog using a captive bolt gun.

However, if a captive bolt gun is used in a way that causes suffering this would be an offence under the Animal Health and Welfare (Scotland) Act 2006.

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government under what circumstances a veterinary surgeon or other person may legally kill a dog using a captive bolt gun, and whether such killing must also involve bleeding or pithing of the animal.

**(S4W-16824)**

**Richard Lochhead:** There is no legal restriction on the circumstances under which a dog can be killed using a captive bolt gun or any legal requirement for bleeding or pithing, although this would be recommended.

If used correctly, a captive bolt gun should result in immediate loss of consciousness. However if a captive bolt gun is used in a way that causes suffering, this would be an offence under the Animal Health and Welfare (Scotland) Act 2006.

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government when and for what purpose it is permissible to slaughter pregnant (a) cattle and (b) sheep in a slaughterhouse.

**(S4W-16825)**

**Richard Lochhead:** There is no restriction on the slaughter of pregnant cattle or sheep in a slaughterhouse. However, cattle and sheep that are in the last 10% of their pregnancy are classed as unfit for transport under European legislation concerning the welfare of animals during transport.

**Alison Johnstone (Lothian) (Scottish Green Party):** To ask the Scottish Government what provision is made in slaughterhouses to mitigate the welfare impacts experienced by a calf in utero when its mother is slaughtered.

**(S4W-16827)**

**Richard Lochhead:** No particular provision is made as a foetus will die from lack of oxygen in the uterus without suffering after its mother is slaughtered. There is good evidence that ruminants do not have conscious awareness until after they are born and start breathing so there is no welfare impact experienced by a foetus when the mother is killed.

**Liam McArthur (Orkney Islands) (Scottish Liberal Democrats):** To ask the Scottish Government how many eagle owls have escaped from captivity in each of the last five years and what action was taken or is being taken to deal with these incidents.

(S4W-16939)

**Paul Wheelhouse:** It was estimated in 2008 that there were at least 3,000 eagle owls kept in the UK and that up to 65 birds escape or are lost on an annual basis. This estimate was based on the Independent Bird Register and CITES Article 10 certificates, as no register is kept of captive eagle owls.

Many escapes occur in urban and suburban locations and attempts are made by owners and others such as the Scottish Society for the Prevention of Cruelty to Animals to catch these birds where possible.

### Governance and Communities

**Kevin Stewart (Aberdeen Central) (Scottish National Party):** To ask the Scottish Government what discussions it has had with local authorities regarding the impact of the so-called bedroom tax on discretionary housing payments (DHP), and what information it has on how many DHP (a) applications have been made and (b) awards have been granted by each local authority since April 2013, broken down by tenants in (i) council house, (ii) registered social landlord and (iii) privately-rented accommodation.

(S4W-16695)

**Margaret Burgess:** Social security payments, including discretionary housing payments (DHPs), are a reserved matter.

However the Scottish Government has been working closely with local authority representatives since the UK Government announced its welfare reforms in autumn 2010 to help understand, influence and, as far as reasonably possible, mitigate the impact of changes to housing benefit. A questionnaire was developed jointly between the Scottish Government and COSLA and was sent by COSLA to all local authorities on 24 May 2012. A summary of findings, which includes information on DHPs, is available at:

[http://www.cosla.gov.uk/sites/default/files/documents/briefing\\_-\\_bedroom\\_tax\\_main\\_findings.pdf](http://www.cosla.gov.uk/sites/default/files/documents/briefing_-_bedroom_tax_main_findings.pdf).

The available information from the survey on the number of DHP applications received by individual councils and the number of awards made by end May 2013 or nearest available date is contained in the following table (rounded to the nearest 10). The survey did not gather information on the tenure of households applying for or receiving DHPs.

The number of awards only provides a snapshot between 1 April and the end of May 2013 (or nearest available date) and takes no account of the number of applications that were received and still being processed.

In October 2013 the Department for Work and Pensions is gathering data from councils on the numbers and total amounts of DHPs granted in the period April – September 2013. This will provide a more reliable indication of the scale and nature of DHPs being awarded by councils, set against their DHP allocation. The survey will not gather information on applications which were refused, nor on the tenure of the households being awarded DHPs.

Local Authority	Number of DHP Applications	Number of DHP Awards
Aberdeen City	530	250
Aberdeenshire	170	100
Angus	230	30
Argyll and Bute	260	30
Clackmannanshire	No data supplied	No data supplied
Dumfries and Galloway	480	260
Dundee City	830	60
East Ayrshire	530	270
East Dunbartonshire	150	50
East Lothian	150	120
East Renfrewshire	160	10

Local Authority	Number of DHP Applications	Number of DHP Awards
Edinburgh, City of	1,830	900
Eilean Siar	Incomplete data	Incomplete data
Falkirk	400	10
Fife	1,490	910
Glasgow City	7,020	3,430
Highland	Incomplete data	Incomplete data
Inverclyde	480	190
Midlothian	260	190
Moray	No data supplied	No data supplied
North Ayrshire	880	330
North Lanarkshire	2,100	120
Orkney Islands	70	70
Perth and Kinross	230	140
Renfrewshire	880	440
Scottish Borders	180	120
Shetland Islands	20	20
South Ayrshire	No data supplied	No data supplied
South Lanarkshire	700	300
Stirling	300	160
West Dunbartonshire	1,400	1,120
West Lothian	430	140
Total	22,000	9,850

Source – COSLA/Scottish Government Survey of Councils – 24 May 2013.

### Health and Social Care

**Stewart Maxwell (West Scotland) (Scottish National Party):** To ask the Scottish Government how many patients have received (a) primary and (b) secondary fracture-preventing medications in each of the last three years, also broken down by (i) gender, (ii) age and (iii) NHS board.

**(S4W-16707)**

**Alex Neil:** The information requested has been lodged with the Scottish Parliament's Information Centre (SPICe) under Bib number 55180.

**Ken Macintosh (Eastwood) (Scottish Labour):** To ask the Scottish Government what progress has been made in developing national cancer quality performance indicators for melanoma services and when these will be published.

**(S4W-16731)**

**Alex Neil:** Under the auspices of the Scottish Cancer Taskforce, national cancer quality performance indicators (QPIs) are being developed to drive continuous quality improvement in cancer care across NHSScotland. An ambitious programme of work has been agreed, which will see QPIs developed for all main cancers by 2014.

The melanoma QPI development group initially met in May 2013 and identified key areas for inclusion in the draft Melanoma QPIs. A set of draft indicators are being developed and they will be discussed further at the National Cancer Quality Steering Group meeting in September 2013. Public engagement on the draft indicators is scheduled to commence in January 2014.

Once completed the melanoma QPIs will be made available on Healthcare Improvement Scotland's website at:

[http://www.healthcareimprovementscotland.org/programmes/cancer\\_care\\_improvement/cancer\\_qpis.aspx](http://www.healthcareimprovementscotland.org/programmes/cancer_care_improvement/cancer_qpis.aspx).

**David Stewart (Highlands and Islands) (Scottish Labour):** To ask the Scottish Government how it monitors whether there are gaps in the availability of defibrillators in remote and rural areas.

(S4W-16741)

**Michael Matheson:** The Scottish Ambulance Service (SAS) is committed to monitoring the use of defibrillators, including locations in remote and rural areas through their continuing work of defibrillator mapping as part of their community resilience scheme. The SAS report on the scheme's progress to the Scottish Government, as part of their annual review.

The SAS is working with NHS boards and partners including Caledonian MacBrayne and the British Heart Foundation to develop action plans for remote and rural communities to strengthen their resilience, recognising the different needs of communities they work with.

Further information on the Scottish Ambulance Service's community resilience work can be found on their website:

<http://www.scottishambulance.com/YourCommunity/communityresilience.aspx>.

**Patricia Ferguson (Glasgow Maryhill and Springburn) (Scottish Labour):** To ask the Scottish Government how many members of the Young People's Sport Panel there are and how they were selected.

(S4W-16850)

**Shona Robison:** The membership and the selection process of the Young People's Sport Panel is an operational matter for sportscotland. I have asked the Chief Executive of sportscotland, to provide the information requested.

**Patricia Ferguson (Glasgow Maryhill and Springburn) (Scottish Labour):** To ask the Scottish Government how many members of the Young People's Sport Panel take part in competitive sport.

(S4W-16852)

**Shona Robison:** I refer the member to the answer to question S4W-16850 on 10 September 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>.

**Patricia Ferguson (Glasgow Maryhill and Springburn) (Scottish Labour):** To ask the Scottish Government how many young people with a disability are members of the Young People's Sport Panel.

(S4W-16853)

**Shona Robison:** I refer the member to the answer to question S4W-16850 on 10 September 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>.

**Patricia Ferguson (Glasgow Maryhill and Springburn) (Scottish Labour):** To ask the Scottish Government, further to the answer to question S4W-16550 by Shona Robison on 23 August 2013, how many members of the Working Group there are and how they were selected.

(S4W-16855)

**Shona Robison:** The Youth Sports Strategy Short life Working Group has 23 members. The group has representatives from the Scottish Government and 12 youth and sports-related organisations. Members of the working group were selected on the basis on their interest and expertise in sport, and representing children and young people.

## Transport Scotland

**Angus MacDonald (Falkirk East) (Scottish National Party):** To ask the Scottish Government whether it has a programme in place to obtain updated independent advice regarding current and future container capacity.

(S4W-16914)

**Keith Brown:** No. It is for the ports industry to respond to anticipated demand based on market conditions and commercial considerations.

**Angus MacDonald (Falkirk East) (Scottish National Party):** To ask the Scottish Government whether it plans to introduce a harbour revision order to consent development of a container terminal at Rosyth before (a) an environmental impact assessment into the project has been completed and (b) the appropriate assessment is undertaken.

(S4W-16915)

**Keith Brown:** The harbour revision order to authorise the Rosyth international container terminal is already before Parliament and an environmental impact assessment has been carried out by the applicant and an appropriate assessment of the landward elements has been carried out by Scottish Ministers. Further assessment of marine elements will be carried out by Marine Scotland when considering an application for a marine licence, without which the project may not proceed.

**Angus MacDonald (Falkirk East) (Scottish National Party):** To ask the Scottish Government what the container handling capacity is of the proposed Rosyth international container terminal and how it compares with the capacity at other ports.

(S4W-16916)

**Keith Brown:** Babcock's projection of freight through the proposed facility was between 100,000 and 578,000 twenty foot equivalent units (TEU) depending on the level of growth between 2015 and 2025. We do not hold comparative figures for other ports.

**Angus MacDonald (Falkirk East) (Scottish National Party):** To ask the Scottish Government whether it considers that approving a new container terminal without multimodal capability accords with (a) its policy and (b) the principles of sustainable development.

(S4W-16917)

**Keith Brown:** There is already a rail line to Port Babcock Rosyth which provides potential for multimodal operations. The future use of this rail line will be a matter for the operator and shippers.

**Angus MacDonald (Falkirk East) (Scottish National Party):** To ask the Scottish Government whether it has a process in place to ensure delivery of multimodal capability at the proposed Rosyth international container terminal and whether it will publish details of the (a) process and (b) associated timescales.

(S4W-16918)

**Keith Brown:** I refer the member to the answer to question S4W-16917 on 10 September 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/Apps2/Business/PQA/Default.aspx>.

**Angus MacDonald (Falkirk East) (Scottish National Party):** To ask the Scottish Government whether it has a process in place to ensure a binding requirement on the developers of the proposed Rosyth international container terminal to undertake any mitigation measures identified in the associated environmental impact assessment.

**(S4W-16919)**

**Keith Brown:** The harbour revision order currently before Parliament contains a schedule relating to mitigation measures. The harbour authority must comply with the provisions of that schedule in taking forward the project.

**Angus MacDonald (Falkirk East) (Scottish National Party):** To ask the Scottish Government whether it considers that providing funding for the upgrading of rail facilities in the vicinity of the proposed Rosyth international container terminal to enable the terminal to function multimodally would constitute state aid.

**(S4W-16920)**

**Keith Brown:** There are currently no plans to provide Scottish Government funding for such upgrading works. We would take a view on any potential state aid issue on a case by case basis.

The following questions received holding answers:

S4W-16703

S4W-16708