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Scottish Parliament

Tuesday 20 June 2017

[The Presiding Officer opened the meeting at 14:00]

Time for Reflection

The Presiding Officer (Ken Macintosh): Good afternoon. The first item of business is time for reflection. Our time for reflection leader is Mr Magnus MacFarlane-Barrow, the chief executive and founder of Mary's Meals.

Mr Magnus MacFarlane-Barrow (Mary's Meals): About 20 years ago, I was on a dark street in Colombia with a group, looking for children who were living on the streets so that we could offer them a hot breakfast. We found a little boy of about six years old who was sleeping under some cardboard, and we gave him his breakfast. We began speaking to him, and one of us asked him, "Who's your best friend?" He looked up at us and thought for a little while, then said, "God is." We were taken aback. We knew that that little boy was not going to school and that no one had told him to say that. We asked him, "Why do you say that?" He said, "Because God gives me everything I need."

That little boy did not know where his next meal was coming from and he had seen his friends murdered on the streets, yet he said that with absolute conviction. He evangelised me that day, and, in the years since, as I journey through life proclaiming myself to be a Christian, I sometimes ask myself whether I really believe that God gives me everything that I need in the way that that little boy on the street did.

A few years later, another conversation with a child led to the birth of Mary's Meals, which provides daily meals in places of education for the world's poorest children—now more than 1.2 million children around the world every day. That conversation with the child took place in 2002, in Malawi, where I met a mother who was dying and had six children around her. I began talking to her eldest son, who was called Edward and was 14 years old. At one point, I said to him, "Edward, what are your hopes? What are your ambitions?" He looked at me and said, "I would like to have enough food to eat, and I would like to be able to go to school one day." That was the extent of his ambition at 14. The words that he spoke that day are really what triggered this movement of Mary's Meals, which keeps growing around the world and has a vision that every child in this world might eat at least one good meal every day in their place of education.

The story of Mary's Meals can teach us a few things. It can teach us the importance of listening to children when they speak. It can teach us that any of us can do something to make this world better, no matter what our qualifications—or our lack thereof, in my case. The story of Mary's Meals also tells us that that little boy in Colombia was right when he said that God gives us everything that we need in this world of plenty in which we produce more than enough food for all of us to eat well.

Our vision that every child might eat at least one good meal every day is a vision that burns more brightly than ever, and it is one that I entrust again to God and to our Lord Jesus.

Business Motions

14:04

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-06229, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, which sets out a revised programme for today.

Motion moved,

That the Parliament agrees to the following revisions to the programme of business for—

(a) Tuesday 20 June 2017—

delete

5.00 pm Decision Time

and insert

5.15 pm Decision Time

(b) Wednesday 21 June 2017—

delete

5.00 pm Decision Time

and insert

5.20 pm Decision Time

and (c) Thursday 22 June 2017—

delete

5.00 pm Decision Time

and insert

4.30 pm Decision Time—[*Joe FitzPatrick.*]

Motion agreed to.

The Presiding Officer: The next item of business is consideration of business motion S5M-06189, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, which sets out a timetable for consideration of the Air Departure Tax (Scotland) Bill.

Motion moved,

That the Parliament agrees that, during stage 3 of the Air Departure Tax (Scotland) Bill, debate on the group of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limit indicated, that time limit being calculated from when the stage begins and excluding any periods when other business is under consideration or when a meeting of the Parliament is suspended (other than a suspension following the first division in the stage being called) or otherwise not in progress:

Group 1: 30 minutes.—[*Joe FitzPatrick*]

Motion agreed to.

Oaths

14:05

The Presiding Officer (Ken Macintosh): The next item of business is the taking of the oath by our new members. I first invite Jamie Halcro Johnston to take the oath.

Jamie Halcro Johnston (Highlands and Islands) (Con): I, Jamie Halcro Johnston, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors, according to law, so help me God. [*Applause.*]

The Presiding Officer: I now invite Thomas Mason to take the oath.

Tom Mason (North East Scotland) (Con): I, Thomas Gee Mason, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors, according to law, so help me God. [*Applause.*]

Topical Question Time

14:07

Residential Tower Blocks and Public Buildings (Fire Safety Checks)

1. **Jackie Baillie (Dumbarton) (Lab):** To ask the Scottish Government what checks have been undertaken on residential tower blocks and new public buildings, including schools, in light of the recent tragic event at Grenfell tower. (S5T-00595)

The Cabinet Secretary for Communities, Social Security and Equalities (Angela Constance): The Scottish Government took immediate action following the tragic fire at Grenfell tower to ensure the safety of residents who live in tower blocks. The Minister for Housing and Local Government raised the issue with local authorities on Thursday last week and wrote to them later the same day to seek information on high-rise domestic buildings in their areas, whether any remedial works—including overcladding—had been undertaken on them and, if so, the material and construction techniques that were used. I expect to have that information collated today, and indeed I have some of the information. If the cladding system is of the type that is understood to have been used at Grenfell, it is unlikely to meet current Scottish building regulations guidance.

Furthermore, the Scottish Fire and Rescue Service is working with local authorities and housing associations to ensure the safety of residents in high-rises. The Scottish Fire and Rescue Service has already prioritised requests for home fire safety visits from residents of high-rise flats. The service has also confirmed that its quarterly visits of all high-rise domestic buildings are up to date. Those visits are conducted to help familiarise local fire crews with the firefighting facilities, access and layout of such buildings.

New buildings are covered by the Scottish building regulations, which include the requirement from 2005 to fit automatic fire suppression systems—otherwise known as sprinklers—to residential care facilities, enclosed shopping centres and high-risk areas within hospitals. From 2010 they are in new schools.

The ministerial working group has just completed its first meeting, and we have undertaken to examine what proactive preventative measures we can take to ensure that our buildings are as safe as possible and as practical. The initial focus of the working group will be on high-rise domestic buildings. The group will also consider other buildings, such as schools and hospitals, using a risk-based approach that is

informed by emerging evidence and intelligence from the United Kingdom Government and our local authorities.

Jackie Baillie: I very much welcome the Government's announcement of a review and the action that it has taken so far. In particular, I welcome the fact that it is looking at widening the scope of the review to include schools and other public buildings.

The cabinet secretary will be aware that West Dunbartonshire Council has not carried out a full fire risk inspection of its high-rise blocks for seven years, whereas other local authorities carry out such inspections annually. Given that there is an inconsistent approach across Scotland, what is the frequency with which the cabinet secretary would expect local authorities to undertake such inspections? Will she issue national guidance to that effect?

Angela Constance: I appreciate the question. Although fire regulations and building standards are matters for local authorities, one of the reasons for the establishment of the ministerial working group is to enable us to cast a fair and critical eye over not just fire safety regulations and building standards but all regulations or regulatory frameworks as appropriate.

When it comes to fire safety standards and building regulations, Scotland compares well with other countries, but we do not for a minute want to be complacent. We want to take a fresh look at all this and be led by the evidence. We will, of course, keep Parliament duly informed at each and every step of the way. I will not rush to immediate conclusions, and we will certainly take on the specific concerns that Jackie Baillie has raised. However, we are determined to give the work of the ministerial short-life working group a bit of momentum and to progress it at pace, and I undertake to keep Parliament fully informed.

Jackie Baillie: It was helpful to hear that the cabinet secretary's mind is not closed to members' suggestions.

I understand that the Scottish Government issued a letter to all local authorities in November 2013 in which it recategorised certain systems as fire compliant in the building standards regulations. That may have been entirely appropriate but, in this case, the council contractor in West Dunbartonshire had apparently halted work over an issue relating to the external wall insulation systems that prompted the change in question. Will the cabinet secretary publish all the information on the matter to provide reassurance to my constituents? How often are the technical aspects of building standards regulations changed in that way?

Angela Constance: I want to reassure Jackie Baillie by saying that we will indeed publish information that Parliament and members request. We want to be in the business of providing transparency and reassurance.

Building standards regulations are reviewed regularly. In my discussions with building standards professionals in the Scottish Government, they were able to recount to me the responses that they have made over a number of years to specific events and specific fires. For example, when there was a tragic fire in Irvine in 1999, that led to a revisiting of regulations, which meant that all cladding that was used in high-rise dwellings had to be non-combustible.

As far as the specific issue in West Dunbartonshire and the events that were reported in the press at the weekend are concerned, I categorically state that it is absolutely wrong to suggest that there was any watering down of regulations. The report in the Sunday press relates to a clarification of building regulations that was made in 2013 in relation to the classification of external wall cladding on houses where the wall is not more than 1m from the boundary. We are talking about an extremely robust standard for low-rise houses that does not apply to flats of any type at any height. Therefore, there is no comparison to be made between the events at Grenfell tower and the minor change in guidance on houses that was made in 2013.

The Presiding Officer (Ken Macintosh): Understandably, there is a lot of interest from members in this issue. I am not sure that I will get everyone in, but we will start with Clare Adamson.

Clare Adamson (Motherwell and Wishaw) (SNP): As convener of the cross-party group on accident prevention and safety awareness, I have seen a number of demonstrations of new technologies that help with fire prevention and fire suppression. How will the ministerial working group ensure that the most up-to-date emerging technologies are included in order to future proof any recommendations as we move towards smart cities?

Angela Constance: I will make two quick points on Ms Adamson's question. First and foremost, the Scottish Fire and Rescue Service is in the concluding stages of commissioning joint research with the Building Research Establishment, which is based in Watford, and the Fire Industry Association to investigate the use of new technologies to prevent fire fatalities and injuries or, indeed, information about new technologies that would reduce harm. That academic research will include investigation of new technologies, such as fire suppression systems and sprinkler systems.

The Scottish Fire and Rescue Service headquarters and firefighting training camp at Cambuslang is home to the safety house facility. That state-of-the-art house demonstrates and showcases various aspects of fire safety in the home, including the use of technologies such as smoke detectors and fire suppression devices.

I know that the member has a long-standing history of concern about fire safety issues and that she has campaigned on those matters. I am aware that, later this week, she will meet the Minister for Local Government and Housing.

On the other aspect of Ms Adamson's question, the ministerial working group will use all available information to make informed considerations.

It is appropriate for me to inform the chamber about the follow-up request to local authorities that had intimated that they have high-rise blocks of more than 18m high. Yesterday, the housing minister asked them specific questions on cladding and whether they had cladding made from aluminium composite material. I am pleased to report that all 18 local authorities that had initially replied that they have such high-rise dwellings have come back and said that none of their cladding is made from that material.

Graham Simpson (Central Scotland) (Con): The Local Government and Communities Committee is doing an inquiry into building regulations. We have heard that, across the country, only cursory checks are carried out on whether building work is done to standard. That applies to new-build homes, as well as to public buildings, including schools. We will come up with recommendations, and we hope to hold a parliamentary debate, but does the minister agree with me that, in light of the Grenfell disaster, the regime needs to be improved quickly?

Angela Constance: I reiterate my earlier point that our building standards regulatory framework compares well with those elsewhere in the UK, but not for a minute will the Government be complacent. We have a system of building standards in which building officers have specific duties; there is also the building warrants process. One of the Minister for Local Government and Housing's initiatives is to introduce fees on building standards so that we can invest in our building standards system, ensuring that it remains fit for purpose and that we do not for a minute rest on our laurels.

I appreciate the member's interest, and I appreciate that the Local Government and Communities Committee will want to pursue this and other related matters thoroughly. On behalf of the Government, I welcome that interest.

Alison Johnstone (Lothian) (Green): I thank the Government for its action, and I look forward to

hearing back from the ministerial working group about what action has been taken.

Edinburgh residents who do not have sprinkler systems in older homes, of which there are many in the city and across Scotland, have raised those concerns with me. I know that they are also raising their concerns directly with the Scottish Fire and Rescue Service. What is the Government doing to ensure that the fire service has the capacity and the resources to answer and to deal with the greater number of queries that it is receiving at the moment?

Angela Constance: Ms Johnstone's question is very apposite; that is one of the matters that we discussed at the ministerial working group less than an hour ago.

The Scottish Fire and Rescue Service is currently doing great, proactive work to provide reassurance to people who live in high-rise dwellings. We are looking carefully at how we can support the service to maintain its work. Given the tragic event at Grenfell tower, and given that it will take some time to understand its causes and work through the action that we must take, we must ensure that the Scottish Fire and Rescue Service is able to continue its proactive work. I am pleased to advise members that, in the past week, the service has undertaken 200 visits to people who live in high-rise flats, to reassure them and to issue good, sound fire safety advice.

The member asked about sprinklers. The ministerial working group, with momentum and pace, will want to look thoroughly at all fire safety matters and all technology that has a role to play in reducing risk, as I said to Ms Adamson. We have to be in the business of preventing tragedy. That means that we will of course look at some of the broader issues to do with sprinkler systems.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I commend social housing providers for their swift work to engage, inform, update and reassure tenants and residents. However, following discussions that I have had with ng homes, which is a key housing provider in north Glasgow, it has agreed to go further and establish a tenant scrutiny panel on fire safety, with membership drawn from people who live in the many high-rises in the organisation's housing stock. Does the cabinet secretary agree that the establishment of such a panel will help to empower concerned residents and provide for a longer-term and strategic local approach to fire safety? Does she think that other social housing providers would do well to consider similar models of tenant and resident engagement and empowerment?

Angela Constance: I agree. There are currently 460 registered tenant organisations in Scotland,

which are an established and effective way of enabling landlords and tenants to work together on any issue of concern to tenants, including safety matters. I suggest that landlords and tenants use such organisations as a forum in which to discuss specific concerns about fire safety and that landlords use them to explain to tenants the proactive steps that they are taking to deal with concerns—I know that many local authorities and registered social landlords are taking proactive steps to reassure tenants. That is one of the reasons why the ministerial working group will consider all matters of relevance and not just matters that are strictly associated with fire safety regulations or building standards.

The Presiding Officer: I apologise to members whom I could not squeeze in.

Engagement with Muslim Community and Mosque Safety

2. James Dornan (Glasgow Cathcart) (SNP): To ask the Scottish Government what engagement it undertakes with Scotland's Muslim community, and whether it will take steps to ensure the safety of mosques in the wake of the latest attack in London. (S5T-00605)

The Cabinet Secretary for Justice (Michael Matheson): I am sure that I speak for the whole Parliament when I say that our thoughts are with everyone who was caught up in the most recent attack in London. The First Minister chaired a meeting of the Scottish Government resilience committee yesterday, to ensure that we are closely monitoring the situation.

There is no intelligence of a specific threat in Scotland, but Police Scotland has actively reviewed all safety and security plans at Scotland's mosques, which involves ensuring that our armed policing and specialist resources are appropriately deployed.

The Scottish Government has strong, well-established relationships with our Muslim communities and we have been in regular contact to provide reassurance and to understand where there might be tensions. We will not tolerate any attempt to target any community, by any misguided individual or group. Police Scotland continues to monitor hate crime closely and we encourage anyone who has been the victim of or a witness to hate crime to contact the police and report the incident.

James Dornan: During this holy month of Ramadan, Muslim families and communities across Scotland are meeting late in the evening to break their fast and join in worship. Has consideration been given to providing special protection around mosques at such times, to ensure that our friends in Scotland's Muslim

community feel safe and secure as they express their faith and go about their lives?

Michael Matheson: As I mentioned, Police Scotland has reviewed security and policing arrangements around all of Scotland's mosques, and is applying resources in a way that it sees as proportionate and appropriate, given the nature of the threat that has been experienced following the incident in London.

I can assure the member that those arrangements also give consideration to the key times during the day when there are larger numbers of people at Scotland's mosques, including at the time of breaking fast and of joining in prayer in the evening. Police Scotland will continue to keep that under review and will continue to engage with mosques directly to ensure that they are content with the additional security measures that have been put in place. The situation will continue to be monitored in the weeks and days ahead.

James Dornan: Last Thursday, I broke the fast when I chaired a constructive meeting in Cathcart old parish church in my constituency, with Sunni and Shia Muslims as well as representatives of Christian denominations. That gathering illustrated perfectly that people of a diversity of faiths across our nation share the ambition to build stronger communities and live peacefully together. What is the Scottish Government doing in schools, and more generally throughout Scotland, to foster tolerance and respect and to end prejudice, discrimination and hate?

Michael Matheson: The event that Mr Dornan hosted just last week demonstrates that what unites us is greater than what divides us as a society. As a Government, we recognise the importance of having strong, resilient, supportive communities. Last week, the Cabinet Secretary for Communities, Social Security and Equalities made a statement in this Parliament setting out our ambitious plan to take action to effectively tackle hate crime and prejudice in Scottish society and, importantly, to create greater community cohesion. That includes steps to progress relationships and behaviours, working in schools, and establishing a refreshed anti-bullying guidance programme. It is all about making sure that we address attitudes at an early stage, and schools and our education system will have a key part to play in helping to support that work. The Government will continue to take forward that work with our partners in local authorities in the months ahead.

Policing 2026

14:27

The Presiding Officer (Ken Macintosh): Our next item of business is a statement by the Cabinet Secretary for Justice on policing 2026. The cabinet secretary will take questions at the end of his statement. If members wish to ask a question, I encourage them to press their request-to-speak buttons as soon as possible.

The Cabinet Secretary for Justice (Michael Matheson): When the Scottish Police Authority and Police Scotland launched the consultation on their 10-year policing 2026 strategy, I committed to update Parliament following the consultation and once the revised 10-year strategy had been submitted to me for approval. The final strategy was laid before the Parliament earlier today. This is the first time that a 10-year strategy has been developed for policing in Scotland. It was finalised following wide-ranging consultation and engagement, in which strong support was demonstrated for the key elements of the strategy. I am happy to endorse the vision that is set out in policing 2026.

The merger of 10 police organisations into a single police service has not been without its challenges, but through the commitment and professionalism of officers and staff much has been achieved. Savings have been realised, allowing resources to be focused on service delivery. Public confidence in the police remains strong and recorded crime is at a 42-year low. Her Majesty's chief inspector of constabulary, Derek Penman, recognised in his most recent annual report that Police Scotland is better prepared than its legacy forces to meet the operational challenges ahead.

The past few weeks have underlined the changing nature of the threats that we ask our police service to address. We experienced a global cyberattack on 21 May, and we have seen cowardly terrorist attacks on the streets of London and on children and young people at a pop concert in Manchester. Police forces and their emergency services colleagues across the United Kingdom respond heroically in the face of those attacks and we all appreciate their work.

The single police service has strengthened access to specialist policing capabilities, including firearm capabilities, across Scotland's communities. That, coupled with the decision to increase the number of firearms officers in Scotland, has ensured that Scotland is well prepared to respond. Over the past few weeks, Police Scotland has provided assurances that it is fully supported to lead our fight against terrorism.

However, we will continue to keep that under constant review.

It is by interacting with communities and being trusted by them that we will prevent further attacks from taking place. I welcome the emphasis in the strategy on strengthening Police Scotland's cybercapability and capacity, including recruiting more civilian cyberspecialists to counter the threat posed by cyberattacks such as the one that we saw in May.

The strategic police priorities capture the public's expectations of our police service. To deliver on those, the strategy focuses on five key areas: protection, prevention, communities, knowledge and innovation. Police Scotland is a national service, but policing is delivered locally. I welcome the commitment in the strategy to building on Police Scotland's already strong community relations. I believe that those strong community links and the increase in front-line policing capacity to be delivered by the strategy will further improve public confidence in the police.

The strategy also recognises that demands in policing are increasingly focused on addressing issues of vulnerability. Police Scotland is one of the first police services in the UK to implement mandatory mental health and suicide intervention training for all officers up to and including the rank of inspector. As part of policing 2026 implementation, Police Scotland will change how vulnerability is assessed at first contact and beyond, enabling the police service and its partners to respond in a way that best meets the needs of vulnerable service users. That complements the ambition in the Scottish Government's 10-year mental health strategy. We have committed to increasing the mental health workforce in key areas, including working within Police Scotland, with additional investment of £35 million over the next five years for 800 extra workers. Those are the commitments of a Government and a police service that see the police as a vital, trusted and reassuring cornerstone of our society.

I welcome Police Scotland's commitment to maintain officer numbers in 2017-18 for the seventh year in a row since we met our target of 1,000 extra police officers in 2011. In the policing 2026 strategy, the chief constable has made his assessment of the shape of the workforce and the skills that are needed to meet future demands. He proposes a workforce model that will increase operational policing capacity and capability by freeing up officers from support work and recruiting more expert police staff to tackle new threats such as online fraud and cyberattacks. His conclusion is that that will allow Police Scotland to slow the recruitment of police officers in the longer term while continuing to improve the service to the

public and building the capability and flexibility that are needed to respond to our changing society.

However, I am absolutely clear that a decision to slow police officer recruitment must not be taken until there is evidence that the planned increase in operational policing capacity has been delivered. I have asked HMICS, Derek Penman, to work with the Scottish Police Authority and Police Scotland to develop a robust methodology to supply that evidence and provide strong scrutiny and assurance around the delivery of increased operational capacity. Police Scotland and the SPA must demonstrate that additional capacity is being delivered before police officer recruitment is slowed. The chief constable will continue to review Police Scotland's capacity and capability in the context of any new and emerging threats.

The plans that Police Scotland has set out up to 2019-20 show that the number of police officers will remain well above the number that we inherited in 2007. I remain strongly committed to that. Any proposals beyond three years must be subject to full consultation when Police Scotland refreshes its strategy for 2020 onwards.

Policing 2026 is clear that the SPA and Police Scotland are working to a three-year plan to deliver financial sustainability. To support Police Scotland's work, the Government has committed to protecting the police resource budget in real terms in every year of this parliamentary session—that is a boost of £100 million by 2021—and we have committed a further £61 million in 2017-18 to support the delivery of policing 2026. I continue to press the UK Government to address the glaring VAT disparity that has already cost Scotland's police and fire services £140 million—that figure could increase to a total of £280 million by the end of the session.

The 2026 programme is ambitious and challenging. Clear governance and the SPA's effectiveness in supporting and holding Police Scotland to account for delivery will be crucial to its success. Decision making must be open and transparent, with service improvement driven through collaboration with partners, communities, officers and staff.

As Cabinet Secretary for Justice, I will take a close interest in how the strategy is being delivered. Over the next couple of months, I expect the Scottish Police Authority and Police Scotland to develop robust implementation and financial plans that demonstrate how they will work towards a sustainable and effective service that delivers the ambitions in policing 2026.

I know that the public and Parliament expect strong governance and accountability in policing. The SPA and HMICS must work together to play a vital role in the oversight of implementation, and

particularly in providing additional assurance that the increase in operational capacity is being delivered and that it is delivering improvements.

I end by talking about the police officers and staff throughout Scotland who protect us all. We ask many of those men and women to take risks and do things that few of us would have the courage to do. The strategy is focused on making their jobs more rewarding and allowing them to better use their time in protecting the public and strengthening our communities. Police Scotland and the SPA must work hand in hand with their workforces and representatives to support and energise them to realise that change.

Margaret Mitchell (Central Scotland) (Con): I thank the cabinet secretary for early sight of his statement.

The police are the service of first and last resort. However, it is stated on page 22 of "Policing 2026: Our 10 year strategy for policing in Scotland" that

"Crime figures are not an accurate measure of demand: Only 1 in 5 incidents attended by police result in a crime being recorded ... Considering recorded crime in isolation is therefore not an accurate measure of demand on policing services."

What is the cabinet secretary doing to ensure more accurate recording of the demands on police time? How can the police numbers that are required to cope with that demand be decided without that accurate data? What impact will the failed i6 project have on the 2026 strategy?

Michael Matheson: On Margaret Mitchell's latter point, the i6 project predated the 2026 strategy, so it had already been taken into account in the new strategy.

On demand, the member will acknowledge that recorded crime demonstrates only incidents that have been recorded as crimes. About 80 per cent of the almost 3 million calls that Police Scotland receives each year do not relate to crimes; a large number of them deal with issues including vulnerability. As is set out in the 2026 strategy, Police Scotland intends to change the way in which it assesses vulnerability, with the introduction of the THRIVE—threat, harm, risk, investigation, vulnerability and engagement—system, which will more effectively assess an individual's vulnerability in order to ensure that they receive an appropriate response to their needs. The chief constable believes that he needs to adapt the workforce to reflect the changing demands on the service, including demand relating to different types of crimes. For example, the organisation requires a specific skill set to deal effectively with the increasing number of cybercrime cases.

Margaret Mitchell will be aware that we are—as I said in my statement—providing additional

resources for mental health, some of which will go to Police Scotland so that it can base mental health staff in its contact, command and control centres to support staff on the ground and ensure that any individual who is being dealt with by those staff gets the most appropriate response.

Margaret Mitchell has raised an important issue about demand on the service, which highlights exactly why we need to adapt Police Scotland's workforce and ensure that the necessary skills exist to support the police in their job, and that the systems are in place to help the police to meet the needs of individuals who present as vulnerable. That is exactly at the heart of the 2026 strategy.

Claire Baker (Mid Scotland and Fife) (Lab): I thank the cabinet secretary for an advance copy of the statement.

It is disappointing that the cabinet secretary has not made time for a statement about the SPA. It is not possible to deliver this ambitious strategy for policing without a functioning SPA that commands public confidence, so it is vital that the situation in the SPA be resolved. I welcome the publication of the strategy and I thank the dedicated officers and staff who serve in our police force across the country.

In order to achieve transformation, Police Scotland must plug the black hole that is at the heart of its financial budget. Is the cabinet secretary confident that the strategy will achieve that, or will we be faced with another critical Audit Scotland report?

Many of the difficulties that are experienced by Police Scotland sit at the door of a Scottish National Party Government that ties itself to a policy of having extra police officers, but it does not properly fund that policy, which has led to support staff being cut and officers backfilling roles. The chief constable has presented a plan to address that. The cabinet secretary says that no decision will be taken regarding recruitment unless there is a planned increase in operational policing capacity. Considering the financial difficulties that are facing the police, how does he expect that to be possible?

Michael Matheson: Claire Baker raises an important issue about transformation. A key part of what is at the heart of the 2026 strategy is the transformation of Police Scotland and, in particular, its corporate functions, to ensure that they more effectively support front-line police officers. One of the real challenges of amalgamating eight forces into one has been in ensuring that a single system operates right across the country. That is the very reason why we have increased funding of the police reform budget this year to £61 million to support that transformational work. As the member will see in

the strategy, that work is about releasing additional capacity that is presently held up in the corporate side of the organisation, in order that it can focus that capacity much more on front-line resources. The way in which the service is configured at present is holding up resource that could be better deployed in other parts of the organisation. That is at the very heart of the strategy.

The strategy sets out the broader approach that Police Scotland will be taking forward. As I mentioned in my statement, the SPA, along with Police Scotland, will now engage with key stakeholders on the implementation plan, and on the financial plan that goes alongside the 2026 strategy. That will be absolutely key to ensuring that what is set out in the strategy is delivered. That is exactly why they are working to a three-year programme, which is about delivering financial sustainability and transformation within the organisation. Over the coming months, the financial plan and implementation plan will allow key stakeholders to express their view on how they will go about achieving the strategy over the next three years.

Rona Mackay (Strathkelvin and Bearsden) (SNP): Does the cabinet secretary agree that Police Scotland must be able to adapt, as it sees necessary, to the changing nature of crime that it faces in today's world?

Michael Matheson: No member in the chamber will be in any doubt about the changing nature of the crime that our police service faces. There are challenges such as the increasing threat of cybercrime and online fraud, as well as the recent terrorist attacks in London and Manchester, so it is absolutely crucial that Police Scotland has the resources, capacity and capability to meet those challenges head on. That is why the policing 2026 strategy has been developed.

The strategy is the first 10-year strategy for policing in Scotland. It is challenging to imagine what the situation will be like in 10 years, but we can, nevertheless, ensure that we build on the key strengths that exist in Police Scotland so that we can address the existing, new and emerging threats as they develop in the months and years ahead.

Oliver Mundell (Dumfriesshire) (Con): I welcome the cabinet secretary's assurances on police numbers, and I hope that he agrees that a baseline level of officers is required in rural communities to ensure safe coverage and provision, which should not just be based on the number of crimes that are committed. I hope that, as we look to build capacity, there is not a disproportionate drop in officer numbers in rural communities.

Michael Matheson: I recognise the important issue that Oliver Mundell has raised, but he will recognise that it is an operational matter for the chief constable, working in conjunction with local commanders, to determine the level of policing that is delivered in a particular command area.

However, that is an important issue. In large geographical areas, it can take an extended time for officers to respond to an incident, which can stretch their capacity. It is important that the model that is used by the service recognises the challenges in rural areas. If the member compares the draft strategy with the final version, he might be interested to note that one of the key areas that has been addressed is the rural aspect of policing, in order to ensure that it continues to be strengthened and to be a key part of the 2026 programme of work.

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I draw members' attention to the fact that I have a close family member who is a police constable.

Is the cabinet secretary aware that section 41 of the Value Added Tax Act 1994 empowers the Treasury

"Where VAT is chargeable on the supply of goods or services to a Government department"

to direct the commissioners to refund VAT? On 1 April 2015 in England, such a direction was made to allow the Highways Agency to retrieve its VAT, and the introduction of academy schools has led to a similar effect. Is not it time that the Treasury was fair to Scottish interests and allowed us to regain the VAT that we have paid on our police force?

Michael Matheson: Stewart Stevenson has raised an important point. As I mentioned in my statement, the cost of not being able to reclaim VAT for our police and fire services in Scotland has been £140 million so far and could, by the end of this parliamentary session, be almost double that figure.

I know that many members will say that we were warned about that when we created Police Scotland: I do not reject that argument. However, I reject the idea that the Treasury does not have the power to give a VAT exemption to, or the ability to return VAT to, Police Scotland and the Scottish Fire and Rescue Service.

As Stewart Stevenson made reference to, and as I have made reference to on a number of occasions in the chamber, the Treasury has, when it has suited it to do so, allowed a national organisation to reclaim VAT. However, for some reason, when it comes to Scotland's key emergency services, the Conservative UK Government refuses to do the same. It will be

telling if the new Scottish Conservative MPs in Westminster continue to vote against the Scottish police and fire services being allowed to reclaim VAT. That is unacceptable, so it is about time that Conservative members stood up for Scotland's police and fire services.

John Finnie (Highlands and Islands) (Green): Will the cabinet secretary help me to understand the relationship between operational policing and political control?

I thank the cabinet secretary for early sight of his statement. In it, he rightly talked about asking HMICS to work with the SPA and Police Scotland to “develop a robust methodology” to supply evidence and to provide “strong scrutiny and assurance” around delivery of increased operational capacity. He also talked about expectations about the development of implementation plans, and he said that there is a sufficiency of resource that he will keep under constant review.

What is the mechanism for parliamentarians in this chamber to shape policy on the deployment of armed officers? In particular, how can we shape a situation in which any de-escalation of threat out there is mirrored by a removal of firearms from police officers and their return to the armoury?

Michael Matheson: John Finnie will recognise that decisions about the deployment of firearms officers are an operational matter for the chief constable. Last year, I made a statement to Parliament about increasing the firearms capability in Police Scotland because there was going to be a breach of the 2 per cent threshold that had been given as an undertaking by the previous chief constable. He said that, if the number of firearms officers were to increase beyond 2 per cent of the force, he would raise the matter for the Parliament and the Government to consider. The increase last year was going to take us beyond that 2 per cent threshold, which is why I made that statement.

John Finnie will recall that, in my statement, I made it clear that any decision to change the mode in which firearms officers were being deployed would require wide consultation with key stakeholders including the Government and the Parliament. He will recognise that, at the moment, firearms officers are used for firearms incidents or where there is a threat to life. If that was to change, the issue would have to be considered through an open consultation and engagement programme with Police Scotland and key stakeholders, including the Parliament and the Government, so that we would have an opportunity to express our views on the matter. I am conscious that there are those who are pressing for change in the area for a number of reasons. If there is to be a debate on the matter,

everyone should have the opportunity to express their views in it.

The Presiding Officer: I will try to squeeze some more questions in. I ask members to be as brief as possible.

Liam McArthur (Orkney Islands) (LD): I thank the cabinet secretary for early sight of his statement, and I put on record my thanks to officers and staff for the work that they do.

The police consistently tell us that mental health issues are one of the biggest challenges that they face. Given that we expect additional mental health staff to be shared across accident and emergency departments, prisons, general practice surgeries—of which there are around 1,000—and the police, how many of the 800 additional mental health staff who have been referred to by the cabinet secretary are expected to be placed with the national force? What will their role or roles be and when will they become available?

Michael Matheson: Liam McArthur recognises that mental health is a significant issue for the police service, which faces demand as a result of calls to it. A pilot that was run in Glasgow in conjunction with NHS Greater Glasgow and Clyde allowed officers to use a mental health out-of-hours service to approach mental health workers for advice when they were working with individuals who had come into contact with the police, with a view to reducing the number of individuals who were taken into custody. That pilot was very successful and it continues to run in the Glasgow area. The police are looking to roll it out in the Lothians area as well.

The pilot did not require mental health workers to be deployed with the police; it used existing arrangements much more effectively to address such issues. We are considering the deployment of mental health workers in contact, command and control centres to advise those who have taken a call and those who are deploying resources to communicate directly with and give advice to staff and officers on the ground and to make links to other external agencies as and when that is appropriate. The number of people involved is still to be finalised, but the idea is to reduce the need for individuals with mental health problems to end up in custody. It is about making sure that the resource is deployed on the right side of the gate, before someone ends up in custody. It will involve deploying staff in contact, command and control centres, but they may also be deployed at custody centres, where individuals come into custody. The scale and nature of the deployment is still to be determined, but there is a clear determination to make sure that it happens, because we know from the Glasgow pilot that it works effectively in reducing the need for individuals with mental health problems to go into custody.

John Mason (Glasgow Shettleston) (SNP): Relationships between communities and local police are important to my constituents and, I think, to others, especially if there can be continuity with the police. Does the cabinet secretary feel that the new strategy will impact on those local relationships?

Michael Matheson: Local policing is key to the success of policing overall. It is key even to the sophisticated capabilities of Police Scotland to deal with major issues such as terrorism. Preventing such things from happening in the first place is about having strong, resilient and cohesive communities alongside trusted police who are part of those communities. That is at the heart of the 2026 strategy.

Local policing will be strengthened as a result of the strategy, which is about improving the police's capacity and capability to undertake that engagement work. That will ensure that the strong links that the police have with communities are built on and developed in the future. We can see that from the SPA's annual review. Local authorities are feeding back, and strong partnerships exist already. The 2026 strategy is about building on that work and putting local policing at the heart of our policing model.

Monica Lennon (Central Scotland) (Lab): I welcome the commitment that underpins the strategy by emphasising the importance of strong community policing. However, today's statement made no mention of the on-going estates review and the role of police stations throughout the country. I know that the future of local stations in Hamilton, Larkhall and Shotts, in my region, is under scrutiny. Without a firm commitment that local police stations will not be subject to closure, how can we be sure that strong community policing will continue to be delivered until 2026?

Michael Matheson: As I have said in the chamber previously, our police estate has developed over the course of the past 100 years. We need to make sure that it is fit for purpose and that it can support the delivery of local policing.

The member might be aware that, in many areas where the estate is being reviewed, that is being done with a view to the police either staying in a facility and bringing in other partners to support them or moving to another facility in the local area so that they can work in partnership with other agencies. That is key to ensuring that we are delivering effective local policing. It is important that we are in those partnerships, and that is a key part of the estates strategy.

I have also made it clear that local commanders will have a say in determining which areas of the estate are to be changed. If there is a decision to be made about a local police station, it will be a

matter for the local commander to refer it through the chain of command for it to be considered with the oversight of the SPA. That partnership is key and is at the heart of the 2026 strategy. That is why part of the estates review is about building on that and establishing effective partnerships that deliver better outcomes for local communities by delivering the important local policing that the member referred to.

Gordon Lindhurst (Lothian) (Con): The cabinet secretary has referred to the unfortunate necessity of putting more resources into fighting terrorism and cybercrime, which bring their own administrative work and challenges for the police force. We have also seen a recent increase in violent crime.

People not just in rural communities but in cities such as Edinburgh are concerned about police response times. How can local people be assured that sufficient resources are available to the police, so that they can sleep safely in their beds? Many are so concerned that they cannot.

Michael Matheson: If there is an issue with response times in relation to incidents in a particular command area, the member should take it up directly with the local commander.

As the Government has shown in our commitment to policing, during the next parliamentary term we will give real-terms protection to the police budget, which will allow us to invest an extra £100 million in the police service. Alongside that is the additional £61 million that will be delivered in this year's police reform budget to support the important work to improve capability and capacity that has been set out in the 2026 strategy. That is absolutely key to the strategy, as the chief constable has set out.

The aim is to improve the police's operational capability and capacity to meet the needs of local communities, to reflect the changing demands that they face and to work with other partners to manage demand much more effectively—demand that ends up coming to the police but that should be met by another organisation or service. We have to release that capacity so that policing matters can be dealt with much more effectively.

Those issues are at the heart of the strategy. If the member has a particular concern about response times in his region, I encourage him to discuss that with the local commander and see how it can be addressed.

The Presiding Officer: Fulton MacGregor is next. Be very brief indeed, please.

Fulton MacGregor (Coatbridge and Chryston) (SNP): Will the cabinet secretary provide details of how police officer numbers in

Scotland compare with police officer numbers in England and Wales?

Michael Matheson: Unlike the picture in England and Wales, since 2007 police numbers in Scotland have been increasing. In England and Wales, police numbers have decreased by almost 20,000. We believe that policing is a key part of supporting our communities and keeping them safe and, as a Government, we will continue to pursue policies that deliver that.

The Presiding Officer: I apologise to those members who did not get to ask a question.

Crofting Commission

The Deputy Presiding Officer (Christine Grahame): The next item of business is a statement by Fergus Ewing on the next steps for the Crofting Commission. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

15:01

The Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing): Crofting occupies a unique place in the cultural heritage of Scotland. It is woven into our history—our story of who we are—with a powerful and often poignant resonance. However, we must not allow crofting to be simply a relic of our past: crofting must have a purpose and a role in our present and our future.

That purpose, in the Government's view, is to support people to remain on the land and to bring people back to the land. The Government's role is to enable and support people so to do, and also to remain there, which will create a sustainable and productive environment in which they can live and work. We must therefore invest in crofting as we traditionally understand it, which means providing crofting with an effective regulatory and statutory framework.

For some crofting communities—and, indeed, the Crofting Commission itself—this past year has been particularly challenging and time will be required to heal the wounds that the communities feel from recent experiences. However, I am pleased to advise Parliament that the commission is now moving on from those testing times and working hard to re-establish its role as an effective regulatory body.

We had a successful set of elections for the Crofting Commission board in March, with 16 candidates coming forward for six commissioner posts. Together with the three commissioners appointed by me, the new board members have spent the past few months learning about and settling into their new roles. Those roles are key to enabling the commission to fulfil its statutory functions and to develop a stable and supportive framework for crofting activity.

I can also announce today the appointment of Mr Rod Mackenzie, the elected commissioner from East Highlands, as the new chair of the Crofting Commission board. He is an active crofter who brings with him great experience and knowledge, not just from crofting but from his business background. Collectively, the commissioners bring a wealth of crofting talent to the Crofting Commission. I wish them well in their new roles and I look forward to engaging with them.

In January of this year, Bill Barron was appointed chief executive of the Crofting Commission. Since then, the chief executive has rightly focused on the need to renew trust in the commission, particularly on the part of stakeholders, and on the functionality of the commission.

In February, I published a review of governance at the commission. I asked for the review to consider specific weaknesses that had become apparent over the past year. The review provided a welcome and timely opportunity to take stock, learn from experiences and examine positives as well as opportunities for improvement.

I can advise Parliament that the commission will today publish its action plan to implement the review findings. That work, which will address three key areas for improvement, is already under way.

First, revised governance arrangements are being developed for the board, to build capacity and confidence among commissioners on the extent and limits of their duties. Secondly, action is being taken internally to improve the systems, procedures and support mechanisms to underpin effective board decision making and collective adherence to those decisions. Finally, and perhaps most importantly, the commission has engaged with stakeholders by consulting on the procedures for managing common grazings. That engagement is contributing to improving relationships between the commission and crofters.

Significant though its role is, the Crofting Commission is not the sole barometer of health in our crofting communities. The Government is committed to investing in and supporting crofting and crofting activities now and in the future. Key to that is enabling more people to live and work on their land. Since 2007 we have approved more than £16 million in grants for croft housing, which has helped to build or improve more than 800 homes for crofters and their families. That demonstrates the importance of access to affordable housing in remote areas. It is vital for the croft house grant to continue to fulfil its intended purpose of enabling people to stay and encouraging others to settle in our island and rural communities. I have therefore increased the budget for that scheme by a further £600,000 in 2017-18, which took the total allocation to £2 million in May this year.

We also provide funding and practical support for crofting. The crofting agricultural grant scheme, known as CAGS, has had more than 3,550 applications since 2010, with a value of £10 million.

We are providing support for new and young crofters through the £2 million new entrant start-up grant for farming and crofting and the £6 million young farmer start-up grant. Crofters can also access a bespoke subscription service provided by the farm advisory service. Furthermore, we have established the crofting cattle improvement scheme, including a £3 million bull stud, which offers subsidised rates for crofters. Each year, more than 100 bulls are hired to more than 80 townships, with approximately 400 beneficiaries.

If we are to encourage and enable more people to enter crofting, we need to offer them a modern statutory framework. We have committed to review crofting law during this parliamentary session to make the legislation more transparent, understandable and workable in practice.

I welcomed the Rural Economy and Connectivity Committee's findings from its crofting inquiry, as discussed in the debate in May. I have not yet formally responded to that report in full. It provides us with much to consider and to explore further with stakeholders regarding how to proceed with a new crofting bill. The issues are complex, and opinions on them, as the committee's report demonstrated, are diverse. There are no straightforward answers, and there may be no quick solution. Compromise may well be required from us all to reach consensus. I will therefore update the committee regularly as we make progress and reach conclusions on its key findings. I believe that such an iterative process will enable us to get the new bill right.

Traditional crofting has a role to play in our ambition for more people to be able to live and work in the Highlands and Islands—our ambition to repeople the Highlands and Islands—but we must maximise the opportunity and potential from a modern approach to crofting. That means enabling different ways of working the land and creating sustainable crofting communities.

Connectivity, especially digital connectivity, is crucial. It enables people in the most remote parts of Scotland to do the same as people in towns and cities. Our investment since 2012 has made a huge difference. In 2012 only a quarter of premises had access to fibre broadband in the Highlands; now, more than three quarters have such access. In Orkney, Shetland and the Western Isles, not a single premises had access; the figures now are 62 per cent, 65 per cent and 50 per cent respectively.

That connectivity enables people to make lives on the land, to diversify to create sustainable livelihoods and to collaborate with neighbours and communities to find common solutions. That approach is as important to supporting crofting more generally as it is to reforming its statutory frameworks.

The Deputy Presiding Officer: The cabinet secretary will take questions on the issues raised in his statement. I will allow around 20 minutes for questions.

Peter Chapman (North East Scotland) (Con): I am grateful to the cabinet secretary for advance sight of his statement. I join him in his welcome to the newly elected commission and I wish the commissioners and their teams all the best as they take forward a programme to improve legislation and governance on crofting and to secure the future of that important part of Scotland's heritage.

Like many rural communities, the crofting community is fragile and needs support and help to move forward with confidence. It is important that the new commission has the confidence of the crofting community and that it works to understand and resolve the many issues, in particular around common grazings, that were an on-going source of concern during the last commission's term.

The cabinet secretary will be as aware as I am of the issues that have recently affected the commission. I believe that it became too hands on in dealing with disputes. To prevent that, does the cabinet secretary agree that the commission should now look to take a more executive function in shaping and leading policy?

Fergus Ewing: I welcome Mr Chapman's remarks and I suspect that they will be echoed across the chamber. It is right and proper that we express our support for the commission in moving away from the difficult times last year. Without going into details, we all recognise that there was a series of unfortunate episodes—not to say confrontations—that existed between the commission and certain townships with regard to common grazings, their regulation and issues there anent. It is up to the commission to take forward those matters.

We must allow the commission to do its job, particularly given the review of its governance that has just been completed and the action plan that it formed today, but I am sure that the chief executive and the new convener will take a close interest in what is said today and the messages conveyed. I support Mr Chapman's view that we all need to move away from the somewhat confrontational and unfortunate episodes that caused huge ructions and personal concern among many individual crofters and communities. That is the right course ahead and, in the newly elected commission and the new convener, we have the right people to take forward that work.

Rhoda Grant (Highlands and Islands) (Lab): I thank the cabinet secretary for prior sight of his statement and I congratulate Rod Mackenzie on his appointment as chair. I also welcome the change in governance arrangements, but I am

concerned about the lack of detail about them in the statement. The problems arose from the 2010 act that changed the commission from the Crofters Commission to the Crofting Commission and moved from a culture of assistance to a culture of regulation. Practice on the ground, and indeed today's statement, show that that has not worked. Will the cabinet secretary now reverse those changes and delegate further powers to grazings committees to enable them to develop their own townships?

Fergus Ewing: I hope that I made it clear that, of the three issues that I highlighted in the governance review, one was to clarify the scope and extent of the duties of individual commissioners. There was an element of dubiety about that, which has now been taken forward following the review and the action plan that was published, I think, today.

Secondly, Rhoda Grant referred to the previous legislation in 2010, and she was right to do so. However, law is words on a page. My view is that the difficulties that arose were not, perhaps, about the law but about various personal issues that I do not want to go into. Now that those are behind us, we have the opportunity in future to let the commission get on with its job, which we all respect and appreciate and want to support in the chamber. I am sure that that is the approach that Rhoda Grant and her colleagues will take.

The Deputy Presiding Officer: I have 10 members who wish to ask questions. I hope to fit them all in, so I ask for questions, rather than statements.

Kate Forbes (Skye, Lochaber and Badenoch) (SNP): How can the Crofting Commission better support active crofting and ensure that crofts are used productively so that, in the words of the cabinet secretary, crofting supports people to remain on the land and brings people back to the land?

Fergus Ewing: That is one of the missions of the Crofting Commission. It wants to work in collaboration with the Scottish Government, with the local authorities in the islands and on the mainland and with Highlands and Islands Enterprise. I absolutely agree that helping people to work actively on crofts, to have access to crofts and to have access to housing on crofts are objectives that we all share.

As I mentioned, our aim is to repeople the Highlands and Islands, and crofting has a key role to play in that regard.

Edward Mountain (Highlands and Islands) (Con): I welcome the cabinet secretary's commitment to a review of crofting law and to a new bill. The Rural Economy and Connectivity Committee was clear about the fact that a

legislative platform that fits the reality of modern crofting practices is needed. Will the cabinet secretary undertake to ensure that there is time to allow new legislation to be scrutinised and enacted before the end of this parliamentary session?

Fergus Ewing: We are committed to legislating within this parliamentary session, so I am happy to provide the member with the assurance that he seeks. That is a commitment to which we are bound. Having said that, as I think that I mentioned in my statement, I am certainly of the view that we need to get this right, and that will take a lot of time and discussion. We have a lot of valuable information, such as the recent report from the committee, the Shucksmith report and what is called the sump report, which is an aggregate collection of the wisdom of some of our expert crofting lawyers about changes that need to be made. However, we also need to consider which route we need to go down. Do we want to go for a fundamental reform, for implementation of the recommendations in the sump, for a consolidation act or for an approach that contains a variety of those options?

It is right that we take time to listen to views, which I think is what Mr Mountain is correctly advocating. Further, I will personally seek to maintain the broad consensual approach that has been brought to this issue in this Parliament, which will help us to get on the right track to complete the task before the end of this parliamentary session.

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I welcome the news that 4,000 crofts are now registered. How will we help communities to ensure that the remaining 14,000 crofts are appropriately registered?

Fergus Ewing: A lot of work has been done and a lot more needs to be done. Since the crofting register commenced, the Government has been working with Registers of Scotland and the Crofting Commission to help crofting communities complete registration of their crofts. Registers of Scotland has engaged with 346 townships in the past year, and continues to promote the benefits of registry. To date, it has held meetings with 18 townships and has supported a further 38 communities. In crofting terms, Registers of Scotland is an activist, although it might not term itself thus.

From my own work in overseeing Registers of Scotland in the previous five years, I know that it brings huge professionalism and enormous commitment to that task. There is a lot of work to be done, but the staff of Registers of Scotland are the right people to be in charge of leading it.

David Stewart (Highlands and Islands) (Lab): Can the cabinet secretary provide more detail on

the proposed support mechanisms that are being put in place to underpin effective board decision making and collective adherence to those decisions?

Fergus Ewing: The primary way in which we sought to provide assistance was by collaboratively agreeing that there should be a review of governance. That review was carried out independently of the Scottish Government and the Crofting Commission. In its report, the review recognised ways in which the decision-making mechanism needs to be improved. I outlined that in general terms and highlighted three particular areas that I think have been recognised as being causative of concern.

Just today, the Crofting Commission has published an action plan that I am sure that Mr Stewart will want to study. I am happy to engage with him and other members about how we take issues forward. However, it is, of course, the prime responsibility of the Crofting Commission to do its job. Under the new leadership, I believe that we can have great confidence that that is exactly what it will do.

John Mason (Glasgow Shettleston) (SNP): It is very encouraging to hear the cabinet secretary express that confidence about the commission. What does he feel are the main challenges that crofting faces in the coming year or so? How does he feel that this chamber, the Rural Economy and Connectivity Committee and he can help them?

Fergus Ewing: Crofters, those who actively work crofts and those who live in crofts are fairly resilient people. They are used to making their own way, making their own lives and taking responsibility for their actions, but they need some support.

The key area that I highlight in response to Mr Mason's question is the LFAS—less favoured area support—scheme. As we know, the LFAS scheme has seen changes under the European Union that we did not support but which will cause a reduction of the overall payment by 20 per cent unless the European Parliament postpones that, which I hope that it does.

We also need to ensure that that support is maintained over the years to come. That is because I am absolutely certain that hill farming in Scotland provides enormous benefit, and farming and crofting counties are recipients of LFA support. Continuance of that support by one means or another and, in the event of Brexit, post-Brexit is absolutely essential to the continuance of active crofting and looking after livestock. To answer Mr Mason's question, that is perhaps the key challenge that active crofters face now.

John Finnie (Highlands and Islands) (Green): I thank the cabinet secretary for his comments on

housing and for the cash for housing. Homelessness and fuel poverty are two issues that blight communities, including crofting communities. Can you encourage the Crofting Commission to maximise opportunities to work with local authorities, registered social landlords and Highlands and Islands Enterprise to improve the number and energy efficiency of houses?

Fergus Ewing: Yes, I think that that is something that I would urge it to do, although I know that lately a lot of work is being done on those matters.

I am quite proud of the fact that under this Government, my predecessors, and now I, have been able to see 800 cases where young people and their families receive a grant—a relatively modest grant in the scheme of things—from the Scottish Government. That is 800 people in the crofting counties. That is re-peopling the Highlands and Islands. I think that that resonates with the kind of message that Mr Finnie and I support and, I suspect, have always supported. “Land for the people” was the cry, I think. We have, for 800 people, turned that cry into a reality.

That is why I have added to the funding to bring it to £2 million this year, thanks to the generosity of my colleague Derek Mackay, who is present in the chamber because of the close interest that he takes in crofting.

Tavish Scott (Shetland Islands) (LD): The cabinet secretary discussed policy earlier. Would he look at two areas? First, the one-size-fits-all crofting regulation needs to change to an approach that is based on the needs of individual crofting counties. Secondly, will he accept the need for whole-croft decrofting? He will understand the importance of that issue across the Highlands and Islands.

Finally, on his point about connections, will he accept that Community Broadband Scotland has failed, after three years, to make a broadband scheme happen in Fair Isle? Will he undertake to look into that matter, as it is of deep concern to the crofters who are affected?

Fergus Ewing: On the last point, I will be happy to get more information from Mr Scott. Certainly I will look into it, and I undertake to do so.

On the first two points, yes, I am absolutely aware that in Shetland there is an approach that is different from the rest of the communities that are covered by the Crofting Commission. The commission should respect that in the work that it does.

I am also acutely aware of the importance of the decrofting process and that it is carried out speedily and efficiently in order to prevent delays in transactions and to speed up the process of

what I have termed today the re-peopling of the Highlands and Islands.

Gail Ross (Caithness, Sutherland and Ross) (SNP): I, too, welcome Mr Rod Mackenzie to his new post.

Is the Crofting Commission accepting applications to decroft from owner-occupiers? What will its position on the issue be?

Fergus Ewing: That is one of the hot topics on which I hope to engage fairly directly with the Crofting Commission in due course. Gail Ross takes a close interest in the matter for her constituents. It is a very important topic. I do not want to prejudge the commission’s approach, but we all want to achieve the same objective of bringing people back on to the land. Therefore, I will be happy to continue to engage with Gail Ross and to pursue that important issue with the commission.

Finlay Carson (Galloway and West Dumfries) (Con): We welcome the cabinet secretary’s aims of enabling different ways of working the land and creating sustainable crofting. Can he shed any light on or provide an example of how he intends to achieve those aims?

Fergus Ewing: We will use a variety of methods to do so. Plainly, the crofting agricultural grant scheme provides very practical support for crofters—in fact, some non-crofters are quite envious of elements of it, as I am sure that Mr Carson is aware. That is one example.

Secondly, I have alluded to the investment that has been made in connectivity in the Highlands and Islands through the contract with BT, which has provided access to many people in island communities who did not hitherto have access. That is a good thing.

Thirdly, I have alluded to the croft house grant scheme, which we have revised to increase quite significantly the level of grants that are provided. It is providing direct benefit to individuals, couples and families to establish a home. I visited some of those people, and I think that the scheme is a very cost-effective way of helping to sustain the crofting communities in general.

Finally, we aim to produce a crofting development plan. Mr Carson’s point about the sustainability of crofting is quite right. As a farming activity, crofting is very marginal. There are very few, if any, crofters whose livelihood—by which I mean their overall earnings—is derived solely from crofting. For most crofters, crofting is a way of life, not a means of ensuring a financial income each year. The crofting development plan will address all those matters.

Maree Todd (Highlands and Islands) (SNP): Does the cabinet secretary agree that it is

essential for the future of crofting in Scotland that any new bill that reforms crofting is a success? Will he provide an assurance that we will take our time to consider what is best for crofting and that we will work closely with the stakeholders, crofters and communities affected as openly as possible throughout the process?

Fergus Ewing: As someone who has been a minister for 10 years, I could observe that it is never particularly difficult for Government to take some time to do things.

That aberrant reflection aside, in this case I think that it is the right approach, precisely because some of the previous legislation on crofting that the Parliament has passed has been criticised on the ground that we have not spent enough time thinking, listening and discussing in an area in which there are diverse views, which in many cases are extremely strongly held. I hope that the view is shared by members across the chamber that the fact that we take our time is not the result of a desire to delay things but comes from a desire to get it right and to introduce a piece of legislation that will take crofting forward for the many decades to come in this century.

Air Departure Tax (Scotland) Bill: Stage 3

15:29

The Deputy Presiding Officer (Christine Grahame): The next item of business is stage 3 of the Air Departure Tax (Scotland) Bill. In dealing with the amendments, members should have the bill as amended at stage 2, which is document SP bill 3A, the marshalled list of amendments, which is SP bill 3A-ML, and the groupings of amendments, which is SP bill 3A-G (Timed).

The division bell will sound and proceedings will be suspended for five minutes before the first division of the afternoon. The voting period on the first division will be 30 seconds. Members who wish to speak in the debate on the group of amendments should press their request-to-speak buttons as soon as possible after I call the group.

Members should now refer to the marshalled list of amendments.

Section 10—Tax bands and rate amounts to be set by regulations

The Deputy Presiding Officer: Group 1 is entitled “Regulations under section 10(1): economic, environmental and social impacts”. Amendment 1, in the name of the Cabinet Secretary for Finance and the Constitution, is grouped with amendments 1A, 1B and 1C.

The Cabinet Secretary for Finance and the Constitution (Derek Mackay): I will speak first to amendment 1. The Scottish Government fully supports and recognises the importance of robust analysis of policies both before and after implementation. With that in mind, I listened carefully to the points that were raised at the Finance and Constitution Committee at stage 2. I also gave a commitment to work to see whether at stage 3 an amendment on impact assessments could be lodged that the Government could support and which retains the spirit of Mr Harvie’s stage 2 amendment. Amendment 1 is the result of that work. It places two duties on Scottish ministers in relation to the power in section 10(1) to define tax bands and to set tax rate amounts in secondary legislation.

The first duty will require Scottish ministers to

“have regard to the projected economic, environmental and social impacts”

when preparing draft secondary legislation on

“tax bands and ... rate amounts.”

The second duty will require Scottish ministers to keep those impacts under review when the tax bands and rate amounts are in force. The

Government considers that amendment 1 is a fair compromise that strikes the right balance between the accountability and the flexibility that are necessary with tax powers.

Amendment 1 will also place in the bill a robust set of requirements that the Government is already on track to meet. First, the Government has commissioned separate independent economic and noise impact assessments of our overall 50 per cent ADT reduction plan. Those reports will be published by the time Parliament is asked to consider the first set of tax bands and rate amounts in the autumn.

Secondly, a strategic environmental assessment is under way. The next step of the SEA will involve the Government publicly consulting over the summer on our overall 50 per cent ADT reduction plan, as well as an environmental report that will outline the findings of the assessment of the plan against a wide range of environmental topics including climate factors, air quality, material assets and biodiversity.

Thirdly, at the same time as the SEA consultations are launched, the Government will publish an updated greenhouse gas emissions impact assessment of our overall 50 per cent ADT reduction plan.

Finally, the Government has asked the contractor undertaking the independent economic assessment, in addition to that analysis being carried out, to consider the best way to design a robust monitoring and evaluation framework so that one can be put in place for assessing the economic, environmental and social impacts of ADT in the future.

I turn to the three amendments that have been lodged by Andy Wightman. The Government does not support them. First, on amendments 1A and 1B, in response to Patrick Harvie's points at stage 2, the amendment that has been lodged by the Government will require Scottish ministers to

"have regard to the ... environmental ... impacts of ... tax bands and tax rate amounts."

That will include consideration of the impact on greenhouse gas emissions. Therefore, the Government does not consider it necessary or appropriate to place in the bill a further duty on Scottish ministers.

Secondly, amendment 1C would restrict the Government's flexibility to respond at short notice to make changes to the tax by requiring that a detailed set of prescriptive assessments be completed every time before secondary legislation for tax bands and rate amounts can be laid before Parliament. The Scottish Parliament did not consider that to be necessary for the other devolved taxes—the land and buildings

transaction tax and the landfill tax—and it is not required for any United Kingdom tax. Neither, in the Government's view, is it necessary for ADT.

The Scottish ministers will, of course,

"have regard to the economic, environmental and social impacts of"

changes to tax bands and rates. Amendment 1, which the Government lodged, will place a duty on the Scottish ministers to do so. However, the Scottish Government thinks that including in the bill a requirement to publish assessments would be overly prescriptive and is not necessary.

I move amendment 1 and invite Parliament to reject amendments 1A, 1B and 1C.

Andy Wightman (Lothian) (Green): The amendments that I lodged are designed to add some policy purpose to air departure tax, to ensure that evidence informs decisions on ADT rates, and to add safeguards in the event of Scottish ministers of any Government wanting Parliament to give them the power to reduce taxes on what is already an extraordinarily lightly taxed industry.

Amendment 1A is required as part of amendment 1B, which is the first substantive amendment and follows on from discussions with Patrick Harvie at stage 2, as the cabinet secretary indicated. Patrick Harvie argued that APD rates and bands should be set to deliver a fiscal policy for aviation that is based on targets for greenhouse gas emissions reduction.

Witnesses at the Finance and Constitution Committee from the aviation industry said that aviation emissions can be reduced, but science and international treaties say that emissions must be reduced. I do not recall the cabinet secretary disagreeing at stage 2 with the principle of requiring ADT to deliver an emissions reduction strategy. If he disagrees, perhaps he will tell us this afternoon.

The issue that the cabinet secretary identified as problematic is that a target that is specific to aviation emissions would, in his view, be inflexible and would challenge the whole-economy approach in Scotland's current climate change legislation. Amendment 1B takes account of his comments and would not require a specific aviation target; instead, it would require ministers, in setting ADT rates and bands, to

"act in the way best calculated"

to deliver on Scotland's climate targets as a whole.

The second part of amendment 1B refers to the Government's purpose targets. Those are the measures by which the Government will judge its success, as set out in the national performance framework. Sustainability, measured by reducing

climate emissions, is one purpose target; others are a reduction in income inequality and increased sustainable economic growth—although the Government has never given a satisfactory definition of that contradictory term.

The Government has argued that its proposed policy for ADT will increase economic growth. That was exposed as an evidence-free assertion by the Finance and Constitution Committee.

Ministers have been less keen to talk about who benefits from cutting taxes on aviation. Air passenger duty is a fiscally progressive tax, which is paid mostly by corporations, visiting tourists and wealthier members of society who fly frequently. Cutting APD is regressive and socially unjust. Amendment 1B would require ministers to start considering not just growth but quality of life and inequalities.

For the avoidance of doubt, let me say that I do not oppose the Government's amendment 1. Amendment 1 requires ministers to think about—"have regard to"—broader things including environmental and social impacts, but it does not require and mandate ministers to act positively and make choices that will protect the environment and enhance social justice. As it stands, amendment 1 means that ministers, of any colour and at any time in the future, will be acting lawfully if they decide to set tax rates that increase pollution and offer even bigger tax giveaways to the wealthiest. Amendment 1B would constrain a Government, whatever its political persuasion, in that.

Amendment 1C would end the evidence-free vacuum in which someone in the Scottish National Party decided at some point that it would be a clever thing to cut aviation taxes in half. Amendment 1C would require an assessment of emissions and noise and air pollution for communities around airports. My constituents in north-west Edinburgh experience such pollution every day. It would also require information to help Parliament and others to decide whether a tax change is progressive or regressive and whether it would benefit people who are already wealthy.

Amendment 1C does not ask for a tax forecast, because I have taken account of the minister's comments at stage 2 about the forecasting role of the Scottish Fiscal Commission. The cabinet secretary said that amendment 1 will require ministers to deal with matters, but the amendment requires ministers only to "have regard to" them. The cabinet secretary also criticised amendment 1C for being too rigid, in that it would require information to be produced in response to every rate change. However, amendment 1C simply provides for publication of an assessment; the framework for the assessment would be permanent, but the information that underpins it

should be readily available and publication should not be an onerous task. Instead of ministers being required just to think about things, if amendment 1C were agreed to they would be required to think about them alongside evidence and to provide Parliament with the information that it needs in order to scrutinise properly proposals on rates and bands.

I would like to see a lot more about the extraordinary undertaxation of the aviation industry, and to question who really owns Edinburgh Airport Ltd and who will benefit from tax cuts, but I will leave that for another day and remain focused on the bill and on the amendments that I have lodged, which would do as much as possible to ensure that the new tax power is used responsibly, with behaviour changes and impacts firmly in mind. I urge MSPs to vote for all the amendments in the group.

I move amendment 1A.

The Deputy Presiding Officer: Thank you, Mr Wightman. We move to the open debate. I call Murdo Fraser.

Murdo Fraser (Mid Scotland and Fife) (Con): I will speak briefly on the amendments that are before us.

As we have heard, the Finance and Constitution Committee recommended that, when bringing forward the setting of rates and bands, the Scottish Government should address the evidence base behind them. I therefore welcome amendment 1, in the name of the cabinet secretary, which helpfully responds to that point and looks at the whole question of the

"economic, environmental and social impacts"

that the setting of the rates and bands will have, as he acknowledged. That is a welcome amendment that we are happy to support.

On the three amendments in the name of Andy Wightman, I understand where he is coming from on behalf of the Scottish Green Party. My concern is that the amendments are too prescriptive. They put too many obligations on ministers that might be difficult to meet, particularly given the short timeframe in which rates and bands might have to be adjusted in response to economic conditions. I recognise that, as the cabinet secretary said, there might be a need for greater flexibility than the amendments would allow.

Patrick Harvie (Glasgow) (Green): Murdo Fraser indicates that a scenario might arise in which a decision on rates and bands needs to be taken quickly. Surely even in a situation that is perceived as urgent such a decision could not be made in the absence of evidence or of an analysis of the factors that are set out in the Green

amendments. If the information on which to base a decision is available, surely it can be published.

Murdo Fraser: I thank Mr Harvie for that comment, but I think that his concerns are addressed in the cabinet secretary's amendment 1, which says that ministers "must have regard to" those aspects before they set taxes and bands.

There is a second point that, with respect, Mr Wightman did not address when speaking to his amendments. When ministers propose taxes and bands, they have to bring them to the Parliament for a vote, so if members are not satisfied that evidence has been presented in support of the setting of those rates and bands, they can reject them and send them back. Members are quite entitled to consider and justify their actions at that point.

Andy Wightman: When those proposals for rates and bands come to Parliament for us to make a decision about them, we will be unable to do that effectively and in an informed fashion if they are not accompanied by an analysis of their social, economic and environmental impacts. Ministers are required only to "have regard to" those factors when setting the rates. Surely Parliament needs a fuller analysis and fuller information to properly do its job.

Murdo Fraser: If members are not satisfied that the evidence is there to support the setting of rates and bands, they can reject the proposal to set them and send it back to the Government to think again. That seems to me entirely sensible. Unlike Mr Wightman, I have more faith in the ability of members to consider those matters properly at the time such rates and bands are proposed. For that reason, my party will be happy to support amendment 1, in the name of the cabinet secretary, but we cannot support the amendments in the name of Mr Wightman.

Neil Bibby (West Scotland) (Lab): I speak in favour of all the amendments in this group—amendment 1, in the name of the cabinet secretary, and, in particular, amendments 1A, 1B and 1C, in the name of Andy Wightman.

The amendments are important because many of those who contributed to both the Scottish Government's consultation and the Finance and Constitution Committee's scrutiny of the bill expressed real concern about the impact that a significant tax reduction could have. They expressed concern about the environmental impact of reducing the tax burden on the aviation industry, and about the implications that a loss of revenue could have on public finances. Indeed, a majority of those who participated in the Scottish Government's own consultation exercise opposed the very course of action that ministers are committing to: effectively cutting air passenger

duty in half with a view to abolishing the tax altogether. I want to explain how the amendments could partially address some of the concerns that have been expressed.

15:45

The Finance and Constitution Committee heard from Transform Scotland and other campaigners that aviation is already one of the most lightly taxed industries in the world and that further tax reductions would increase aviation emissions. We heard that a tax reduction could reduce Government revenue by up to £189 million a year, at a time when public services are already under severe pressure. We also heard that, as Andy Wightman said, those who are frequent flyers, who are the wealthiest or are on higher incomes, would benefit disproportionately.

There is also considerable doubt as to whether a tax cut would actually boost or benefit the economy in any meaningful way. The Parliament should know that no credible evidence has been presented to the Finance and Constitution Committee to suggest, for example, that the growth in passenger numbers in Ireland had anything to do with the abolition of the equivalent departure taxes. Here in Scotland, airports are already reporting record growth in passenger numbers, and all that growth and success has occurred with the existing levels of air passenger duty.

The case for the Government's tax cut is not stacking up. It therefore seems reasonable to require Scottish ministers to set out exactly what the impact of their plans will be before they may proceed with any changes to rates or bands. We believe that, at all times, they should have due regard to the economic, environmental and social impacts of their proposals. That is why we support the cabinet secretary's amendment 1. Let us be clear, however, that having due regard to the impacts of new tax rates is the bare minimum that we should expect from the Scottish Government. We can and should go further.

I turn to Andy Wightman's amendments 1A, 1B and 1C. Amendment 1C would require ministers to "publish an assessment of the projected economic, environmental and social impacts of the proposed tax bands and tax rate amounts."

Essentially, Scottish ministers would have to provide evidence to justify the rates and bands that they chose to apply. Amendment 1C would place a reasonable duty on ministers in requiring them to do just that. Given the direction of Government policy regarding air departure tax, Scottish Labour chooses to support Andy Wightman's amendments.

James Kelly (Glasgow) (Lab): I rise to support Andy Wightman's amendments in particular. The cabinet secretary said that he listened carefully to the debate and the representations that were made at stage 2 and that he lodged his amendment 1 in response. That is welcome because it is a move in the right direction. However, I feel that the amendment is a bit waffly. It says:

"the Scottish Ministers must have regard to the projected economic, environmental and social impacts of the proposed tax bands and tax rate amounts."

I get the impression that the cabinet secretary, in having regard to those matters, will sit in his ministerial office and ask one of his aides to get the binoculars out to have a look over to Edinburgh airport to see what is happening, and that he will say, "Well, there are plenty of planes going in and out and there looks to be lots of people going in and out, so it's all going absolutely fine."

Andy Wightman's amendments would strengthen the bill considerably. We are debating fundamental issues. The Government will use the power to reduce ADT, and in doing so it will ask us to believe that that will not have an adverse effect on carbon emissions, that it will not adversely affect the Scottish budget and that it is fair. We have serious concerns about that.

Andy Wightman's amendments require a proper assessment to be published so that we can see evidence on the effect that a cut in ADT will have on emissions, on the Scottish budget and on people in different income deciles. That evidence is crucial in enabling the Parliament to decide whether any such cut is appropriate.

I ask the cabinet secretary, even at this late stage, to look at accepting Andy Wightman's amendments, because they would strengthen not only the bill but the process of parliamentary scrutiny.

The Deputy Presiding Officer: As no other member has asked to speak, I call the cabinet secretary to wind up on amendment 1.

Derek Mackay: I suppose that I could begin from where James Kelly left off, on what he described as a waffly move in the right direction—that is high praise indeed from James Kelly. Actually, the work that I have commissioned and agreed to undertake is far more robust than he suggests.

I am sure that it is not out of ignorance that James Kelly and Neil Bibby ignore my agreement to publish a range of work, in view of the Finance and Constitution Committee's deliberations. Andy Wightman's amendments are partly about making it a duty to publish that information every time the

Government wants to make a proposal on rates and bands.

Patrick Harvie: Is the cabinet secretary any more able than he was at stage 2 to tell us why on earth he already feels able to adopt a policy on how he wants to use the tax—on halving it and then scrapping it? How can he adopt that policy before he has conducted any of the economic analyses that he now intends to commission?

Derek Mackay: Patrick Harvie has fairly asked a specific question that Andy Wightman has also asked: what independent Scottish Government-commissioned analysis was undertaken? There is a range of evidence for the policy position, but I was fairly asked about what independent analysis the Government had commissioned. That analysis is being undertaken.

My amendment 1 proposes to look at our powers responsibly and places a duty on ministers to consider all the burdens and considerations in making a proposal on tax rates and bands. However, it must be recognised that work has been commissioned that will be published before Parliament is asked to make a decision on any affirmative order on rates and bands. That is in keeping with other devolved taxes. I would argue that the proposal goes further by including climate and environmental considerations.

I understand the concerns of Mr Harvie and Mr Wightman, but I have looked at who sponsors the evidence, commissioned independent Government analysis and looked at the environmental concerns. We will publish reports and consultations. In view of all that, Andy Wightman's amendments are too prescriptive and therefore unnecessary, and I will certainly press amendment 1.

Andy Wightman: Air departure tax is a modest tax on a very lightly taxed industry. The effective tax subsidy for the UK aviation sector in 2012 was around £11.4 billion, with no tax on jet fuel, zero rating for VAT and so on. That is more than £400 per household. With fares falling, the number of flights growing and pollution increasing, there is no need to cut that tax, but we need a legislative framework within which to set it, and that is what the bill will provide.

Ministers must make the proposals on rates that they intend to bring to the Parliament fully informed by climate change targets and firm evidence. My amendments create a statutory duty to do certain things, and ministers should welcome those tests. I am very concerned that the Government's approach to the bill is informed by its predetermined policy to cut the tax as opposed to considering carefully how to design a tax for an industry that is already one of the biggest threats to the planet.

I welcome the assessments that the minister has said that he will table, but there is no statutory duty to table them. The statutory duty on ministers will be to

“have regard to the projected economic, environmental and social impacts”

and to keep those impacts “under review”. There is no statutory duty even to publish those assessments. If our amendments are agreed to, there would be a statutory duty to

“act in the way best calculated to”

meet

“the emission reduction targets set out in Part 1 of the Climate Change (Scotland) Act 2009”

and

“the Purpose Targets set out in their National Performance Framework”

and to “publish an assessment”. That is fairly modest.

I press amendment 1A.

The Deputy Presiding Officer: The question is, that amendment 1A be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. As this is the first division, I suspend the meeting for five minutes.

15:54

Meeting suspended.

15:59

On resuming—

The Deputy Presiding Officer: We move to the division on amendment 1A.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Rennie, Willie (North East Fife) (LD)

Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, Tavish (Shetland Islands) (LD)
 Smith, Elaine (Central Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)
 Wightman, Andy (Lothian) (Green)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Evans, Mairi (Angus North and Mearns) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)

McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 29, Against 86, Abstentions 0.

Amendment 1A disagreed to.

Amendment 1B moved—[Andy Wightman].

The Deputy Presiding Officer: The question is, that amendment 1B be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, Tavish (Shetland Islands) (LD)
 Smith, Elaine (Central Scotland) (Lab)

Smyth, Colin (South Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)
 Wightman, Andy (Lothian) (Green)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Evans, Mairi (Angus North and Mearns) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)

Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 30, Against 85, Abstentions 0.

Amendment 1B disagreed to.

Amendment 1C moved—[Andy Wightman].

The Deputy Presiding Officer: The question is, that amendment 1C be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Macdonald, Lewis (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, Tavish (Shetland Islands) (LD)
 Smith, Elaine (Central Scotland) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, David (Highlands and Islands) (Lab)
 Wightman, Andy (Lothian) (Green)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Evans, Mairi (Angus North and Mearns) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)

Neil, Alex (Airdrie and Shotts) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 30, Against 87, Abstentions 0.

Amendment 1C disagreed to.

The Deputy Presiding Officer: I invite Derek Mackay to press or seek to withdraw amendment 1.

Derek Mackay: I press amendment 1.

Amendment 1 agreed to.

The Deputy Presiding Officer: That ends consideration of amendments.

There has been a procedural change, which I will read out. It will be repeated later.

As members will be aware, at this point in the proceedings, the Presiding Officer is now required under standing orders to state whether, in his view, any provision in the bill relates to a protected subject matter—briefly, whether any provision modifies the electoral system and franchise for Scottish parliamentary elections. If it does, the motion to pass the bill requires support from a supermajority of members. That is a two-thirds majority, or 86 members.

In this case, the Presiding Officer's view is that no provision in the Air Departure Tax (Scotland) Bill relates to a protected subject matter. Therefore, the bill does not require a supermajority to be passed at stage 3.

I am sure that that is all embedded in members' memories now.

Air Departure Tax (Scotland) Bill

The Deputy Presiding Officer (Christine Grahame): The next item of business is a debate on motion S5M-06164, in the name of Derek Mackay, on the Air Departure Tax (Scotland) Bill at stage 3.

16:05

The Cabinet Secretary for Finance and the Constitution (Derek Mackay): I am pleased to open this stage 3 debate on the Air Departure Tax (Scotland) Bill. The establishment of air departure tax is another important milestone on the journey to enhance Scotland's fiscal powers and another example of this Government continuing to move ahead with pace and purpose to ensure that we are ready to begin using Scotland's new powers once they are devolved to the Scottish Parliament.

I thank the Finance and Constitution Committee and the Delegated Powers and Law Reform Committee for their detailed scrutiny of the bill. Their input has helped to shape the bill that is before the Parliament today, which now includes tax exemptions that were brought forward by the Government at stage 2; it can also be seen in the independent economic assessment that the Government has commissioned to help to inform our secondary legislation plans for tax bands and rate amounts.

I thank those organisations and individuals who contributed to the policy development of ADT, both before and after the bill was introduced to Parliament. As with the other currently devolved taxes, the Scottish Government has taken and will continue to take a consultative and collaborative approach and to engage stakeholders on how ADT should be structured and operated.

The Scottish Government is seeking Parliament's approval of the bill, which establishes the general structure and operation of ADT—a tax on the carriage of passengers on flights that begin in Scotland. The tax will apply only to the carriage of chargeable passengers on chargeable aircraft and will be payable by the aircraft operator.

With the core foundations of the tax in place, we will bring forward our tax bands and rate amounts proposals in secondary legislation this autumn. The secondary legislation will be subject to the affirmative procedure, which means that it cannot come into effect without Parliament's approval. That is consistent with the approach taken for the other devolved taxes.

Under terms agreed between the Scottish and United Kingdom Governments in the fiscal framework, air passenger duty will cease to apply in Scotland from 1 April 2018. The block grant will

be adjusted downwards and, if the bill is enacted, ADT will replace APD from that date. Revenue Scotland continues to make good progress to be ready to collect and manage ADT from April 2018. Good progress is also being made by the Scottish Fiscal Commission, which will be responsible for producing independent forecasts of receipts from ADT for future Scottish Government budgets. The forecasts will reflect the Scottish Government's policy for ADT at the time.

Scotland is already an attractive destination for business and inbound tourism but, particularly given the economic threat that Brexit poses, it is important that we continue to be open to key and emerging markets in order to further capitalise on the opportunities that exist. As has been discussed, the Scottish Government's plans for ADT—a 50 per cent reduction in the overall tax burden by the end of this parliamentary session and the abolition of the tax when resources allow—are a key part of the Government's economic strategy, in particular to boost trade, investment, influence and networks.

Scotland's airports are competing on a world stage to secure new routes and capacity. Reducing the tax burden will help to ensure a more level playing field with many other European airports that are competing to secure the same airlines and similar routes.

Patrick Harvie (Glasgow) (Green): The cabinet secretary is being very clear that, way in advance of having the information or the assessments that he said he wants to commission, he remains committed to the policy of halving and ultimately scrapping this revenue source. What is the Scottish National Party's view on how the gap should be filled? Should it come from increasing other taxes, which we could do now, or from cutting public services even deeper, which the Government could also propose to do now? Why is he legislating to create a tax that he thinks should not exist?

Derek Mackay: Today is not about tax rates and bands. We will have the discussion about how to use the powers that we are proposing to establish. We have set out a policy, which is based on our view of enhanced connectivity and economic growth and will support the economic drivers of the Scottish economy, in which airports and airlines are central. New routes will enhance business connectivity and tourism as well as providing new jobs.

The Scottish Government agrees with other members that it is important that our plans for ADT are supported by robust evidence and that the impacts are monitored over time. That is why, as I set out at stage 3, we are undertaking a broad range of impact assessments, which will be published by the time Parliament is asked to

consider our secondary legislation proposals for tax bands and rate amounts in the autumn.

It is also why the Government lodged an amendment at stage 3, which—now that Parliament has passed it—places statutory duties on ministers to have regard to the projected economic, environmental and social impacts of our plans for tax bands and rate amounts and to keep those under review when the tax bands and rate amounts are in force.

The Government recognises that boosting economic growth by improving air connectivity might lead to an increase in aviation emissions. That should, however, be in the context of Scotland making sustained progress on its statutory emissions reduction targets, which are set across the economy as a whole. We are prepared to work harder in other areas to meet climate targets, and we should also acknowledge that airlines, aircraft manufacturers and engine manufacturers are doing a great deal to reduce emissions through improvements in technology.

Claudia Beamish (South Scotland) (Lab): Does the cabinet secretary agree that, in view of the fact that transport is now the highest emitter of greenhouse gases, it is extraordinary that that should be the Scottish Government's position?

Derek Mackay: Our statutory advisers in the UK Committee on Climate Change suggest that even if modelling in a policy proposition around a tax reduction has the outcome of increased emissions, that is still manageable in terms of the climate change agenda. The Scottish Government has a strong track record in meeting our targets and we believe that emissions can be managed by working harder in other areas.

Taken together, the bill's provisions provide the basis for a tax that is well understood by taxpayers and is efficient to collect and manage. There is general support for the bill among stakeholders and, I hope, among members for the establishment of a tax to replace APD in Scotland. I appreciate that there is still a range of views about the detail of the tax, including rates and bands, and how a tax reduction should be applied to maximise the economic benefit for Scotland.

The Government remains of the view that our approach, whereby the overall burden of the tax is reduced by 50 per cent by the end of the current parliamentary session and the tax is abolished when resources allow, will deliver strong economic benefits for Scotland. I look forward to debating those and other issues this afternoon.

Today, we are not debating the policy; we are debating having the ability to collect the tax in Scotland as a consequence of the negotiations that led to the devolution of the tax to Scotland.

I move,

That the Parliament agrees that the Air Departure Tax (Scotland) Bill be passed.

16:13

Murdo Fraser (Mid Scotland and Fife) (Con): I start by welcoming the fact that Parliament is finally going to pass a law, almost 14 months after the Scottish Parliament elections last year. Apart from the Budget (Scotland) Bill, which is a legal necessity, this is the first piece of substantive legislation that will be completed in the current parliamentary session in all that time.

We are at the stage in the bill process at which veterans of stage 3 debates know that there is very little new to say. When a bill has been substantially amended at stage 2 or stage 3, there might be new issues to introduce, but where that does not apply, as in this case, we are effectively rerunning the arguments that we had in committee and during the stage 1 debate, when the bill achieved substantial support across the Parliament.

It is important to reiterate the point that the cabinet secretary just made: that if the bill is not passed, all that will happen is that the Scottish Government will not be able to collect any taxes on air travel. I do not think that any party in this Parliament thinks that that is a sensible outcome. Therefore, I hope that the whole Parliament will vote for the bill at decision time.

Andy Wightman (Lothian) (Green): If the bill is not passed and the Government is not able to collect any revenue, the outcome will be no different from our passing the bill and eventually setting the rate at zero.

Murdo Fraser: That is an interesting intervention from Mr Wightman. To be fair to the cabinet secretary, I do not think that even he is proposing to collect no revenue at all from ADT starting from next year. He might have an ambition to get there in the end, but I do not think that that is his ambition in the short term, so I think that we can all agree that it is desirable to pass the bill.

The bill will reintroduce the existing UK framework for air passenger duty but gives it a different title—the air departure tax. In other respects and in effect, it is the same as the tax that was there before. That approach was widely welcomed by stakeholders across the board, including the airlines and their management companies, which did not want an entirely new tax structure to be introduced.

Some changes have been made to the bill at stages 2 and 3. At stage 1, my colleague Adam Tomkins raised the question of the scope of the tax, because it is the norm in tax legislation across

the UK that the scope of taxation is provided for in primary enactments. That is distinct from the setting of rates and bands, which is normally left to secondary legislation.

As introduced, the bill failed to meet that norm, in that it did not stipulate the exemptions to the definitions of chargeable passengers or aircraft. I was pleased to see that, at stage 2, the Scottish Government amended the bill to cure it of that defect, so it now stipulates the relevant exemptions. The one exception to that relates to the situation in the Highlands and Islands, where I appreciate that there are still unresolved questions around European Union state-aid rules that require clarification.

As amended, the bill is now in tune with not just UK tax legislation but other devolved taxes such as the land and buildings transaction tax. I hope that the precedent has now been established and that all future tax legislation will fully address the question of the scope of taxation when it is originally drafted.

We looked at amendments today on the evidence that is required when setting rates and bands. I am pleased that the recommendations of the Finance and Constitution Committee have been accepted by the Government and are now supported by the Parliament. We will need to see such evidence when the Parliament votes on the detail of the rates and bands.

As we heard from the cabinet secretary, the next stage in the process will be in the autumn, when we will hear from the Scottish Government what its detailed proposals are, the evidence that supports them and the impact that the proposals will have on the environment and on the economy. The hope is that any proposals will be enacted in the next financial year.

Our view, which we have set out on previous occasions, is that we support the ambition of an overall 50 per cent reduction in ADT rates but would prefer to see that targeted at long-haul flights rather than being introduced across the board. There would be two advantages to that approach. First, it is our view that there would be a greater economic benefit from reducing the tax on long-haul flights. The evidence shows that those travelling long haul tend to stay in Scotland longer than those travelling short haul and tend to spend more money while they are here. In addition, if we cut the cost of long haul, there is the opportunity to attract more long-haul operators to base themselves in Scotland, thus reducing the need for Scottish passengers to make connecting flights to hub airports such as Heathrow or Amsterdam.

There is a second advantage to cutting the tax for long haul as opposed to short haul, which is an environmental one. In the evidence sessions, the

committee heard from Virgin Trains, among others, a real concern that a reduction in ADT on short-haul flights will encourage a modal shift away from surface travel—such as cross-border rail between Scotland and London—towards the airlines. That would not be helpful in helping us to meet our climate change targets. Interestingly, Virgin Rail is not opposed to a reduction in long-haul ADT. Indeed, it believes that that might encourage more visitors into the UK and complement visitors' use of the rail network once they are here.

Our preference is for any reduction in ADT to be targeted at long haul. I hope that when the Scottish Government is looking at the evidence base for its proposals, it will consider the relative merits of reducing long haul, reducing short haul and cutting across the board, so that we can weigh all those things in the balance.

I think that I have said all I can say on this particular piece of legislation and I look forward to supporting it at decision time this evening.

16:20

Neil Bibby (West Scotland) (Lab): Presiding Officer,

"The power to charge tax on air passengers leaving Scottish airports will be devolved to the Scottish Parliament."

That is in the Smith commission report and was agreed by all parties—it should not be in any doubt today. Power over what we call air passenger duty is coming to Scotland, but it is a power that we must use responsibly.

As I have said throughout the process, Scottish Labour supports the bill in principle. We believe that the air departure tax should be switched on when air passenger duty is switched off in Scotland next year. However, we will not support the approach to the new tax that the Scottish Government has set out. We will not support a tax reduction for which no compelling case has been made—a tax reduction that is unnecessary and irresponsible. We have argued consistently that a 50 per cent cut to air passenger duty—in effect, that is the SNP's position—will not make Scotland any greener or any fairer.

Analysis from the Office for National Statistics shows that halving APD would save the top 20 per cent of earners £73, while the poorest would save just £4.50. Indeed, 70 per cent of all flights in the UK are taken by the wealthiest 15 per cent of the population. That is a tax cut for the wealthy, frequent-flying few, not the many who do not fly or who might fly only once a year.

Throughout the debate, the silence from the SNP on the distributional impact of its plans for the

new air departure tax rates has been telling, but it must confront the environmental impact of any tax cut, too. I remind the cabinet secretary that his Government is projecting an increase in aviation emissions if air departure tax is cut. As we know, transport is now the largest source of carbon emissions in Scotland. If the Scottish Government does not properly address transport emissions, which must include aviation, it is hard to see how it will meet its obligations under the Climate Change (Scotland) Act 2009, and rail travel, which is a much more environmentally sustainable mode of transport, will lose out in favour of subsidising aviation.

That is the wrong move at the wrong time and there is no economic imperative for it. Barely a month goes by without Scottish airports reporting record growth, with passenger numbers up and new routes opening up to new destinations. Week after week, MSPs lodge motions rightly applauding the growth of airports—and at the same time undermining the Government's case. Edinburgh airport reported an 11 per cent increase in passenger numbers last year. Glasgow airport reported its busiest May on record last week. Aberdeen airport says that domestic and international passenger numbers are up. With duty-free shopping, no VAT on tickets and no fuel duties for airlines, the aviation industry is already one of the most lightly taxed industries in the world. The economic case for the tax cut simply does not stack up.

I saw that the cabinet secretary was at Glasgow airport this morning. If he is so concerned at the cost of travelling through Scotland's airports, why has he said nothing about Glasgow airport's money-making drop-off charge? By his silence on the issue, it appears that Mr Mackay has chosen to side with the aviation industry over his own constituents and the nearly 15,000 people who have signed a petition objecting to the drop-off charge.

The most concerning thing about the Government's approach to APD is that it represents a completely unnecessary tax break—of up to £189 million a year—for the aviation industry, which will come at the expense of public services and expenditure elsewhere. The SNP cannot, or will not, tell us what it will cut to make up for the revenue that the Government will lose. Will it be the national health service, the bus pass, fire services or the police? Will it be the SNP's "defining priority" of education? Where is the axe going to fall for that £189 million?

What happens if, having effectively cut or even abolished air passenger duty, the Scottish Government finds out that some other part of the UK has decided to follow? This week, the shadow chancellor, John McDonnell, has written to the

Chancellor of the Exchequer, Philip Hammond, asking whether abolishing APD in Northern Ireland will form part of a Tory-Democratic Unionist Party deal. We warned the Government that using air departure tax to cut the rates would trigger a race to the bottom—a race in which public services will lose out and only business interests in the aviation industry can ever win.

The SNP finds itself in the position of siding with big business, the Tories and Arlene Foster and the DUP to make unnecessary and irresponsible tax cuts that are bound to hit already overstretched budgets for public services. Scottish Labour, on the other hand, supports the Air Departure Tax (Scotland) Bill because, unlike the SNP, we actually support an air departure tax. We know that we need to put a legislative framework for the new tax in place now. However, given the level of concern about the Scottish Government's wider approach to APD, we also believe that the Government must fully assess the economic, environmental and social impact of any changes to tax rates, especially if it persists with tax cuts. The tax reductions that it proposes will have consequences and the Scottish Government should be honest about what those consequences are.

Scottish Labour backs the tax—not the cut—and that is why we will vote for the bill.

The Deputy Presiding Officer (Linda Fabiani): We now move to the open debate, with speeches of four minutes, please. I call Bruce Crawford.

16:25

Bruce Crawford (Stirling) (SNP): I am pleased to speak in this important debate at stage 3 of the Air Departure Tax (Scotland) Bill. I remind colleagues that, at decision time, we are being asked to approve an enabling bill to give the Scottish Government the authority to levy a tax on the carriage of passengers who depart from Scottish airports. Without the bill or something similar, from April 2018, once APD is disapplied in Scotland as a result of the Scotland Act 2012, there will be no legal basis for levying any such tax without appropriate legislation being in place. The bill is categorically not about the Scottish Government's stated policy intention of delivering a 50 per cent reduction in the overall burden of ADT by the end of the parliamentary session, although I have no doubt that we will hear a fair bit about that, as we already have during the debate.

In its stage 1 report on the bill, the Finance and Constitution Committee supported the introduction of legislation to ensure that a tax on the carriage of air passengers from Scottish airports could be levied. Indeed, by far the majority of respondents

to the committee's call for evidence and those who provided evidence in person supported the principles behind the bill. At the committee meeting on 22 February, when I asked Chris Day of Transform Scotland and Mike Robinson of Stop Climate Chaos whether they supported the introduction of such a bill, both confirmed that they did.

The bill was improved by amendments that were lodged by the Government in response to recommendations made by both the Finance and Constitution Committee and the Delegated Powers and Law Reform Committee, including a recommendation that the Government lodge amendments at stage 2 to make detailed provisions for exemptions from the definitions of "chargeable passengers" and "chargeable aircraft". The cabinet secretary deserves credit for responding so positively on that matter and on other matters that the committees raised with him.

The Government also lodged an amendment for today's stage 3 debate in response to concerns that were raised, particularly by Patrick Harvie. That amendment was agreed to unanimously earlier and will ensure that, in preparing draft regulations, ministers must have regard to the projected economic, environmental and social impacts of the proposed tax bands and rate amounts and that they must keep those under review. Those changes may not have gone as far as the Green Party wished to go, but any reasonable person would judge that the Government has come a long way in that regard. I consider that the Government has struck the right balance in responding to legitimate concerns and, as a result, I am strongly of the view that the bill is now fully fit for the purpose that the Government intends for it.

As a side issue, much comment has been made about the Scottish Government's longer-term policy to deliver a 50 per cent reduction in the overall burden of air departure tax by the end of the parliamentary session.

Andy Wightman: Does Bruce Crawford accept that, given the Government's stated intention to publish environmental, economic and social assessments, there are circumstances in which that 50 per cent reduction may turn out not to be possible?

Bruce Crawford: I have listened to what the Green Party has said about that at the committee and in the debate. If there was a prize for navel gazing, nitpicking and dancing on the head of a pin—all at once, if that was possible—the Greens would be the first to get that prize—I have absolutely no doubt about that. If the bill did not exist, they would be demanding that we introduce it. It is a quite ridiculous position.

I believe that the most compelling reason to support the Scottish Government's policy position is the Tory Government's full-throttle advance towards a hard Brexit cliff edge, which puts Scotland's economy at risk and threatens many thousands of jobs. Given that, in my constituency of Stirling, the tourism industry supports 5,800 jobs—13 per cent of the total number of jobs—it will come as no surprise to anyone that I regard the position of the Scottish Government as the right one. More than any other time, now is the time to send a signal that Scotland is open for business, and we will do what we can to boost the economy using all the powers that we have at our disposal.

16:30

Gordon Lindhurst (Lothian) (Con): Last week, I took part in the debate on opportunities for growth in the Scottish economy. As I said then, the Scottish Government has at its disposal a number of tools to facilitate growth in our economy and it could do more, now and in the future, to build trade and investment relationships with countries around the world, not just in Europe. As we discuss stage 3 of the Air Departure Tax (Scotland) Bill, which will replace the UK-wide air passenger duty, we are dealing with one such economic lever that the Scottish Government could use to foster those deeper relationships.

We have some of the highest taxes on flying in the world, but we have an opportunity to take a different approach and take Scotland on a path to a competitive tax rate that will encourage airlines, businesses and tourists to come to Scotland as well as making it cheaper for our businesses and people to build those deeper relationships with the rest of the world.

The Scottish Conservatives support devolution of the tax to the Scottish Parliament; it is perhaps around the practical application of the legislation—the bands and rates—that we differ from the Government. The Government has made clear its intentions regarding those rates: it wants to cut the tax by 50 per cent initially and scrap it altogether in the longer term. As we have heard, the Scottish Conservatives have consulted widely with stakeholders on how best to use this opportunity and how to target the reduction where it will have the most effect. We have done that in the context of needing to reach out to the world in a post-European Union membership climate. As such, our approach is tailored to differentiate between shorter and longer-haul flights as well as to have a progressive system that encourages reduced rate and standard rate customers to travel.

In practice, the Scottish Conservatives seek to lay out a policy that will incentivise new air links from Scotland to global destinations, giving greater

choice of worldwide air travel to those who are less able to afford the higher fares. That includes our small and medium-sized businesses, which have much to offer the world but need the assistance from Government that the policy will provide.

The policy will also ensure that consumers continue to have a choice in how they travel within the UK and Europe, as it will freeze rates for short-haul flights. That will benefit consumers who choose to travel domestically and to the continent by air rather than by other forms of travel, but it will not cause a dramatic shift in consumer behaviour to the detriment of the environment.

I will close by reiterating a point that has been made already. If we do not vote the legislation through today, Scotland will not benefit from the tax that is collected on air travel. Nobody desires that situation. Instead, we can reflect on the opportunities that the devolved policy presents us with while thinking carefully about how we can use the new powers to open up air travel to Scotland.

16:34

Claudia Beamish (South Scotland) (Lab): I support the bill, but I will highlight some policy points.

The priority that the Scottish National Party Government is placing on the tax cut is perplexing, and the policy is not progressive. UK passenger data for 2015 shows that 15 per cent of the population take 70 per cent of the flights, and analysis from the Office for National Statistics suggests that a 50 per cent cut in air passenger duty would benefit top earners significantly more than anyone else. The policy is not necessary. Scottish airports are enjoying record passenger numbers, and the number of overseas trips to Scotland was up by 6 per cent in 2016, supporting our thriving tourist industry.

The policy is not clear, either. Once again, the Parliament is expected to scrutinise effectively without having the full picture from the Government. I echo the concerns that were raised by the Chartered Institute of Taxation, which said that, in the absence of such information, it is difficult to say with any certainty what benefits—if any—the change will bring. The Scottish Government should consider that repeated concern seriously.

The policy is also unjustified. Scotland faces a time of financial constraint, and the tax is a valuable source of revenue. APD, which will become air departure tax, was valued at over £270 million in 2015-16. Depriving the public purse of that income seems irrational when coupled with the cuts to public services. Our local services are being squeezed and our communities are suffering

for it. Cheaper business class flights will not make Scotland any fairer.

A strategy for airline routes that is based on sustainability and connectivity is important to the growth of Scotland's economy, but here we are faced with a choice between using the new powers to invest in our economy and introducing a tax cut that will favour the rich and launch a race to the bottom in taxes across the UK. The SNP's decisions on the matter are revealing.

It is not only a question of social justice, as cutting APD would have implications for climate justice as well. Climate change is one of the biggest issues that every country in the world faces, and it underscores our interdependence. This stage 3 debate has arrived a week after the Scottish Government proudly revealed its success in reducing climate change emissions in the latest tranche of figures and the chamber was filled with warm words and talk of ambition.

The bad news was that the transport sector has now risen to be the heaviest greenhouse gas emitter. Our transport sector, including international aviation and shipping, has dropped its emissions by only 1.1 per cent in 27 years. Between 2014 and 2015, international aviation increased by 9 per cent and, between 1990 and 2015, it rose dramatically by approximately 144 per cent.

Today, the SNP's talk of climate change ambition could not seem more hollow. In 2015, the UK promised to be a part of the collective action of the Paris agreement. That means that the Government must ensure that every policy in Scotland is stress tested to advance our move to a zero-emission economy. Has the Scottish Government adequately recognised the need to compensate for those additional emissions in our climate change plan? I am not sure.

Given the figures in the greenhouse gas inventory for 2015, it is as clear as day that we need a proper commitment to sustainable travel. Our transport sector—excluding international aviation and shipping—is now more damaging to our climate than it was in 1990. We need a focus on modal shift to improve public transport and infrastructure in order to support more environmentally sustainable modes of transport and to make them an easy choice for passengers. Incentivising people to fly, particularly domestically, is going backwards. It threatens our rail services, which are not afforded the same tax breaks, and it goes against the Scottish Government's own key objective of bolstering rail services between Scotland and England.

We support a continued exemption for the Highlands and Islands—remote and island areas where air travel can often be the only realistic

option—and we hope that the notification to the European Commission is successful. Yet, how can the Scottish Government justify—economically, socially or environmentally—freezing the budgets for bus services and active travel while giving aviation a free pass?

16:39

Patrick Harvie (Glasgow) (Green): The debate on the bill is—as it has been throughout the process—characterised by a number of contradictions. The advocates of the Scottish Government's position look at the rising levels of aviation that our airports continually trumpet and celebrate, yet they say that the tax regime is holding the industry back. They say that cutting the tax in half and then abolishing it will not lead to damaging climate change emissions, but to increased aviation levels. Those things cannot be true. At the heart of the matter is one single contradiction: the Government is legislating to create a tax that the Government thinks ought not to exist. I think that there is good reason to have a specific tax on aviation; the Government does not, yet it is creating one.

In what was an uncharacteristically grumpy contribution—I do hope that his lunch was satisfactory—Bruce Crawford told us that the bill should not be seen as being about the Government's tax policy. However, to legislate for a tax without having a clear sense from the Government of what the purpose of that tax is—because the Government wants to abolish the tax—is irresponsible. The consequence will be that Parliament will not be in a position to amend the Government's proposals when it introduces a resolution on rates and bands—on the structure of how the tax will be applied. We will have to take it or leave it, and at that point it will be too late to leave it. In passing a bill that does not constrain ministers, we will essentially be saying that Parliament will accept what they come along with.

Adam Tomkins (Glasgow) (Con): I would like Patrick Harvie to explain his comment. In what sense will it be too late for Parliament to reject the Government's proposed rate resolution when it comes to Parliament for a decision? That does not make sense.

Patrick Harvie: We will at some point be forced to agree to a resolution, unless we want the tax to be levied at a zero rate.

There is an alternative to passing the bill. The Government still has ample time to introduce a bill that has a sense of purpose and which imposes clear duties on ministers not just to "have regard to" certain factors, but to act in accordance with meeting the objectives that we have set ourselves on the national performance framework and on

climate change. If we pass a bill that includes no such constraints, Parliament will simply have to nod through—even if it must do so on a second go—what the Government proposes. We will have handed too much power to Government, rather than handing power to Parliament.

Let us look at the consequences of the Government's policy, which it has clearly committed to in advance of having any evidence on the social, economic or environmental impacts. We know from the limited amount of work that the Government has done that its policy will increase aviation emissions. That is a given. At a time when the Paris agreement means that we should be increasing the scale of our ambition on climate change rather than merely meeting the targets that we have already legislated for, that is not acceptable.

We also know that the Government's policy will have a socially unjust impact. As Neil Bibby mentioned, 70 per cent of all flights are taken by just 15 per cent of people. Most Scots do not fly at all during a given year, so most people will be losers under the policy in that given year. We also know that there is a clear difference between the incomes of those who fly and the incomes of those who do not. In research that we published at the weekend, members can see by income distribution the propensity of people on different levels of income to be frequent fliers. We should not be at all surprised that the wealthiest people are the most frequent fliers and that the poorest people stand to gain the least from the Government's tax giveaway.

When it comes to economic impacts, the Government has produced nothing to justify its empty assertions. Rather than cut £300 million from aviation taxes, we could use that resource to ensure that people in Scotland have reliable, affordable and decent public transport. That would benefit the economy in a socially just way and it would reduce climate change emissions.

The Greens will oppose the bill, because it is not the bill that we should be passing. We should be passing a bill that has clear and strong constraints on ministers, and which ensures that they act in accordance with the social, economic and environmental objectives that all of us have said we believe in.

16:44

Liam McArthur (Orkney Islands) (LD): I thank Bruce Crawford and his colleagues on the Finance and Constitution Committee, as well as all those who gave evidence to the committee, for their work in scrutinising the bill. In response to Patrick Harvie's comments, I should perhaps declare an interest as the MSP who—with the obvious

exception of the jet-lagged Tavish Scott and Alasdair Allan—probably spends more time sitting on aeroplanes every week than any other.

I certainly understand the case that is made for reducing taxes on some air services. For example, as others have mentioned, routes that serve Orkney and other parts of the Highlands and Islands are exempt from APD on outbound journeys, but not for the inbound leg. I have yet to hear a convincing argument for why that is the case, and I hope that that anomaly will be addressed. That is a different proposition from that which is being argued by the Government and the Tory party in the context of the bill—I am talking about lifeline services. In some cases, those services provide the essential link between national health service patients and the specialist treatment on which they rely. Even with the APD exemption and the support of the discount scheme, which was introduced by my colleague Tavish Scott, those services are significantly more costly than those that are offered by the loudest advocates of the bill.

I see no contradiction in continuing to argue for retention, if not expansion, of the APD exemption on lifeline services, while also questioning the economic, environmental and social justification for the tax cut for the airline industry that is being recklessly proposed by the Government.

In the brief time that is available, I will touch on the three justifications for the proposed tax cut. First, on the economic rationale, as others have said, the Finance and Constitution Committee concluded that there simply is not evidence to back up the minister's claim. The idea of halving, then scrapping, APD or ADT seems to have been plucked out of thin air by the Scottish National Party, with none of the underlying assumptions being challenged or the cost being accurately assessed.

At a time when budgets across the board are under huge pressures, when we hear weekly of crises in education, health, transport and a range of other key public services, we have an SNP Government, with the support of the Tory party, proposing to gift the airline industry a tax cut of up to £150 million a year—a down payment for a tax cut twice that size somewhere down the line. Yet, with continued strong growth in the airline sector, as Neil Bibby rightly highlighted, how is it that SNP ministers have decided that that is the best use of scarce public resources?

If it is hard for the economic case to stand up, the environmental justification is laid out cold. Last week, the Government published figures showing that the transport sector needs to start pulling its weight if we are to meet our medium-term and long-term climate change targets. There has been no progress so far in reducing emissions, and the

SNP and Tory plans to slash ADT will not make turning that situation around any easier.

Bruce Crawford: We have heard from Liam McArthur all the reasons why he does not want to cut the tax. Does that mean that, unlike at stage 1, the Liberals will vote for the bill at the end of stage 3? If they do not, their position will be completely contradictory.

Liam McArthur: I do not accept that that is the case at all. As has been pointed out, there is an opportunity to introduce a proper enabling bill that sets the structure in which any future decisions would be taken. To pass a bad bill simply because the Government insists that it needs to be passed is not credible.

The Government seems to take comfort from the fact that only an additional 60,000 tonnes of CO₂ will be pumped into our air each year. The notion that that is a mere nothing would be tenable if the UK Committee on Climate Change were advising us to slow the rate of growth in transport emissions. It is not: it is explicitly and strenuously arguing for reductions to be delivered. Taken alongside the Government's acceptance of the 27 per cent growth in car usage, from where in the transport sector do ministers expect emissions reductions to come?

Socially, too, the proposals fly in the face of what the Government says it wants to achieve. The First Minister talks repeatedly about the need for sustainable economic growth and the case for greater equity, but this tax cut can hardly be described as sustainable or progressive. When budgets and services are being squeezed hard, the Government's priority appears to be a tax break that will benefit least the people who are least well off.

Last-minute assurances that the economic, environmental and social concerns that I have outlined will be addressed do not cut it. "Have regard to" provisions, in a vacuum, are more loopholes than they are safeguards.

The bill is not supported by evidence; it will give SNP ministers carte blanche and it shows that the Government has the wrong priorities—preferring tax breaks for the airline industry over investment in education and health. On that basis, the Scottish Liberal Democrats will not support the bill.

16:49

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): I welcome the chance to speak in the debate and have enjoyed the contributions that have been made by colleagues and witnesses as the bill has progressed through the Finance and Constitution Committee.

Reducing the travel tax on air passengers by 50 per cent over this session of Parliament will help Scotland to compete with other countries on a more level playing field, and it will boost international connectivity and help our national and local economies to grow.

The UK's air passenger duty is the highest such tax in the world, for almost every category. For short-haul flights it is almost 50 per cent higher than the next-highest such tax that is in place, which is in Greece, and for long-haul flights it is more than double the next-highest such tax, which is in Germany. For years, Scottish air passengers have been paying far in excess of what their counterparts throughout the world have been paying. I welcome the Scottish Government's plans to address the problem and reduce the tax.

When Ireland abandoned its version of the tax in 2014, passenger numbers grew in Dublin and the Irish regional airports. Jonathan Hinkles, from Loganair, said in evidence to the Finance and Constitution Committee:

"There is clear evidence in Ireland that regional airports benefited from the abolition of the equivalent of APD."—*[Official Report, Finance and Constitution Committee, 1 February 2017; c 52.]*

Traffic at Dublin grew by about 40 per cent, but flights to Shannon, Cork and a host of other regional airports brought more people, more tourism and more revenue to the local economies, as the managing director of Dublin airport, Vincent Harrison, has confirmed.

Let me show how disadvantaged Scotland has been by APD policy. Ireland has a million fewer people than Scotland, but 28 million passengers come through Dublin each year—and there have been increases throughout the country. In Scotland, with its greater population, only 21 million people use Edinburgh and Glasgow airports combined. The proposed tax reduction will give both our biggest cities a chance to grow and develop their economies and to compete with similar European cities. As we enter the Brexit negotiations, that is increasingly important.

That brings me neatly to Prestwick airport, in Ayrshire. That fantastic airport has served Scotland since the 1930s and stands to gain from a reduction in tax, just as the Irish regional airports did. Indeed, when Ryanair's Michael O'Leary was asked at the British-Irish Parliamentary Assembly in Dublin in March 2014 about the prospect of the travel tax being removed in Scotland, he said that he could more than double the number of passengers who come through Prestwick if APD were to be abolished. Last September, he said again that when the tax is scrapped his passenger numbers can go from 5 million to 10 million in two years. As recently as February, Ryanair confirmed

that it would bring more aircraft and routes to Scotland, which will create thousands of jobs.

As the cabinet secretary said, the Government recognises that there will be an increase in CO₂ emissions and is keen to work harder in other areas in order to meet its targets. We should remember that in Scotland aviation accounts for only about 4 per cent of our total emissions.

Patrick Harvie: Will the member give way?

Willie Coffey: No, thanks.

The additional emissions as a result of the proposed measure were described as “manageable” by the UK Committee on Climate Change.

On jobs, the Edinburgh Airport Ltd study found that if a 50 per cent cut were in place, over five years we could be looking at an extra 3,800 jobs, 900,000 extra passengers and £200 million more for the Scottish economy. That would be of great benefit to Scotland and there would be a huge spin-off for Prestwick airport, where the aerospace industry is well established. That airport’s fog-free status also makes it of strategic importance to Scotland, and it is bidding for spaceport status.

The proposal to reduce and then eliminate the tax presents Scotland with a great economic opportunity—particularly as we will soon know the real cost of Brexit. We also maintain our commitment to manage climate change emissions. I hope that the bill will be passed tonight and that all passengers in Scotland can look forward to a better deal from April next year.

16:53

Liam Kerr (North East Scotland) (Con): The bill is a completely logical step. Without it, no tax on air travel would be payable from airports in Scotland from April 2018.

In the early stages of the bill we heard from many interested parties, particularly in the airline industry, who told us that they wanted the mechanisms currently in place in the UK to be replicated as closely as possible, initially. The proposed approach in the bill is not dissimilar to that of the UK; the only substantive difference is the new name of the tax.

In general terms, then, the Scottish Conservatives support the bill. Things get interesting when we consider what the bill does not say. Last May, the SNP said in its manifesto:

“When the power to do so is devolved, we will reduce the overall burden of APD by 50 per cent, with the reduction beginning in April 2018 and delivered in full by the end of the next Parliament.”

The Cabinet Secretary for Finance and the Constitution has made it clear that he believes that

cutting air passenger duty will boost growth and the Scottish economy. We think that he is right that a properly targeted reduction in ADT will achieve that, but many in the stage 1 debate struggled to get to that conclusion, and we can see why.

On 1 March, the convener of the Finance and Constitution Committee asked the finance secretary whether the Government had undertaken any economic assessment of the impact of a 50 per cent cut in ADT. The cabinet secretary said that

“we have not commissioned any independent research of our own, but we have certainly looked at all the reports that have been ... provided”.—[*Official Report, Finance and Constitution Committee*, 1 March 2017; c 5.]

On 25 April, the Scottish Government commenced commissioning an independent economic analysis of its rate reduction plans, to report in the autumn at the point when the Government sets out the tax bands. That is good, but I find it deeply troubling that that is being done only at this very late stage. To my surprise—and no doubt to his consternation—I found myself agreeing with Patrick Harvie in the stage 1 debate, when he said:

“We should make policy on the basis of evidence, not scrounge around to see whether we can work up some evidence after we have adopted a policy.”—[*Official Report*, 25 April 2017; c 82.]

The lack of such an assessment allows opponents to deploy arguments such as that cutting APD is wrong because such a reduction might benefit the wealthy, and that a reduction in ADT will automatically negatively impact the rail sector and the environment. In response, I would argue that, just because one sector of society might benefit—those it suits others to pejoratively deem the wealthy—it does not inexorably lead to a conclusion that it is a bad thing and should therefore be abandoned automatically. If we accept the argument that those who are wealthier fly, are not those exactly the sort of people we want to attract to Scotland, to invest, to spend, to stimulate local economies and to create growth?

I note that the fundamental premise of what we might call environmental damage arguments accepts that reducing the tax increases the number of flights. Bruce Crawford is right; that is vital economic activity. It means more flights, busier airports, more retail, more support services supplied locally—catering, cleaning, reception facilities, taxis, buses and baggage handlers. It means a greater local economic contribution from more tourists.

As for the modal shift from rail argument, it just does not fly in relation to long haul. [*Laughter.*] I apologise for that.

The fact is that many in the north-east have little option but to fly if they need to make journeys to London or the midlands. Where the train is an unrealistic alternative, we should encourage flying, and should see Scotland as more than just the central belt.

According to others in this debate, by retaining the tax at full rate, those least able to afford it are being precluded from flying, perhaps on their dream holiday abroad. Those with fewer resources and those businesses with less are forced to use a mode of transport that is not optimal for their requirements, or not go at all. The arguments against the consideration of any form of tax cut simply do not stack up. They appear to be based on the demonisation of one demographic and they fail to embrace the opportunities presented by the bill.

The Deputy Presiding Officer: We move to the closing speeches.

16:58

James Kelly (Glasgow) (Lab): As we soar towards the end of the debate, I welcome the opportunity to close on behalf of the Scottish Labour Party and to confirm that we will be supporting the bill at decision time. We do so on the basis that we support the establishment of ADT, so that it can be used positively. However, the establishment of that tax should not be used as the basis for introducing changes that will increase carbon emissions. It should not be used as a basis for taking money out of the Scottish budget, and there needs to be serious and critical analysis of any policy change that benefits flyers who are high earners, while some people in our communities do not have enough to afford the bus fare to the local jobcentre. There are real questions that have to be answered.

It has been quite an interesting debate. On the environmental consequences, we heard two excellent speeches, from Claudia Beamish and Liam McArthur. Claudia Beamish recalled the recent discussion on climate change and said that, whenever it is discussed in the chamber, there are lots of warm words and people are supportive of the measures being taken to reduce carbon emissions. However, the Scottish Government's own statistics show that, if we reduce APD by 50 per cent, it will potentially result in 50,000 extra tonnes of carbon emissions. There are consequences to the policy that do not sit well with the policy objectives announced in other Scottish Government portfolios.

Neil Bibby raised some interesting questions when he asked who will benefit from the introduction of the tax and the 50 per cent reduction. The top 20 per cent of earners will be

£73 a year better off, whereas the bottom 20 per cent will be only £4.50 a year better off. There is a real issue about the fairness of the policy. In a sense, the Government has not been able to tackle this part of the argument. We saw that when Patrick Harvie intervened on Derek Mackay and asked about the consequences for the Scottish budget. Essentially, the Government's approach seems to be to say, "Let's just look away now and we'll deal with it later."

I find it interesting that it is the Tories, rather than the SNP, that have advanced the arguments for the reduction in APD. Liam Kerr gave the game away in his speech when, in effect, he said, "What's wrong with helping the wealthy? What's wrong with cutting APD? If there are wealthy people who benefit, so be it." That is the logic of the position, and that has to be the challenge for those on the SNP benches who try to portray themselves as the voice of the progressives in Scottish politics.

The reality is that they are going to sign up to a reduction of 50 per cent in APD that will take £189 million out of the Scottish budget. The Tories are quite supportive of that approach, because their position is to say, "Let's help these wealthy flyers, and that'll have an overall positive impact on the economy." Their attitude is that, if that means we have fewer teachers in our schools and fewer nurses in our NHS, so be it. The challenge for the SNP is to say whether they accept that and will sign up to it.

Scottish Labour will support the setting up of the air departure tax, but we will robustly challenge any proposals that will raise carbon emissions, will take money out of the Scottish budget and are not fair and proportionate in their impact on our communities throughout Scotland.

17:03

Adam Tomkins (Glasgow) (Con): In my five minutes, I need to say three quick things—why we support the bill; why we supported the Government's amendments at stage 2 and why they were important; and something about the policy and the fact that, this afternoon, we have heard so many SNP members talk about the importance of cutting taxation in order to grow the economy.

We on the Conservative benches support the bill, first and foremost, because we believe in fiscal devolution for this Parliament. We pushed hard for that in the Smith commission and we strongly supported its view that tax on aviation was one of the taxes that should be devolved in full to this Parliament. The Smith commission said:

“The power to charge tax on air passengers leaving Scottish airports will be devolved to the Scottish Parliament.”

The really important word there is “Parliament”. It said that the power would be devolved to the Scottish Parliament, not to the Scottish Government.

The flaw in the bill as it was introduced earlier in the session—it was a very serious flaw—was that, almost uniquely in British tax legislation, it failed to define in the bill the activity or behaviour that was to be taxed. It is perfectly normal for bands and rates of taxation to be determined by secondary instrument later in the process, but it is very unusual—and it should be absolutely discouraged—for the scope of tax liability itself not to be transparent in the legislation that introduces the tax in the first place.

Bruce Crawford, who is the convener of the Finance and Constitution Committee, mentioned that, but he failed to mention, of course, that he and his SNP colleagues voted against the Finance and Constitution Committee’s recommendation that the bill should be amended at stage 2 to remedy that serious defect. We were nonetheless able to prevail upon the cabinet secretary that we were right and that the convener and his colleagues were wrong, because the SNP does not have a majority on that committee any more.

Andy Wightman: Will Adam Tomkins explain why he did not lodge amendments to that effect at stage 3?

Adam Tomkins: We did not need to, because the bill was amended at stage 2 in the Finance and Constitution Committee by amendments that we supported, so the defects that we identified in the early stages of the process were remedied. That defect was not in the Land and Buildings Transaction Tax (Scotland) Bill or the Landfill Tax (Scotland) Bill, and it is not in the current UK air passenger duty legislation. It is a pity that the SNP sought to introduce such a defective bill into the Parliament and that the defects were supported by all the SNP members of the Finance and Constitution Committee.

It has been a real pleasure to listen to all the SNP members talking about the importance of cutting tax to grow the economy. However, my question for those SNP members is why that argument pertains only to the tax that we are discussing. If cutting APD will help to grow the Scottish economy—I whole-heartedly agree with the cabinet secretary that it would be and that we should get on with it and do it quickly—why does the SNP not also argue that cutting taxation more generally will be good, as doing so will grow the Scottish economy? I know that Labour members will not understand the argument, because they have manifested time and again this afternoon

their complete inability to understand taxation. We cannot redistribute wealth within the economy unless we first create wealth in the economy. The argument here is not about redistribution and fairness; it is about creating wealth in the first place.

We propose to remove the air travel tax on flights that are longer than 2,000 miles. That would incentivise airlines to provide new direct links from Scotland to America, China and other global destinations, and that would be important in the Scottish economy with or without Brexit, so that families and businesses do not have to travel via London’s packed airports, Amsterdam or other hub airports in Europe. We hope that the cabinet secretary will make proposals that are based on those policies.

We support an immediate freeze on air passenger duty or air departure tax on short-haul flights to the UK and Europe in order to ensure that passengers can enjoy cheaper fares to destinations that are nearer to home. That is part of our economic strategy ahead of Brexit, which is focused on ensuring that Scotland gets connected to the global economy.

For all the wailing to the contrary from the Greens and others, international evidence supports the existence of a link between air travel demand and departure tax rates. In the Netherlands, for example, a departure tax was introduced in 2008 only to be scrapped two years later following dropping passenger and tourist numbers. Closer to home, the Irish Government abolished its travel tax in April 2014, and annual airport traffic rose the next year by 3.3 million customers.

The gap between Ireland and Scotland on long-haul flights is obvious. In 2015, around 470,000 passengers travelled between the United States and Scotland. In Ireland, that number is more than 2.5 million.

We support the bill and the Government’s underlying policy of cutting the tax not because we think that it is the only tax in Scotland that should be cut in order to grow the economy, but because we believe in the underlying principle of cutting taxation in order to grow the economy. I hope that the cabinet secretary now sees the wisdom of that.

17:09

Derek Mackay: In my notes, I said that, considering some of the controversy around the policy, the debate has been quite constructive and consensual. Adam Tomkins then contributed and baited pretty much every other party in the chamber, with the exception of the Liberal Democrats.

Sticking with the Tories for just a moment, Liam Kerr made a point about policies being based on evidence, but he did not mention Brexit. Perhaps that is no surprise because, if more evidence was taken into account on that subject, we would all be in a better position. However, Liam Kerr did not say the words, "I agree with Derek Mackay." The most interesting contribution from Liam Kerr was to say that he agrees with Patrick Harvie on matters relating to the bill. [*Interruption.*] That seems to surprise many Conservative members who have just come into the chamber.

James Kelly is right that, if we do not pass the bill, we will not collect any of the tax at all, so it is right to create the legislation that gives us a framework to enable us to collect the tax. Of course, we will return to the tax decisions in our consideration of the affirmative order, which will be transparent and done proactively by Parliament.

I have tried to engage on the structure of the tax, and I have responded to what was said in the consultation. I recognise the issue that a number of members, including Liam McArthur, have raised about the Highlands and Islands exemption, which is a significant issue. When I was transport minister, I proposed the increase of the air discount scheme subsidy to 50 per cent, and I am well aware of the issues in the Highlands and Islands relating to aviation as a form of transport and its critical importance to the residents of communities there. I repeat that I am engaging with the UK Government to resolve the matter, and I have a further call planned with the new Chief Secretary to the Treasury, when I will raise that and other matters to progress the issue of a like-for-like exemption for the Highlands and Islands. That is the Scottish Government's aspiration.

The tax is one of the most expensive of its kind in Europe and the world, so it is right to try to deliver a level playing field in order to sustain what we have in Scotland and establish new routes. We know that the industry and airports are a dynamo of the Scottish economy, and we could do more with the powers that are coming our way. We will do that transparently and in the fashion that I have set out in the debate.

Neil Bibby criticised the airline industry but welcomed airport growth. It is hardly surprising that he welcomed that growth, given the region that he represents, but it is a surprise that he would criticise the airline industry, considering that jobs relating to the industry are so important in that area.

On climate change, the Government has a strong track record of meeting our emissions reduction targets, and we intend to continue to do so. We will take the policy into account in the modelling as we do that.

Patrick Harvie: The cabinet secretary's position would be more credible if the Government's climate change plan set out clearly by how much it intends to allow aviation emissions to rise, as a result of the policy or of background levels of growth, and what actions it intends to take to compensate for those increased emissions. When will we hear any shred of detail about what the Government intends to do as a result of the measures that it is taking to increase aviation emissions growth?

Derek Mackay: The Scottish Government has said and has reported that our adviser, the UK Committee on Climate Change, has said that the modelling shows that any increase in aviation emissions is manageable as part of the overall policy. We have acknowledged that it means that we have to work harder in other areas to do that. However, we have a track record of delivery in the area and we will continue with that while delivering on our commitments to boost sustainable economic growth.

The bill is about the fulfilment of devolution and the completion of new fiscal powers. It is about the structure of tax and, taking into account the committee's recommendations, the exemptions and other matters. Further, in a constructive fashion, I have outlined a commitment to publish analysis and assessment.

Bruce Crawford is right that we want to show that Scotland is open for business. That fits with our economic strategy. It is about internationalisation and supporting business and tourism growth in Scotland in a responsible way.

That is why we will use our fiscal powers in a responsible way, as outlined over the course of the debate. The bill establishes the enabling power and provides for us to come back with an affirmative order to set the tax rates and bands, about which there will be further engagement. I invite the Parliament to pass the Air Departure Tax (Scotland) Bill.

Seat Belts on School Transport (Scotland) Bill: Financial Resolution

17:15

The Presiding Officer (Ken Macintosh): The next item of business is consideration of motion S5M-05202, in the name of Derek Mackay, on a financial resolution for the Seat Belts on School Transport (Scotland) Bill.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Seat Belts on School Transport (Scotland) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3(b) of the Parliament's Standing Orders arising in consequence of the Act.—
[Derek Mackay]

The Presiding Officer: The question will be put at decision time.

Decision Time

17:15

The Presiding Officer (Ken Macintosh): There are two questions to be put as a result of today's business. The first question is on the motion to pass the Air Departure Tax (Scotland) Bill.

Following the introduction of new procedures relating to protected subject matters, I am required under rule 9.8.9 of standing orders to call a division on the motion to pass the bill at stage 3. That is because, although I have decided that a supermajority is not required, we are required to record the result. In that way, we can demonstrate in any circumstances the number of members who voted in favour of the bill. I hope that members followed that.

The question is, that motion S5M-06164, in the name of Derek Mackay, on the Air Departure Tax (Scotland) Bill, be agreed to. Members should cast their votes now.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Campbell, Aileen (Clydesdale) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Corry, Maurice (West Scotland) (Con)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Edinburgh Central) (Con)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Evans, Mairi (Angus North and Mearns) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Findlay, Neil (Lothian) (Lab)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)

Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (West Scotland) (Con)
 Grahame, Christine (Midlothian South, Tweeddale and
 Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire)
 (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)
 Lochhead, Richard (Moray) (SNP)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Mason, Tom (North East Scotland) (Con)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse)
 (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Tomkins, Adam (Glasgow) (Con)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine)
 (SNP)
 Wells, Annie (Glasgow) (Con)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)

Whittle, Brian (South Scotland) (Con)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Finnie, John (Highlands and Islands) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Johnstone, Alison (Lothian) (Green)
 McArthur, Liam (Orkney Islands) (LD)
 Rennie, Willie (North East Fife) (LD)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Scott, Tavish (Shetland Islands) (LD)
 Wightman, Andy (Lothian) (Green)

The Presiding Officer: The result of the
 division is: For 108, Against 11, Abstentions 0.

Motion agreed to,

That the Parliament agrees that the Air Departure Tax
 (Scotland) Bill be passed.

The Presiding Officer: The question is, that
 motion S5M-05202, in the name of Derek Mackay,
 on a financial resolution for the Seat Belts on
 School Transport (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament, for the purposes of any Act of the
 Scottish Parliament resulting from the Seat Belts on School
 Transport (Scotland) Bill, agrees to any expenditure of a
 kind referred to in Rule 9.12.3(b) of the Parliament's
 Standing Orders arising in consequence of the Act.

Scottish Civic Trust (50th Anniversary)

The Deputy Presiding Officer (Christine Grahame): The final item of business is a members' business debate on motion S5M-05856, in the name of Linda Fabiani, on the Scottish Civic Trust—50 years of protecting Scotland's built heritage. The debate will be concluded without any question being put.

Motion debated,

That the Parliament congratulates the Scottish Civic Trust on its 50th anniversary; notes that the trust began in 1967 to respond to the destruction of buildings and townscapes around Scotland; acknowledges that it helped to save New Lanark from dereliction and assisted in developing a network of local civic trusts around Scotland; welcomes initiatives that it has established, including Doors Open Day and the My Place Awards; recognises that the trust has an ongoing commitment to save buildings and townscapes, keeping communities at the heart of its movement, and thanks all volunteers, past and present, for their sterling work.

17:19

Linda Fabiani (East Kilbride) (SNP): I am really pleased to bring the debate to the chamber to congratulate the Scottish Civic Trust on its 50th anniversary of protecting Scotland's built heritage. As I get a bit older, 50 years does not seem that long, but I suppose that it is almost two lifetimes for some of our members.

The Scottish Civic Trust is an organisation with a proud history. It was established in 1967 in response to the destruction of innumerable historic buildings and areas of townscape, some of which had evolved over centuries. A lot of people realised that our history and heritage were in danger of being lost for ever, so a lot of volunteers came together and decided that they had to do something about that. The trust was a focus for debate, but it was also a focus for action, and that is what is really important about it.

I had a wee look at the timeline of what the trust has achieved. I have lost that, although I had it sitting here. Aha—I have found it now, which is useful. The timeline of what it has done over 50 years is fascinating. The first director was a chap called Maurice Lindsay, who is—sadly—no longer with us. He and the first trustees had a vision of civic pride and the ability to see something that we all talk about now: how places and placemaking are key to the wellbeing of individuals and communities. He and those who worked with him saw that.

What the trust has been instrumental in over the years is important. People do not realise the truly great, big things that it has done. Away back in 1970, it organised a conference on the

conservation of Georgian Edinburgh, which was important. It took place in the assembly rooms in Edinburgh.

The trust was instrumental in ensuring that New Lanark was preserved for posterity and for all of us to enjoy. When people talk about New Lanark, they talk about the legacy of David Dale and Robert Owen and about the wonderful social initiatives that were taken at that time and were exported around the world. We should be very proud of it, but we must ask ourselves whether, if people had not had the vision to save the built heritage of New Lanark, we would be as aware as we are of the social history that surrounds the area. I suspect that we would not. People now visit New Lanark, where a thriving community lives and works, and they learn without realising that they are learning about what New Lanark stands for.

The Scottish Civic Trust also started doors open days—people do not realise that, either. It started the photoarch competition, which launched in 2007—I remember the first one well. The competition's aim was for schoolchildren to recognise the worth of their environment. The trust also launched the my place awards. There is a lot of stuff in the timeline. I suspect that I surprise people by talking about those things; people do not realise that the trust was behind them.

That ties in with something that I said at an excellent event that we had in the Scottish Parliament to celebrate the trust's 50th anniversary, which I hosted as the chair of the cross-party group on architecture and the built environment. We heard a lot about the work that was done by John Gerrard, who spoke at that reception. He started as a technical officer in 1968 and retired from the organisation in 2000. What a fantastic man he is and what knowledge he has.

At the event, I said that the thing about the trust that inspires and pleases me and makes me really appreciate it is the way in which it just quietly gets on with the work. It cares so much about what it does that it just quietly gets on with the work and does not look for any reward.

What does the trust do? Its mission is to

“create places that are attractive, stimulating and enjoyable.”

Its vision is that

“Scotland's important and distinctive buildings and places are understood, cared for and celebrated.”

The trust is not just about ancient buildings and listed buildings; it also looks to the future. I represent the new town of East Kilbride, which has a couple of listed buildings that I know the trust is interested in. Many years down the line, the trust may be trying to ensure that those buildings are

preserved. The trust is about the past, the present and the future.

The Scottish Civic Trust provides leadership for a network of local civic trust and amenity societies. There are about 120 of them across Scotland, and I am sure that there is one near to every member of the Scottish Parliament. I am also pretty sure that a lot of folk do not know that they exist and are quietly getting on with the work. Those trusts do not blow their own trumpets enough.

However, when I had a look at the Scottish Civic Trust's draft report that will come out this year—it is only a draft so I cannot share it with members—I was pleased to see that it is starting to blow its trumpet a wee bit. It recognises the worth of what it does and wants people to know about it.

One of the things that the trust plans to launch this year is an annual civic day, which will be a national celebration of civic pride. That is an excellent thing to do. There are a lot of initiatives around, such as the keep Scotland beautiful campaign. When I am working in Parliament, I am fortunate to spend a couple of nights a week in Edinburgh, and I have to mention the mess that was our street last night. It was absolutely filthy and disgusting and we find that too often these days.

Civic pride is important. People generally care about their environment, even if they do not realise it. Whether it be the natural or the built environment, the places that people have to be in contribute much to their wellbeing. People having a sense of pride in their surroundings is excellent.

Placemaking and flourishing communities go hand in hand, as the Scottish Civic Trust has recognised for 50 years. I would like everyone here to recognise the work that the trust quietly gets on with to the benefit of us all, to support it, to look at the national celebration of civic pride that is coming up on the annual civic day, to support doors open day, to look at the trust's place in our planning legislation and to support it for the next 50 years.

17:27

Maurice Corry (West Scotland) (Con): I begin by joining Linda Fabiani in congratulating the Scottish Civic Trust on its 50th anniversary. It is a remarkable landmark for any organisation to reach and one that should rightly be celebrated. I am glad that we have the chance to talk about it in Parliament today.

Protecting our environment and architecture is important for all our communities whether they be old or new, natural or built. Scots should be very proud of what we have built in this country;

defending and seeking to enhance it is a fine and noble cause.

One of the main strengths of the Scottish Civic Trust is its local community-based, volunteer-led groups, which exist right across the country. In the West Scotland region, we are lucky enough to have more than 15 groups stretching from groups in Rosneath and Helensburgh in the north of the region to Kilwinning in the south, and, in the west, from groups on Arran to the eastern part of my region in Clydebank and Renfrew.

Each of those groups plays a vital part in protecting the environment of their communities. It is a vital task because, as the Scottish Civic Trust, correctly states on its website,

“One of Scotland's most important resources is its environment”.

The groups can help to play a part in influencing the way in which our environment is managed to ensure that it can be enjoyed for generations to come.

According to the Scottish Civic Trust, almost 90 per cent of its groups engage directly with local councils on individual planning applications and overall local planning and development plan policy. Scottish Civic Trust local groups also work to involve and inform the wider public by organising lectures and social events, and run awards schemes. Their activities also include working to get improvements to the local area and working with schools and local businesses.

The Scottish Civic Trust also co-ordinates the work of numerous national projects such as the civic pride campaign, my place awards, the my place photography competition and the Scottish heritage angel awards.

Another example of that sort of work is the doors open day, one of which is planned for this year by the Helensburgh Heritage Trust, which is working to hold an event that would see some of the town's most iconic buildings open their doors to the public. That follows the successful doors open day that was held in West Dunbartonshire last year, which saw the doors of various prominent and well-known buildings being open to the public including St Mungo's Scottish Episcopal church in Alexandria, Strathleven House in Dumbarton and the gardens at the Robin House children's hospice in Balloch.

The frequency of such events shows that the Scottish public is aware of its heritage and is active in promoting it frequently. If the number of events in my region is replicated across Scotland, which I understand is the case, the Scottish Civic Trust has undoubtedly fulfilled its duty to promote Scotland's environment and architecture.

Once again, I congratulate the Scottish Civic Trust on its 50th anniversary and wish it the very best for the next 50 years.

17:30

Lewis Macdonald (North East Scotland) (Lab): I, too, congratulate Linda Fabiani on securing the debate. It provides a good opportunity to focus on Scotland's built environment and on how civil society can work with central and local government to achieve the right balance of conservation and development in our crowded urban spaces.

It is no coincidence that the society was founded 50 years ago because, in a sense, that marked the end of the period of post-war redevelopment, which was often done at a pace and in ways that perhaps left heritage quite low down the order of priorities. Having experienced that process and having reached a point at which there was clearly a broader recognition of the importance of conservation as well as development, the Civic Trust has contributed over those 50 years to a rethink and a reprioritisation, in particular in relation to protecting some of our most valuable heritage.

Linda Fabiani mentioned Georgian Edinburgh and New Lanark, but of course there are many other examples around the country where the Civic Trust and those bodies which it helped to bring into being have made that kind of development or change possible. The guiding principle of local empowerment that underlies the Civic Trust is, I think, the right one, recognising that local communities have a special interest in how their local area is conserved or developed or both.

There will not always be consensus on what projects should go forward—as I suspect most members know from their local experience—or how they should relate to each other and to existing buildings. It is a question of what the balance should be between conservation and development. However, the starting point has to be that local people have the right and the opportunity to express their views and to take an active role. It is that approach that we celebrate this evening.

I highlight from my own area the Aberdeen Civic Society, which is a member of the Scottish Civic Trust and the Aberdeen City Heritage Trust, which brings together a number of public and third sector organisations with similar objectives in mind. The work that those bodies do is very much around getting the balance right and ensuring that while we seek to regenerate our cities, we do it in a sensitive and respectful way.

Another fundamental principle of the Civic Trust that has already been mentioned is the importance of raising awareness, pride and a sense of ownership of our best historic and public buildings.

The annual doors open day, which is co-ordinated and initiated by the trust, is a good example of the mutual benefits that can arise for those who are responsible for such buildings and the wider community. I know from experience just how much it is possible for families to learn about their city from doors open day.

Buildings that might be walked past without a second glance turn out to contain much more than meets the eye—in Aberdeen, for example, there is St Nicholas the mither kirk, which has been a centre of worship and city life for well-nigh 1,000 years, and Trinity Hall. Anyone who has visited Trinity Hall in Aberdeen will see a typical 1970s building but perhaps not be aware until they go in the door that behind those walls lies hundreds of years of accumulated heritage from the incorporated trades of the city. There are benefits to those who visit, but there also benefits to those who operate such buildings because of that increased awareness and that increased audience for what they do.

It is worth saying that it is not just about the built environment and old and ancient buildings, important though those are; Aberdeen Civic Society has recently provided awards for the restoration of Duthie park, a public park in the centre of Aberdeen which has been restored to a fantastic standard, and for the building of a Maggie's centre in Aberdeen—a modern, purpose-built building which is right on the edge of the hospital campus at Foresterhill.

The work of the Civic Trust and the organisations that are part of it nationally is very much to be commended. I am sure that it will continue to grow and develop over the next 50 years in the way that it has done over the last 50.

17:34

Graham Simpson (Central Scotland) (Con): Heritage—a word that either inspires and excites people or leaves them cold. For me, it is the former.

I thank Linda Fabiani for bringing the debate to Parliament. Linda and I come from the same part of Scotland—South Lanarkshire. It is, like many other parts of the country, an area rich in history, but it is a history that is too easy to lose.

The motion mentions New Lanark. The cotton-mill village, where workers were paid decent wages, as well as being provided with housing, healthcare and schooling, is a success story of

how we can preserve the past. That is not always the case.

The Scottish Civic Trust was established as a response to the destruction of historic buildings. One of its original stated aims was to achieve “the elimination of ugliness”. I am not sure that that can ever be fully achieved, but we can try. People like buildings and areas with character, but they can be lost in a heartbeat.

The Civic Trust is an umbrella body for local civic societies and local environment groups. There are about 120 of them. Although some of those groups comment on planning matters, there is no mandatory requirement for them to be contacted, and the trust has no statutory powers. It used to maintain the buildings-at-risk register for Scotland, which is now maintained by Historic Environment Scotland.

Today’s debate is about celebrating the trust’s work, including its hugely successful doors open days and the Scottish heritage angel awards. That is entirely right, because both those schemes shine a light on what is best about heritage and the work to preserve it. I was also enthused to hear about the annual civic day.

I want to make a serious point about what I see as a gap in our approach to heritage. The buildings-at-risk register covers listed buildings and buildings in conservation areas. That is fine, but many other historic buildings deserve protection and are not getting it. That was brought home to me recently, when my local pub, the Stewartfield Farm, which dates from the 1800s, was closed, with permission given to demolish it—while an application to build new houses is being considered. There is nothing wrong with the building—there was not until the roof tiles were removed—and nobody nearby wants to see it go. It is part of the heritage of our home town, East Kilbride, but the council will not do anything to save it. It is not listed and it is not in a conservation area. It could be one of many that got away.

My point is this: someone, somewhere, perhaps the Scottish Civic Trust, should be able at least to put a temporary halt to such wanton vandalism of our history. If that means beefing up what they can do, so be it. Perhaps there is an opportunity here when the forthcoming planning bill comes before the Parliament.

Scottish Civic Trust director John Pelan told my office that MSPs should be campaigning about buildings in their own areas and bringing them to the attention of the Scottish Civic Trust and the buildings-at-risk register. I have done so, and I urge others to do the same.

17:38

The Cabinet Secretary for Culture, Tourism and External Affairs (Fiona Hyslop): In closing the debate, I thank Linda Fabiani for securing it and for her heartfelt tribute to this most important organisation at the heart of civic life in Scotland.

The motion rightly highlights New Lanark and the Scottish Civic Trust’s role in helping to save the site in the 1970s. From a tale of dilapidation and ruin, New Lanark is now one of Scotland’s six world heritage sites. It was inscribed as a world heritage site in 2001, and it is seen as a historic environment success story.

The Scottish Civic Trust has done much to contribute to the care, promotion and understanding of our rich built heritage since the organisation’s birth in 1967. As cabinet secretary with responsibility for the historic environment, I have had the pleasure of seeing for myself the sterling work that the trust undertakes on behalf of the people of Scotland. Through its core activities, the organisation does a huge amount to raise the profile of Scotland and its rich built environment, both at home and abroad. I will say a few words on those activities in due course.

First, I thank the Civic Trust for its contribution to the development and implementation of our place in time, Scotland’s first strategy for the historic environment. In particular, I acknowledge the contribution of the trust’s director, John Pelan, to that process. The trust was one of a number of partners that worked in collaboration to develop a series of shared strategic priorities for Scotland’s historic environment.

I am pleased to report that the trust will continue to help to deliver our national shared objectives for the historic environment, not only through its activities but through its membership of the volunteering working group that has been set up under our place in time’s refreshed strategic framework. The group will consider how best to demonstrate and promote the value of volunteering to the historic environment and how to establish mechanisms to engage individuals, communities and organisations. I look forward to seeing the fruits of the group’s deliberations in due course.

I am pleased that the Scottish Government has supported the work of the Scottish Civic Trust through Historic Environment Scotland, which has provided voluntary sector funding to the trust for many years and is currently the organisation’s main funder, providing about 50 per cent of its income. Historic Environment Scotland is committed to a three-year funding award of more than £305,000 to the trust to deliver three specific projects, which have already been mentioned:

doors open day, the my place photography competition and the civic pride campaign.

Doors open day, which is co-ordinated nationally by the Scottish Civic Trust, is Scotland's largest free annual architectural event. It is part of our contribution to European heritage days, alongside Scottish archaeology month, which is co-ordinated by Archaeology Scotland and also funded through Historic Environment Scotland's voluntary sector fund.

I am sure that many members will have taken the opportunity provided by doors open day to visit historic properties across Scotland that are not usually open to the public. It has been a hugely successful initiative, and the figures are impressive. The Scottish historic environment audit for 2016 reported that 25 local authorities participated in doors open day in 2015; more than 1,000 buildings were open to the public; and more than 210,000 visits were recorded. The event was supported by more than 5,000 volunteers. Those figures demonstrate the level of interest that the people of Scotland have in their local built environment. It is hugely encouraging to note how many people are willing to give their time freely to help ensure the success of doors open day, and the chamber has expressed its thanks to them.

The trust's my place photography competition has also been remarkably successful. The competition is a built environment photography project for primary and secondary school-age children throughout Scotland. It encourages children to look at the heritage where they live through the medium of photography. More than 500 young people from 24 schools in 14 local authority areas have taken part in 2017—that is a great level of uptake and an excellent example. It has produced fantastic photography, and I usually have a fight with the local government minister over who gets to present the awards.

Encouragement is also at the core of the Scottish Civic Trust's civic pride campaign. Funding helps the trust to carry out a range of functions to foster and develop a sense of civic pride in our towns and cities. At the heart of the campaign is the Scottish Civic Trust's established network, which Maurice Corry and Lewis Macdonald referred to, of more than 100 affiliated local groups across Scotland. Those groups represent an important part of our civic society and involve thousands of volunteers from all walks of life across the country.

I spoke to Linlithgow Burgh Trust on Friday. It is made up of wise, passionate people who are determined to promote the town in which they work and in which I live. The town of Linlithgow is much older than East Kilbride and has different challenges. It is important remember that local civic trusts help us both to understand our heritage

and to look to a sustainable future. They are involved in planning how their local town can develop for the future. We should not always think that civic trusts are about the past because they are certainly about the present and about the future, too. The volunteers who take part in all the affiliated groups celebrate and record their local heritage. The civic pride campaign aims to recognise and support the work of the local civic groups and amenity societies across Scotland, to help them to foster links. That should benefit not only individual groups but the network.

Of course, in commenting on those examples, we should not lose sight of the other activities in relation to which the Scottish Civic Trust plays a critical role, such as the Scottish heritage angel awards—members might wish to remind their constituents and others that nominations for those awards close on 11 August—and the my place awards, as well as the trust's heritage consultancy service work.

When we consider all those activities in the round, I am sure that we can all agree that the trust provides a great service to the people of Scotland. Indeed, the trust is an exemplar for us all in relation to collaborative and partnership working; facilitating and encouraging volunteering across the country; and engaging with and inspiring new audiences who, in turn, often develop a deep-rooted enthusiasm for our built environment.

I congratulate the Scottish Civic Trust on its 50th anniversary and say a big thank you to the organisation and all its employees, supporters, friends and volunteers who have helped the trust to achieve so much since its foundation in 1967.

Meeting closed at 17:45.

This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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