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Official Report

MEETING OF THE PARLIAMENT

Thursday 19 February 2015

Session 4

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Scottish Parliament

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[The Presiding Officer opened the meeting at 11:40]

General Question Time

Insult to Injury Campaign

1. Ken Macintosh (Eastwood) (Lab): To ask the Scottish Government whether it will respond to the insult to injury campaign and ensure that war pensioners are treated fairly. (S4O-04021)

The Minister for Sport, Health Improvement and Mental Health (Jamie Hepburn): We are exploring with the Convention of Scottish Local Authorities options to create a fairer system for charging for social care, and we will look at the matter as part of that work. Scottish Government officials are also in close contact with officials in the United Kingdom Department of Health on the issue.

Ken Macintosh: Does the minister agree that it is entirely unfair that we treat veterans who were injured before 2005 in a different manner from those who were injured after 2005? What work is the Government doing to explore how much it will cost to rectify the anomaly?

Jamie Hepburn: I thank Ken Macintosh for bringing the issue to the chamber. We owe all our veterans a debt of gratitude, and particularly those who have been injured in the line of duty.

I will take Ken Macintosh's second question first. The Government is undertaking work to assess the financial impact on local authorities of a number of proposals around care charges, including this issue.

On the differential treatment of veterans who have been injured in battle, I make the point that the change came about not as a consequence of a decision by this Government but through a decision by the last Labour Government, which changed to the new scheme from the previous scheme. That is not something that this Government has control over.

John Scott (Ayr) (Con): The minister will be well aware from my correspondence to him and from others of the unfairness in the financial treatment of those who were wounded in the service of their country before 2005 and those who were wounded after 2005, which is clearly in breach of the armed forces covenant. What discussions has he had with the British Government, COSLA and armed forces organisations such as the British Legion? If he is

mindful to address the situation, when will he be able to do so?

Jamie Hepburn: I go back to my initial answer to Mr Macintosh. We are actively exploring the issue with COSLA and we will be happy to speak to a range of stakeholders. I recognise the concerns that have been raised by the British Legion and Poppyscotland.

I go back to the point that I made earlier. The change was not a consequence of a decision made by this Government; it was the UK Government that changed the terms of support for those who have been injured in the line of duty.

Protecting Vulnerable Groups Scheme (Applications)

2. Mark McDonald (Aberdeen Donside) (SNP): To ask the Scottish Government what information it has on the average length of time taken to process applications for protecting vulnerable groups scheme membership for people seeking employment in the care sector. (S4O-04022)

The Minister for Children and Young People (Fiona McLeod): Mr McDonald asked specifically about the care sector. Information about the sectors from which PVG applications are submitted is not gathered by Disclosure Scotland. PVG applications are processed as they arrive and no application is given priority over any other.

Disclosure Scotland's service level agreement is to produce 90 per cent of all types of disclosures, for correctly completed applications with no further inquiries, within 14 calendar days. That is measured from the day when the application is received to the day of dispatch. For the week ending 15 February 2015, Disclosure Scotland processed 99.9 per cent of applications within 14 calendar days.

Mark McDonald: Some organisations in the care sector in Aberdeen, which I represent, have indicated that the length of time that is being taken to process PVG applications can lead to individuals seeking alternative employment, perhaps in an area where a PVG is not required. Will the minister examine whether there are issues that are affecting the care sector specifically and whether some form of fast tracking may be appropriate, particularly in areas such as Aberdeen, where there are difficulties in recruitment and retention in the care sector?

Fiona McLeod: In some instances, it is necessary for Disclosure Scotland to contact other agencies to determine whether there will be any inclusions on the individual's PVG scheme record from those sources. When that happens, the period of time to process a PVG disclosure can be longer. Disclosure Scotland closely monitors the

performance of external information suppliers and works to ensure that such requests are fulfilled as quickly as possible in the interests of both the applicant and the prospective employer.

If Mr McDonald wants to get in touch with me with the numbers from particular organisations in his area, I will inquire further.

NHS Lanarkshire (Meetings)

3. Bob Doris (Glasgow) (SNP): To ask the Scottish Government when it last met NHS Lanarkshire and what matters were discussed. (S4O-04023)

The Minister for Public Health (Maureen Watt): Ministers and Government officials regularly meet with representatives from all health boards, including NHS Lanarkshire, to discuss matters of importance to local people.

Bob Doris: I am concerned about both the proposals and the quality of current consultation being conducted by NHS Lanarkshire in relation to general practitioner out-of-hours services, which will see the end to the use of them at the Victoria infirmary in Glasgow.

Can the minister confirm that new health board boundaries need not be a barrier to the continued use of the Victoria infirmary? Although I personally would urge NHS Lanarkshire to reconsider its current proposals, does the minister agree that any final decision by NHS Lanarkshire should be delayed until the Scottish Government has completed its national review of out-of-hours services?

Maureen Watt: I appreciate that there is concern locally about the board's review of out-of-hours services. All health boards keep their services under review to ensure that they are of the highest quality. I am aware that NHS Lanarkshire is carrying out a review of out-of-hours services, which started on 6 January and is due to conclude on 6 April. I have been assured that all stakeholders will continue to be fully engaged and involved as that important work is taken forward.

The Scottish Government is liaising with NHS Lanarkshire and is being kept up to date with the progress of its review. I would expect that the outcomes of the review to be in line with any recommendations arising from the Scottish Government's recent out-of-hours service review.

River Beds (Assistance to Farmers)

4. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the Scottish Government how it assists farmers who wish to remove silt from river beds. (S4O-04024)

The Cabinet Secretary for Rural Affairs, Food and Environment (Richard Lochhead): The Scottish Government and the Scottish Environment Protection Agency, in association with NFU Scotland, have been proactive in developing guidance to inform farmers what actions can be taken on removal of silt from river beds. That guidance is available.

Murdo Fraser: I have been contacted by a number of east Perthshire farmers—I know that theirs is a view reflected in other parts of the region that I represent—who have been affected by flooding. They are concerned that water courses are silted up and they have great difficulty when it comes to removing the silt and other debris. They feel that the approach used by SEPA is still overly bureaucratic. What more can the Scottish Government do with SEPA to simplify that process?

Richard Lochhead: I would urge the farmers in Perthshire to meet the local SEPA officials to discuss their concerns. The guidance that was issued early last year was intended to address those very concerns and to explain that action can be taken without applying for a licence, although there are some rules that have to be adhered to. That is clearly laid out in the guidance that was made available to all farmers and that NFUS has distributed to its members.

If there are on-going issues, of course I am happy to listen to what they may be. I would ask in the first instance, though, for the farmers to meet the local SEPA officials to take those issues forward. I can assure Murdo Fraser that I am very familiar with the issues from representing my own constituency, which has had a number of flooding issues over the years. Farmers there likewise have welcomed the guidance that was issued.

Hospitals (Minimum Staffing Levels)

5. Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): To ask the Scottish Government what its position is on the implementation of minimum staffing levels for all professions in hospitals, as recommended by the former chief nursing officer, Anne Jarvie, and Professor Derek Bell.

The Minister for Public Health (Maureen Watt): We are absolutely clear that quality of care for Scotland's people comes first. As a demonstration of our full commitment to achieving the best possible healthcare outcomes, Scotland's people benefit from a national health service workforce of the highest quality and from higher staffing levels across our NHS than ever before.

To ensure that enough professional staff at the right levels are available when and where they need to be, NHS boards in Scotland are required

to have workforce planning arrangements in place. In doing so, they are required to use evidence-based workload and workforce planning tools rather than fixed staffing ratios to assess numbers of nurses and where they should be deployed most effectively.

Malcolm Chisholm: Will the minister consider seriously all the recommendations in what I think was a very important editorial in the *Journal of the Royal College of Physicians of Edinburgh*? One of the central recommendations of the editorial was that there should be minimum staffing levels, based upon best evidence, for all professions within hospital settings and that those staffing levels should cover all hours of the day and night.

I think that there is a consensus among many health experts that that is the way forward. Will the Government give serious consideration to it?

Maureen Watt: The Scottish executive nurse directors endorse the view that is taken in Scotland, as do other healthcare professionals including Sir Robert Francis, Sir Bruce Keogh and Professor Berwick, who all believe that evidence-based tools are the best way.

In Scotland, we do not talk about minimum staffing levels; we speak about safe staffing levels. We do not speak of nurse-to-bed ratios because nurses do not nurse beds—they nurse patients. Staff numbers are determined according to the clinical need of patients, not according to ratio level or numbers. As I said, in Scotland we use evidence-based tools to determine that need, not a one-size-fits-all fixed staffing regime.

John Mason (Glasgow Shettleston) (SNP): Given the commitment to preventative measures, is the hope in the long term to move resources less into hospitals and more into the community?

Maureen Watt: That is the Scottish Government's policy and, with the integration of health and social care, that is entirely the way in which we want to move.

Jim Hume (South Scotland) (LD): Given the doubling of the number of children who are being admitted to hospitals for self-harm in some parts of Scotland—a situation which is often compounded by the missing of the 18-week child and adolescent mental health treatment target—what action is the minister taking to administer NHS staffing resources for CAMH services effectively and efficiently?

Maureen Watt: As the member knows, that is the responsibility of my colleague Jamie Hepburn, who has recently announced £15 million of extra resources for mental health issues.

National Health Service Central Register (Scotland) Regulations 2006 (Privacy Concerns)

6. Patrick Harvie (Glasgow) (Green): To ask the Scottish Government what its position is on the privacy concerns raised by the Open Rights Group regarding the proposed amendments to the National Health Service Central Register (Scotland) Regulations 2006. (S4O-04026)

The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney): The Scottish Government has an unequivocal commitment to protecting and respecting individuals' privacy. The Government opposes identity cards and does not propose to introduce any new national database.

The measures on which we are consulting, which would result in limited additional verification and sharing of data from the national health service central register, will improve the accuracy of key statistics on Scotland's population and on migration; ensure that public sector organisations can verify whom they are dealing with in order to deliver the right services to people; support the tracing of missing persons; ensure that individuals who wish to do so can securely access online public services through the myaccount initiative; and accurately identify Scottish taxpayers, which is relevant to protecting Scottish tax revenues and so protecting the delivery of public services.

We will consider the responses to the consultation to ensure that the measures that are implemented, which Parliament will scrutinise, adhere to our commitment to protect the personal data and the privacy of individuals.

Patrick Harvie: I welcome the tone of the Deputy First Minister's opening comments. In opposition, the Scottish National Party rightly joined others in campaigning against the proposed ID cards legislation, which would have seen every citizen given a unique reference number linked to a central database that would have been linked to a card scheme, controlling access to public services and sharing data across Government. Why, then, are we now seeing a proposal for a system that will give every citizen a unique reference number linked to a central database that will be linked to a card scheme that will share information across Government and control access to public services? Furthermore, why is that the subject of a low-profile consultation rather than a national debate?

John Swinney: The proposal is the subject of a consultation exercise that will conclude in about a week's time, after which the Government will consider the consultation's outcome. I am glad that Mr Harvie welcomes the tone of my remarks, because they were designed to reassure

Parliament that the Government's position is crystal clear: we oppose ID cards and we do not propose to introduce any new national database.

The national health service central register has existed in Scotland since the 1950s. Every citizen has an individual national health number—a community health index number—that is viewed internationally as one of the strengths and foundations of the management of clinical care in the national health service. The Government is consulting on a number of limited additional verification conditions. I assure Patrick Harvie, Parliament and any concerned members of the public that the Government will test any reactions against its fundamental opposition to ID cards and its determination not to create any new national database.

Neil Findlay (Lothian) (Lab): Many people have concerns about the civil liberties implications of the proposals to change the register. However, most people, including me and—I suspect—many in the chamber, do not know enough about the issue. Will the minister bring forward a debate in Government time so that we can discuss the proposals in full?

John Swinney: Mr Findlay will forgive me if I do not prescribe reading material to him on a weekly basis, but the Scottish Government's consultation has been available for the public and members of the Parliament to contribute to. It closes on 25 February. If he wishes to make a submission to the consultation, we will happily consider the issues.

As for a debate, we must get the order of these matters correct. We are having a consultation whereby we are inviting people to give their opinions, and any regulations that come forward will have to be scrutinised by Parliament, which will have its opportunity to consider all the questions. If members have any concerns, I encourage them to engage with the issues that have been raised in the consultation, which are fundamentally about ensuring that we can support the direction of public services to those who require them and ensuring that the national health service register, which has existed since the 1950s and which is a strength in our ability to deliver the administration of clinical care to individuals, is enhanced in any way that we can do that. The tests about protecting and respecting individuals' privacy are at the heart of any decisions that the Government will take on the matter.

Police Scotland (Merger)

7. Lewis Macdonald (North East Scotland) (Lab): To ask the Scottish Government when the Cabinet Secretary for Justice was first aware that

Police Scotland intended to consult on a possible merger of A and B divisions. (S4O-04027)

The Cabinet Secretary for Justice (Michael Matheson): I was briefed on the proposals in early December. I will expect Police Scotland to take full account of the views that are expressed during the consultation and to reflect on the proposals in the light of those views.

Lewis Macdonald: The cabinet secretary will be aware that A division of Police Scotland is responsible for policing not only Scotland's third city but the entire offshore oil industry across the North Sea. Will he, as the responsible minister, reject any change proposed by Police Scotland that could leave Aberdeen as the only major city in western Europe without a dedicated police division or any responsible senior police officer of the rank of chief superintendent or above?

Michael Matheson: As the member is aware, Police Scotland has undertaken an extensive consultation on the issue. An element of consultation has also been taken forward by the Scottish Police Authority, which is responsible for scrutinising Police Scotland's actions. I discussed the issue this week with the chief constable, who assured me that he will consider the views that have been submitted to Police Scotland as part of the consultation process. Likewise, I would expect the Scottish Police Authority to scrutinise fully the proposals that Police Scotland takes forward and to consider how to respond to the consultation results.

NHS Borders (Meetings)

8. John Lamont (Ettrick, Roxburgh and Berwickshire) (Con): To ask the Scottish Government when ministers last met representatives of NHS Borders and what issues were discussed. (S4O-04028)

The Minister for Sport, Health Improvement and Mental Health (Jamie Hepburn): Scottish ministers regularly meet representatives of Borders NHS Board to discuss matters of interest to the people of the Borders.

John Lamont: I very much welcome the Scottish Government's recent decision to increase national health service spending by £282 million. Of course, that was made possible only by spending decisions made by the Conservative-led United Kingdom Government, which resulted in the Scottish National Party Government having £300 million extra to spend in 2015-16. Although the average increase for boards across Scotland is 3.4 per cent, NHS Borders is getting only 2.4 per cent. Will the minister explain why NHS Borders has been short-changed by £1.7 million?

Jamie Hepburn: Mr Lamont needs to get his figures correct. The increase that the Deputy First

Minister announced for the NHS was £383 million, not the figure that Mr Lamont quoted. I am delighted to report that NHS Borders is already ahead of parity in its funding by 2.7 per cent, or £4.8 million. The Government is delivering a fair funding deal for NHS Borders.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I recently met NHS Borders, which is very satisfied with what is going on. Will the minister visit Hay Lodge community hospital in my constituency to see the good work that it is doing despite the scaremongering by my colleague Mr Lamont, who seeks to leave the Scottish Parliament and go to Westminster and who will try any trick in the book?

Jamie Hepburn: I will leave the local fracas to Ms Grahame and Mr Lamont. However, if Ms Grahame writes to invite me to visit her constituency, I will be delighted to consider that.

First Minister's Question Time

12:00

Engagements

1. Kezia Dugdale (Lothian) (Lab): I am sure that I speak for all members when I wish everyone in Scotland's Chinese community a happy new year.

To ask the First Minister what engagements she has planned for the rest of the day. (S4F-02599)

The First Minister (Nicola Sturgeon): I, too, wish everybody in the Chinese community a very happy new year.

I have engagements later today to take forward the Government's programme for Scotland.

Kezia Dugdale: Today also marks the first anniversary of the Children and Young People (Scotland) Act 2014. Can the First Minister tell us whether the proportion of local authorities reporting sufficient childcare for full-time working parents in Scotland is higher or lower than that in England?

The First Minister: The fact is that we do not yet have sufficient provision of funded childcare to meet the needs of all full-time working parents. That is precisely why the Government is committed to a further substantial extension of the provision of childcare. We have said that, if we are re-elected, over the next session of Parliament, we will increase provision to 30 hours a week for all three and four-year-olds and for eligible two-year-olds.

However, let us look at the progress that has been made. Since 2007, entitlement to early learning and childcare has increased to 600 hours, which is a 45 per cent increase in hours for three and four-year-olds and which saves families an average of £700 per child per year. The uptake of that provision is high. The latest annual statistics, which were published in December, showed that registration of three and four-year-olds was at 98.5 per cent. So this is a success story, but we still have work to do.

In January, I met the campaign group fair funding for our kids to discuss the experiences of some parents who are having difficulty in accessing the childcare to which their children are entitled in a way that suits their working patterns. We are working to address that. This is a success story, but of course we are determined to ensure that all parents and children who are eligible get the benefit of the Government's significant expansion of free childcare.

Kezia Dugdale: The First Minister knows only too well that she first made that promise of 600 hours in 2007 and that it has taken eight years to get to the point that she is at now. The answer to my question is in fact that the proportion here is lower than in England. A Family and Childcare Trust report that was published today shows that just 15 per cent of councils in Scotland say that sufficient childcare is being provided for families who are trying to juggle work and family life, whereas the figure is 43 per cent in England and it is higher in Wales, too. For many working families in Scotland, childcare is essential and it cannot be prescriptive. Some families need support first thing in the morning and others need it at the end of the school day. Can the First Minister tell us whether the number of councils in Scotland that report sufficient childcare for full-time working parents has gone up or down in the past year?

The First Minister: To be frank, Kezia Dugdale is somewhat missing the point. I am not saying that we are yet in a position in which we have sufficient funded childcare for all full-time working parents. That is why we are committed to a further extension of childcare to 30 hours per week, which will take us to the position of children getting the same number of hours in nursery as those in primary school already get. However, we have made significant progress. When we took office, the previous Labour Administration had been providing 412.5 hours, which is approximately 14.5 hours per week. We have increased that to 600 hours a year, which is a 45 per cent increase, and we are funding local authorities to the tune of £329 million to provide that.

Kezia Dugdale makes a reasonable point, which I discussed with the fair funding for our kids campaign, that some parents—I stress that it is some—are having difficulty accessing their childcare in a way that suits their working pattern. Two specific issues were raised with me, which were the arrangements that some councils have with partner nurseries that limit the number of funded places per nursery, and the limitations of the half-day place that is offered in council nurseries. The Government is doing two things to tackle those issues in the medium term. First, under the Children and Young People (Scotland) Act 2014, we have put a statutory obligation on local authorities to ensure greater flexibility and to consult with parents. Secondly, we plan a substantial increase in hours beyond what we are doing now. The half-day place will cease to be relevant when children are eligible for 30 hours per week.

I have also tasked my officials with looking in the shorter term at how we address the issues that some parents are having, but—for goodness' sake—this is a massive success story. We have gone from an entitlement of 412.5 hours a year of

free childcare to 600 hours a year and we have extended the eligibility for two-year-olds. We will continue to make progress from the rather derisory position that we inherited from the last Administration.

Kezia Dugdale: The First Minister says that the situation is getting better. It is not; it is getting worse. Today's report confirms that fewer than one in six councils in Scotland are providing enough childcare for working parents. That is down from one in four councils last year. On the SNP's watch, things are getting worse for families who are trying to juggle family life and work. One year ago today—*[Interruption.]*

The Presiding Officer (Tricia Marwick): Order.

Kezia Dugdale: One year ago today, this Parliament gave parents of three and four-year-olds the right to 600 hours of nursery care a year. We supported that and we voted for it, but today's report makes it clear that parents across Scotland are unable to access that right, which we gave them.

It is true that, six weeks ago, the First Minister met the fair funding for our kids group—and it has not heard from her since. I spoke to the group this morning and in fact Jenny Gorevan from fair funding for our kids said:

“They give us supportive words but precious little action”.

So there we go. The group told the First Minister that thousands of kids in Scotland are missing out on childcare and that parents are having to give up their jobs as a result. The fair funding campaign asked for an audit of delivery of the 600 hours childcare policy so that we can see the scale of the problem and fix it. Will the First Minister deliver that audit today?

The First Minister: We will continue to monitor and audit the policy. That is why I can stand here and tell Kezia Dugdale that the latest statistics showed registration of three and four-year-olds was at 98.5 per cent. I am sure that the fair funding for our kids group will welcome the fact that since the meeting that I had with it on 9 January—*[Interruption.]*

The Presiding Officer: Order.

The First Minister: —I have tasked my officials to look not at the longer-term solutions, because we know what they are, but at the shorter-term solutions to the particular issues that some parents—I stress some parents—are having. I would have thought that Kezia Dugdale would have welcomed that approach from the Government.

I know that in this week of all weeks Labour is having some difficulty with getting its figures to add up properly. *[Interruption.]*

The Presiding Officer: Order.

The First Minister: However, there is no way that even—[*Interruption.*]

The Presiding Officer: Order.

The First Minister: There is no way that even the innumerate Labour Party can describe an increase in funded childcare from 412.5 hours a year—which is what Labour provided—to 600 hours a year, which is what we are providing, as a deterioration. That is a significant improvement and, frankly, Labour—which never ever made it a budget priority in any of the discussions that it had with John Swinney—should be welcoming it. [*Interruption.*]

The Presiding Officer: Order. Mr Bibby!

The First Minister: However, I do not think that that increase goes far enough, which is why I am committed to moving to a situation where our three and four-year-olds and eligible two-year-olds do not get 600 hours a year, but get 1,140 hours a year—30 hours a week. That is my ambition. When will Labour get round to backing it? [*Interruption.*]

The Presiding Officer: Order.

Kezia Dugdale: The First Minister says that we have never ever prioritised the issue, yet it was in our budget ask last year, so that is just nonsense. She is celebrating the success of a policy; she should try to celebrate it in front of parents in Glasgow, who are telling her that there are thousands of children across Scotland who are unable to access—[*Interruption.*]

The Presiding Officer: Order.

Kezia Dugdale: —the right that her Government gave them—[*Interruption.*]

The Presiding Officer: Order. Ms Cunningham!

Kezia Dugdale: The First Minister should look those parents in the eye and tell them that they have never had it so good. They know that it is not true; we know that it is not true; and I think that the First Minister knows that it is not true. Parents across Scotland have one simple question for the First Minister: is it not about time that she made good on her childcare promises?

The First Minister: I tell members what I am going to do right now—I am going to look Kezia Dugdale in the eye and remind her who runs Glasgow City Council. [*Interruption.*]

The Presiding Officer: Order.

The First Minister: If Kezia Dugdale has issues with the delivery of the childcare policy in the city of Glasgow—[*Interruption.*]

The Presiding Officer: Order.

The First Minister: —I suggest that she should make an appointment and speak to her Labour colleagues, who run Glasgow City Council.

Now, 98.5 per cent of three and four-year-olds have registered for free childcare. I looked parents in Glasgow who have frustrations about the delivery of this in the eye and made a commitment to them that we would work to deal with the issues. However, no matter how hard Kezia Dugdale tries to manipulate the figures—and I note that this week she is not asking about the health service; I wonder why—she cannot get away from the fact that an increase in free childcare from 412.5 hours to 600 hours is a significant step forward under this Government. If we are re-elected—and let us face it: although there is no complacency, all the polls today suggest that we might well be—we will take that to 30 hours a week for three and four-year-olds and eligible two-year-olds. This Government has delivered on childcare, and we will continue to do so.

Secretary of State for Scotland (Meetings)

2. Ruth Davidson (Glasgow) (Con): To ask the First Minister when she will next meet the Secretary of State for Scotland. (S4F-02594)

The First Minister (Nicola Sturgeon): I have no immediate plans.

Ruth Davidson: On 11 December, the First Minister told me in this chamber that, when it came to education, she would always keep “an open mind” about educating our children. She added:

“I will listen to ideas from wherever they come”.—[*Official Report*, 11 December 2014; c 17.]

An idea has come out this morning. The parents of St Joseph’s primary school in Milngavie are campaigning to keep their school open; they want to take the school out of local authority control and run it as a trust. They insist that education elsewhere in the area will be unaffected. They just want their children to get the education that they believe in, in the town where they live. Given what she said last December, will the First Minister make a commitment today to meet the parents, listen to their concerns and examine their proposal with an open mind?

The First Minister: As Ruth Davidson will have heard from my exchange with Kezia Dugdale, I will meet parents who are interested in and concerned about their children’s education, whatever the issue is that they want to discuss with me. I also repeat that I will listen to any ideas and suggestions that are put forward. If I do not agree with those particular suggestions, or if they cannot be delivered, I will look parents in the eye and explain to them why that is the case.

As for the specific issue that Ruth Davidson has raised about St Joseph's primary, I well understand the concerns that any parent will have for their children's education if a school that they value is going to be closed. The self-governing schools model was, of course, introduced into Scotland by the Tories; however, only two schools took up the self-governing option, and the legislation was repealed by this Parliament in the Standards in Scotland's Schools etc Act 2000. That is the position, but I am very happy to discuss the issue with representatives of the parents, if they so wish.

On the wider point about listening, I am very keen to hear ideas. I gave Ruth Davidson an open invitation to send me ideas; I might be wrong, but I am not aware that she has done so. Last week, I talked about the need to close the attainment gap in schools and my willingness to look at best practice where that exists. I think that we can find some in the London challenge, and other best practice can be found in Ontario. I am absolutely determined to continue to deliver the best education for our children and, where there are challenges in our education system, to work hard to address them.

Ruth Davidson: I am pleased with the First Minister's response, because this is a simple case to understand. What we have got are parents who are energised, enthusiastic and positive about their local community and who have a genuine worked-out plan for improving their children's schooling. So far, they have been faced with a Government wall that simply tells them, "We know best" when it does not.

There is, as the First Minister has recognised, a massive performance gap between our poorest and richest areas; Scotland is stagnating in international league tables; and parents are watching in horror as this Government and councils fight over the basic task of hiring teachers for local schools. Frankly, it is not good enough. Last week, we welcomed it when the First Minister moved an inch by backing the London challenge, but Scotland needs her to move a mile. We need a parent-power law that allows schools to opt out of local authority control if they so wish. Why can the First Minister not back that today?

The First Minister: Ruth Davidson might find it helpful if I point out—I think that I am right in saying this; if I am wrong I apologise in advance, but I am pretty sure about it—that the council that is closing the school that she is talking about, East Dunbartonshire Council, has the Conservatives as part of its administration. Perhaps, therefore, her first port of call might be not me but her colleagues in East Dunbartonshire Council.

On the general issue, Ruth Davidson is well aware of the position in terms of grant-aided

schools in Scotland. The Scottish Government currently funds eight grant-aided schools, seven of which are special schools, because they tend to be for national centres of provision. I have already outlined the position around the repeal of the former legislation.

I have said that I would be happy to speak to those parents. Perhaps, as well as discussing this issue, I can advise them on how they can persuade the Tories in their local council to take a different decision on the school.

Ruth Davidson raised some other issues. I make no apology for drawing a line in the sand with regard to teacher numbers. I want to maintain the number of teachers working in our schools because I see that as important to raising attainment. I hope that Labour and the Tories will tell their councils that they should be backing that as well.

Cara Hilton (Dunfermline) (Lab): It was revealed this week that Longannet power station in my constituency is facing renewed threats to its future, with talks apparently breaking down between Scottish Power and the National Grid.

Given that Longannet employs hundreds of workers in west Fife, and given that the plant is responsible for 25 per cent of the power that we use in Scotland, what action is the First Minister taking to get all the parties back round the table to deliver a secure future for Longannet, for the local community in Kincardine and for Scotland's future energy needs?

The First Minister: I very much share the member's concerns about the future of Longannet and I think that she is right to raise the issue in the chamber today. She is probably aware that, on Monday, I wrote to the Prime Minister to ensure that he is aware of the serious threat to the future of Longannet.

To put the issue in a nutshell, Longannet is under imminent threat because of the costs that it faces in connecting to the grid. It costs Longannet £40 million to do that, whereas a power station in London or the south-east is paid £4 million to do it. The situation is deeply unfair and, in the interests of Longannet and the people who work there, and in the wider interests of Scotland's security of energy supply, the United Kingdom Government really needs to intervene and help us to get this sorted out.

Alison Johnstone (Lothian) (Green): It transpired this week that the 17th century old Parliament hall in Edinburgh was transferred from the collective ownership of my constituents to Scottish ministers without knowledge or recompense to the common good fund. The City of Edinburgh Council failed in its role as steward of the fund, but is now seeking to resolve the

situation. Can the First Minister assure my constituents that any requests from the council to restore ownership of that common good asset to the council will be considered seriously and favourably?

The First Minister: I will briefly state the background to this issue, of which I am sure that Alison Johnstone is aware.

The Scottish Government's position is that title to Parliament hall was taken by Scottish ministers in good faith, and that that was done with the full knowledge and consent of the council. The Scottish Courts Service and the Faculty of Advocates, therefore, have now got good title to that property.

Of course, I am more than happy to ask the relevant minister, Marco Biagi, to meet and discuss the matter with the City of Edinburgh Council, but as far as I can see there is no fault here on the part of the Scottish Government. Further, of course, title has since been passed on, so it may very well be that there is no easy solution to the issue of restoring title to the City of Edinburgh Council. I think that any questions on how the situation has arisen probably have to be directed to the council.

Cabinet (Meetings)

3. Willie Rennie (Mid Scotland and Fife) (LD):

To ask the First Minister what issues will be discussed at the next meeting of the Cabinet. (S4F-02592)

The First Minister (Nicola Sturgeon): Matters of importance to the people of Scotland.

Willie Rennie: I want to look at what senior police officers have been saying recently. They told us that stop and search for under-12s had ended, but it had not. They told us that the numbers that were released were wrong, but privately admitted that they were right. The police told us that they were forced to release the information, but that was wrong, too. Is this really good enough for our police and for Scotland?

The First Minister: The police, including the chief constable, will be before the Justice Sub-Committee on Policing later today and I am sure that they will answer those and many more questions.

Willie Rennie made a number of different points in one question, so I will try to answer them in turn. The clear policy is that there should be no non-statutory searches of under-12s. Information has been provided to police officers about the range of ways in which they can engage children under 12 short of relying on non-statutory stop and search.

In terms of the wider issue about non-statutory stop search, as we discussed at the previous

session of First Minister's questions, the chief constable is now considering ending the practice altogether. A short-life working group has been established to consider that and its implications. The group will report to the Cabinet Secretary for Justice by the end of March and then the Parliament will be updated and will be able to debate the issue in full.

The chief constable wrote to the Scottish Police Authority on Monday this week to make clear Police Scotland's position on the release of the information. It is probably easier if I quote briefly from the letter:

"our decision"—

as in, the police's decision—

"to release the data ... was on the basis of an assessment that, despite our concerns about its accuracy or reliability, there was a risk that we would have been the subject of an adverse decision notice if the appeal process continued."

The chief constable also apologised in that letter for any concerns that have been raised as a result of how he expressed the matter, but the bottom line is that Police Scotland considered that it was obliged under the law to release the data.

Of course, the data has been released. I could understand concern if we were talking about the reasons for withholding information, but the information has been released, which has allowed the correct and legitimate scrutiny that is now being applied to the subject.

Willie Rennie: I knew all the things that the First Minister just told me. I want to know what she thinks about the matter. I want to know her opinion about what has been happening to police officers, what they have been telling the Parliament over the past six months and their failures to be straight with the Parliament about the facts.

The police code of ethics reads:

"How we deliver is as important as what we deliver."

That is exactly what I am concerned about and I am sure that the First Minister recognises—she must recognise—that trust in Police Scotland has been shattered because of the series of events that we are discussing. [*Interruption.*]

The Presiding Officer: Order.

Willie Rennie: There is clearly something wrong with the system that her Government created. What is she going to do about it?

The First Minister: The first thing that I will continue to do is support our police in the hard and vital job that they do on our behalf day in and day out.

The police are rightly before the Justice Sub-Committee on Policing later today and will answer the questions on what information they have given

to parliamentary committees or to the Scottish Police Authority. The bigger and substantive issue is about the future of non-statutory stop searches. If Willie Rennie wants my opinion on things, I made my view quite clear at the previous session of First Minister's questions that the situation on non-statutory stop searches is unsatisfactory at the moment. It is unsatisfactory because of the degree of public understanding about it and the degree—or lack of—public acceptance of it.

That is why the chief constable is absolutely correct to say that he is now considering ending the practice, but there are clearly practical implications of doing so. That is why the process that is under way through the short-life working group is the right way to do it. By the end of next month, the group will have reported to the Cabinet Secretary for Justice and Parliament as a whole will be able to debate the issue if it is so minded.

To this extent, Willie Rennie is correct: it is vital that we have total trust in our police service. I trust our police, have confidence in them and will continue to back them in the work that they do.

Austerity (Impact on Public Services)

4. Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): To ask the First Minister what impact on-going austerity will have on the finance available for public services in Scotland. (S4F-02613)

The First Minister (Nicola Sturgeon): Over the course of the current spending review, the Scottish Government's discretionary budget has been cut by nearly £2.9 billion in real terms. All three Westminster parties have signed up to deliver billions of pounds of further cuts over the next parliamentary term. Coalition plans amount to cuts of around £1,800 per head on day-to-day public services between 2009-10 and 2019-20. Those cuts have imposed, and will continue to impose, a significant burden on households throughout the country.

Of course there is a need to reduce the deficit, but it should be done more gradually than either of the largest United Kingdom parties proposes. It is time for a clear alternative to austerity: plans that will get the deficit as a share of our gross domestic product down, but also allow us to spend the money on infrastructure, innovation, protecting our public services and protecting the vulnerable. I will be proud to argue that alternative to Labour-Tory austerity in the weeks ahead.

Christina McKelvie: I thank the First Minister for that answer, and I thank her for the passion that she has put into this, especially around—*[Interruption.]*

The Presiding Officer: Order.

Christina McKelvie: Labour members do not like it.

The Presiding Officer: Can we just get a question, Ms McKelvie?

Christina McKelvie: The impact of the welfare cuts has been particularly great on women in our society—around 85 per cent of all the welfare cuts have had a direct impact on women—and it is usually low-paid women who are affected.

What measures will the Scottish Government take to mitigate the impact on the hard-working low-paid women of this country?

The First Minister: Research by the House of Commons library shows that more than three quarters of the impact of the UK Government's tax and welfare changes is being borne by women. That is outrageous, a scandal and completely unacceptable.

Disabled people are also losing out. In Scotland, it is estimated that more than half of those who claim disability living allowance will have their benefits cut by at least £1,100 a year and, of course, the Institute for Fiscal Studies found that the changes to the tax and benefit system are harming the poorest 10 per cent of households more than any other section of the population. That is the reality of the Labour and Tory austerity plans.

We will continue to make the case for a more rational and more compassionate economic policy at Westminster. If we have influence in the Westminster Parliament, we will be a voice against Labour-Tory austerity and a voice that stands up for the poor, the vulnerable, women and our public services.

Advanced Highers (Delayed Implementation)

5. Iain Gray (East Lothian) (Lab): To ask the First Minister what plans the Scottish Government has to allow schools to delay the implementation of the new advanced higher qualifications. (S4F-02610)

The First Minister (Nicola Sturgeon): The Scottish Government has no plans to delay the implementation of the new advanced higher.

Iain Gray: No one thinks that it would be ideal for the new exams to be delayed, but when the Educational Institute of Scotland says that pressure means that the advanced higher might be marginalised or dropped, when the National Association of Schoolmasters Union of Women Teachers says that levels of workload are unsustainable and when headteachers tell a committee of this Parliament that the situation is a total disaster, surely we have to listen and take some action.

Is Seamus Searson of the Scottish Secondary Teachers Association not right to be alarmed by the lack of respect for teachers' professional judgment that the Government has shown on this matter?

The First Minister: We will continue to discuss the issue with and listen to teachers' unions. The Cabinet Secretary for Education and Lifelong Learning does that on an on-going basis.

The level of change to advanced highers is very different from that for highers. There has, of course, been a year of dual running of the old and new highers, but the content of advanced highers has changed less than was the case for highers. Teachers have been provided with a great deal of support over the past two years to help with the implementation of the new advanced highers. In our view, there is no evidence to suggest that dual running is necessary, but we will continue to discuss matters with teachers and teachers' unions, as we have done throughout the process. In addition, we will continue to agree with teachers' unions, which say, as we do, that teacher numbers in our schools should be maintained.

Methadone

6. Margaret Mitchell (Central Scotland) (Con): To ask the First Minister what the Scottish Government's position is on prescribing methadone to drug users as a rehabilitation process. (S4F-02607)

The First Minister (Nicola Sturgeon): The Government is committed to tackling the damaging impact of drugs in Scotland through our national drugs strategy, "The Road to Recovery", which focuses on the needs of the individual and provides a range of interventions.

Opiate replacement therapies, including methadone, are just one component in a package of care, treatment and support that can be offered to individuals to help them to recover from drug addiction. Opioid replacement is an essential treatment that has a strong evidence base, and the use of methadone remains a central component of the treatment for opiate dependency. That view was endorsed by the independent expert group on opioid replacement therapies in its report to the Scottish Government in August 2013.

Margaret Mitchell: Is the First Minister aware that more than 40 per cent of all drug-related deaths in Scotland are now linked to methadone, compared with 14 per cent in England? Given that and the lack of information about the number of individuals who have become drug free by going on a methadone programme, does she consider

that the policy on prescribing methadone is fit for purpose?

The First Minister: In my initial answer, I outlined the role that methadone plays in our wider drugs strategy. I am sure that the member will understand that the factors that lie behind the number of drug deaths are complex. Although what she talks about will undoubtedly be one such factor, there will be other factors at play.

On the prescribing of methadone, for the third successive year there has been a decrease in the dispensing of opioid replacement therapies, including methadone, in the community. Further, for the past three years the quantity of methadone dispensed in the community—and indeed the total cost involved—has also decreased. Clearly, there are big issues there for how we get to grips with drug addiction and help those who suffer from drug addiction.

Methadone has a role to play. Margaret Mitchell is right to say that it is only part of the solution and that we must be very careful about it. However, I hope that the figures that I have cited give her some reassurance. I know that the Cabinet Secretary for Justice would be happy to discuss it with her in more detail if she so wishes.

Duncan McNeil (Greenock and Inverclyde) (Lab): The First Minister will be aware of the expert review of opioid replacement therapies, published in August 2013, which found that only a quarter of alcohol and drug partnerships held detailed information about the length of time that individuals had been on opioid replacement therapies such as methadone. Will the First Minister confirm whether all ADPs now collate that information? If not, why not?

The First Minister: I am more than happy to provide a full written answer to the detail of that question. It is important that we understand the scale of the issue that we are dealing with and the direction of travel, so it is a reasonable point for the member to raise. I will ask the Cabinet Secretary for Justice to provide the specific information that the member is seeking.

The Presiding Officer: That ends First Minister's questions. I remind members that the plenary session this afternoon starts at 2 pm.

Young Voters and School Debates

The Deputy Presiding Officer (John Scott):

The next item of business is a members' business debate on motion S4M-12222, in the name of Patrick Harvie, on young voters and school debates. The debate will be concluded without any question being put.

Motion debated,

That the Parliament celebrates the many school debates that took place in Glasgow and across Scotland during the independence referendum campaign, allowing young voters to engage with the issues and hear the arguments from campaigners on both sides; welcomes the broad cross-party consensus that has built up for a reduction in the voting age to 16 for Scottish Parliament elections; believes that high quality voter education and participation events in schools have great potential for harnessing young people's interest in politics and establishing patterns of high voter turnout at an early age; considers that lessons must be learned from the best examples of this work during the referendum to ensure that engaging, creative and politically balanced debates become the norm in schools during future elections; welcomes the work of the Devolution (Further Powers) Committee in examining this area, and notes calls for all relevant parties and agencies to work together to maximise the democratic participation of young people.

12:32

Patrick Harvie (Glasgow) (Green): I am grateful for the chance to bring the motion to the chamber for debate and I am grateful to members who added their names in support of it.

I hope that we have a debate in which members recall with excitement and passion their experiences during the referendum campaign, and the positive atmosphere of engagement and inclusive debate that existed in schools. I hope that we avoid members saying how great it was that their side won in their local school. There are arguments about the way in which we engage with young voters in schools that should unite us all, whichever side of the referendum debate individual members or campaigners in our communities were on.

I think that all of us would share the historical concern about low voter turnout, particularly among young people. That is not just a problem in the short term; it is a problem that compounds itself with each generation, as more and more young people see voting as being not a normal thing to do. That low voter turnout feeds through the generations and becomes an ever more serious problem.

It is important to recognise that not turning out to vote is not the same as apathy. A great many people, including young people, who may not have voted in elections for years are still politically

engaged and channel their political interests and energies in different directions. If they started turning out to vote but ended up losing their political interest in other areas, I would not necessarily see that as progress. I want to encourage people to vote as well as to be active and politically engaged citizens in every aspect of their lives.

We have an opportunity to turn around the problem of low voter turnout among young people by seizing the chance for voter participation, citizenship education and political engagement in schools in order to normalise the voting process, so that year after year schools churn out cohorts of young people for whom voting is a normal thing instead of a geek thing to do. The problem has been significant for a very long time.

If we can do that, we will not only ensure that young people see ways and reasons to get involved in politics and have their views expressed in the political sphere; we will also, I hope, turn around that dynamic and see turnout across the board rise year after year, as those young people carry on voting. We know statistically—there is good evidence not just from this country but from around the world—that most people who vote the first time they are entitled to vote keep on voting and engaging with politics, whereas a great many people who do not vote the first time they are entitled to vote are well into their 30s or older before they start voting—if they ever do it at all. It is a long-term dynamic that we need to turn around.

There was broad—albeit not unanimous—support for reducing the voting age to 16 for the referendum, but legitimate concerns were raised about how to ensure that engagement could take place in a neutral and balanced way, how to avoid schools becoming places where campaign activity took place inappropriately and what the boundaries were. Some of those concerns were legitimate even among those who supported reducing the voting age to 16. How well did we deal with those concerns? How well did we do neutral, balanced and inclusive voter education and engagement in schools?

In many places, voter education and engagement in schools was terrific and everything that I would have wished it to be. I took part in many debates, not just in Glasgow but around the country, in which young people had the chance to give campaigners and politicians on both sides a grilling, to put difficult questions to us and to engage themselves in telling us what they thought the priorities should be. They had the chance to debate not just whether they were voting yes or no, but what kind of country they wanted to live in. The sense that their first vote would be cast on a

defining question for their society was itself engaging.

Voter education and engagement in schools was terrific in many places, but not everywhere; we must recognise that it was a bit patchy. Some local authorities specifically did not encourage schools to undertake debates and some set down rules about how debates would take place and whether the two campaigns would be allowed to participate. The rules were different in different local authorities. Some places left it entirely up to individual headteachers, so the level of participation and engagement that young people were exposed to varied from school to school. Some had different rules about whether campaign debates were permissible during the so-called *purdah* period. Different rules were applied in different ways in different parts of the country.

We have the opportunity to learn from the best of what was done during the referendum campaign, in preparation for the next election. There is now broad support for reducing the voting age to 16 for elections as well. It will be more complicated to ensure political balance in a multi-party election, as opposed to a yes or no referendum. There will still be concerns about how to ensure neutrality, balance and inclusivity, and about how to deal with the reality that we are talking about not just citizenship education, but citizens who are already active participants in the political process. There will be concerns about how to deal with the fact that schools have not just a cohort of pupils but a cohort of young voters, some of whom will be campaigners, activists or party members from one part of the political spectrum or another. That is something that we should relish as a positive opportunity rather than a problem. Those concerns should be addressed positively rather than being used as an excuse to close down debate or to close down the opportunities that are in front of us.

We now have broad support for the principle that votes at 16 will be the norm for Scottish Parliament elections in the near future. I hope that that will happen for all elections in our society. Let us take that opportunity and use it to drive up among young people voter turnout and political participation that will stay with them as they grow older. If we learn from the best of what was achieved last year, we will manage that. If the situation remains patchy, we will lose a terrific opportunity. The chance to change the dynamic of our political process does not come around very often. We need to make sure that young people see the political process as something that they have a right and a positive reason to engage in. I hope that members will agree that we can learn from the best of what was achieved during last year's referendum campaign.

12:40

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I offer my hearty congratulations to Patrick Harvie on giving us the opportunity to discuss this important subject.

He said that he wants a bit of excitement and passion so let me start with some. I was a rather sickly young kid, so I read a lot of books because I was at home a lot of the time. One of the early books I read—the first political book I read—when I was about seven, was a biography of Lloyd George. I found it fascinating because it had excitement and passion. The passion was that his mistress was Frances Stevenson, although at the age of seven, I did not quite understand what that meant. It was certainly something to do with passion and it was interesting. In those days, of course, the press was less interested in the private lives of politicians; Lloyd George conducted an affair with Frances Stevenson that extended over 45 years. He eventually married her after his wife died and just before he died.

The first election that I participated in was in the 1961 East Fife by-election when Sir John Gilmour won the seat for the Tories. I was out campaigning for the Liberals and, as a result, a few months later I joined the Scottish National Party in the Duncan institute in Cupar. There, 25 of us 15, 16 and 17-year-olds joined our first political party.

Getting youngsters engaged is therefore not new. There is a bit of a cycle to it and hopefully we are in an upward cycle that will continue.

Getting involved in public life can happen at a very early age. Mary Queen of Scots was eight days old when she became Queen when James V, her father, died after she was born in Linlithgow palace. I think her engagement with politics at that time would have been pretty minimal.

The motion that is before us contains a lot of interesting things. There is a consensus around votes for 16 and 17-year-olds; an online survey of young people shows that only 8.5 per cent are opposed to it. We can now say without much risk of contradiction that giving our youngsters the vote is pretty much generally the settled will. The survey also showed that there were some special issues to consider around data protection and so on related to registration, because this was the very first time we had registered people of that age. According to the survey, 50 per cent of people got information at schools, so schools played an important part in the campaign by ensuring that people were informed.

There was variation in the engagement of schools and, to some extent, the national campaigns on both sides of the argument had shortcomings. In my constituency I was, and during the campaign remained, and still am friends

with people who espoused and campaigned for a different viewpoint. Politics can be conducted in a gentlemanly way, at least in Banffshire and Buchan Coast. Neither side had realised the extent to which we would empower and activate people at the grass roots.

In many places, we found that schools were trying to work with national bodies when the real energy of the campaign was in the plethora of small locally-based bodies. Schools found it difficult to engage. The pattern of politics had changed but the old methods were still being applied. Schools played it safe. If they could not get someone from both sides of the argument, they cancelled debates, which was fairly disappointing.

Tam Baillie, Scotland's Commissioner for Children and Young People, points to what the Scottish Youth Parliament did through its *aye naw mibbe* campaign. It is important that young people themselves reach out to other young people. If we look at the survey we find that the overwhelming source of information for young people who voted was their peer group. That should be no surprise to us.

I return to Lloyd George—my great hero. As I approach my 70th birthday, I note that in 1908 he introduced the first national pension, which entitled 70-year olds to 5 shillings a week. Well done, Lloyd George, and well done, the Liberals, for encouraging me to get involved in politics. It is their loss that I chose to join the SNP because of their manifest shortcomings.

12:45

Mark Griffin (Central Scotland) (Lab): I congratulate Patrick Harvie on securing the debate on this important subject. It is fair to say that the referendum galvanised Scotland at home, at work, in community centres, in pubs and, of course, in our schools. People in villages, town and cities, whether they were yes or no, definitely had a view, which came over loud and clear. With a turnout of 85 per cent, it was like nothing that I had ever experienced. I do not think that Scotland had experienced that level of turnout before.

Nowhere was the referendum more of a hot topic than in our schools. With votes for 16 and 17-year-olds for the first time, lots of schools organised debates, some more freely than others, given some of the rules that Patrick Harvie spoke about. I took part in a number of those school debates in Cumbernauld and Kilsyth and elsewhere in Central Scotland. Anybody who participated in those debates would say that the general interest and level of engagement from the young people who were there was incredible.

Like Patrick Harvie, I would not want to cheer one side's win over the other. More than anything, I would celebrate the fact that the young people who were there were open to the arguments that were being put forward. They were amenable to different points. In fact, I think the votes that took place showed that quite a few people had changed their minds over the course of the debate and were open to that information—they were probably a lot more open to arguments or information than anybody in the chamber.

I have been a supporter of votes at 16 for a long time and I am delighted that progress is finally being made. I do not think it is right that 16 and 17-year-olds can leave school, get a job, pay tax and drive a car but do not have any say in electing any of us or their local representatives at council level.

As someone who was brought up in a political family, I was involved in election campaigns from a very young age. I have been involved to some extent in every election in Scotland since 1992. Growing up, I was desperate to vote after handing out all those leaflets, being on battle buses and giving out balloons. I only wish that I could have had that chance earlier. I have been involved in every election since 1992, but I cast my first vote in 2004, 12 years on from first being engaged. I am sure that some members can do the maths on that one.

I am pleased that we in the Labour Party have committed to extending the franchise to 16 and 17-year-olds at a United Kingdom level, to extend the UK electorate by 1.5 million people. I am pleased that there seems to be a broad consensus here that we should do the same for Scottish Parliament and, I hope, council elections.

Putting the referendum to one side, we still have an issue with voter disengagement across the country. There are lots of reasons for that. The European election, which was a matter of months before the referendum, had only a 33 per cent turnout. In North Lanarkshire, there was a similar turnout for the council elections in 2012. Therefore, it is really important that we not only extend the franchise to 16 and 17-year-olds, but ensure that they get a balanced political education in school and that debates and mock elections are increased and become the norm so that there is greater political engagement and understanding. As Patrick Harvie pointed out, we should ensure that people are motivated to vote in the first election and that that becomes a pattern for the rest of their life.

There is something else that we should consider when we extend the franchise. The new generation of 16 and 17-year-olds who will be allowed to cast their first votes after years of taking part in online elections through Facebook or voting

for the winner of “The X Factor” over the phone will suddenly have to vote for a new Government by post or perhaps in a cold and draughty community hall.

The Deputy Presiding Officer: Will you draw to a close, please?

Mark Griffin: We should also look at that matter to increase turnout.

With that point made, I thank the Presiding Officer for his patience and thank Patrick Harvie for bringing the debate to the chamber.

12:51

Mary Scanlon (Highlands and Islands) (Con): I, too, thank Patrick Harvie for securing this debate on young voters and for welcoming the excellent work of the Devolution (Further Powers) Committee. I think that we all share the concerns about voter turnout, and Patrick Harvie’s analysis was excellent.

I have known Stewart Stevenson for a long time. I put on the record that I thank our own Stewart for another of his truly unique, excellent and memorable contributions.

I did my fair share of hustings across the Highlands. John Finnie and I almost started to share cars—I think that I did more hustings with him than I did with any other parliamentarian. We met 16 and 17-year-olds not just in schools; they also attended meetings in village halls; they joined in with the street stalls; and they were at the highland games, the agricultural shows and the many other gatherings to debate and join in the referendum campaign. We had a great team of young people in Moray, some of whom were still a few months too young to vote in the referendum. They were certainly much more informed in the political debate than I ever was at their age.

The Scottish Conservatives fully support the call for the franchise to be extended to include 16 and 17-year-olds in all elections, and we were pleased that the Prime Minister’s signature on the Edinburgh agreement allowed 16 and 17-year-olds to vote in the referendum last year.

I noticed that an article in *The Guardian* on 7 January stated that the Prime Minister

“said he would be open to leaving it to MPs in the Commons to decide whether the vote should be extended to 16- and 17-year-olds.”

The debate down south is interesting, too. The article also said that a number of Tory back benchers,

“including former minister Damian Green, have expressed support for reducing the voting age”.

That is very healthy, and I think that we all understand that that is their decision, not ours.

The Smith commission, of course, is now taking the next step in lowering the voting age for 16 and 17-year-olds in Scottish Parliament elections. That will be in place for the 2016 election, as we implement the first stage of the Smith commission’s historic cross-party agreement on the devolution of further powers to Scotland. That will give us all the powers in relation to the Scottish Parliament and local government elections here.

Whether a person was for or against giving votes to 16 or 17-year-olds, no one could fail to be impressed by their participation and understanding of the issues relating to the referendum. They made their own case. The questions from school pupils on the currency, European Union membership, international crime, defence, terrorism and even MI5 could not fail to impress. The 16 and 17-year-olds were not passive bystanders in the debate; they were at the heart of it.

I attended hustings in schools from Tobermory to Gordonstoun with Richard Lochhead. At both Elgin high school and Gordonstoun school, the attendance was around 300. I noticed that a member of staff at Gordonstoun wore a yes badge. From that, I assume that that school placed no restriction on freedom of expression or, indeed, freedom of speech. Unfortunately, Highland Council barred us from taking part in a debate at Kingussie high school. We resorted to the village hall, which some pupils were allowed to attend at the end of their school day.

That is unlike what happened in Scottish Borders Council, where schools were encouraged to hold debates during school hours given the transport and travel issues in rural areas. It is also worth mentioning that South Ayrshire Council provided a session for young people who had recently left school and were in the skills towards employment project to improve their employability. The council brought those young people into the debate, too.

Conservatives would not wish to dictate to local authorities how to conduct their approach in schools to referendums or national elections. However, we trust that all local authorities will reflect—as Patrick Harvie said that they should—on what they did during the referendum: what worked, what did not and what they would do differently next time round. We have to respect the democratic status and responsibilities of councils.

I note that the mock elections in schools in both Aberdeenshire and Moray predicted a no majority at a time when the polls were emphatically predicting a yes. It seems that the 16 and 17-year-

olds predicted the outcome much more accurately than many of the pollsters did.

12:56

Sandra White (Glasgow Kelvin) (SNP): I congratulate Patrick Harvie on securing this debate on young voters. We all agree that it is an important topic not just to young people but for democracy as a whole. The fact that pupils from Hyndland secondary school were in the gallery a short time ago during their visit to the Parliament—we hope to meet them later—is a good example of schools engaging with politics. Local members and Patrick Harvie can vouch for the fact that when he, I and others took part in mock elections, the scrutiny and the questions were very good. Not just that school but others throughout the country put many different questions to us, and I think that we all learned from that.

The referendum brought about a huge interest in politics and participation. It was on a scale that none of us had seen before. I take on board what Patrick Harvie said about that. It was exciting, not just for me but for others as well, and it is really important to continue with that participation, as the motion says. I welcome the cross-party support for votes for 16 and 17-year-olds in Scottish Parliament elections. I also take on board what Mary Scanlon said about David Cameron and Westminster. I certainly encourage all parties at Westminster to look to extend the voting age for all parliamentary elections. Mark Griffin also mentioned that.

Patrick Harvie spoke about the excitement and the vibrancy during the referendum campaign, and he is absolutely correct. It was overwhelming. Young people and everyone involved, certainly in my area in Glasgow, came alive. People would ask us questions in the street and in community centres. When we went to visit school groups and groups in various children's organisations, the referendum was all that they could talk about, because it meant something to them. They were so involved. It was absolutely wonderful. I hope that we can continue that participation, and I must say that a number of schools that I have visited since then have done that. Some have done vox pops, some of them have radio stations and some use Facebook and Twitter. Those things were organised during the referendum campaign, but they have continued from there.

It is important to mention the education service here in the Parliament, which does a great job, not just in outreach to schools but in bringing kids into the Parliament and enabling them to speak to us and ask us questions. It does an excellent job.

Stewart Stevenson mentioned the Scottish Youth Parliament, which also does a fantastic job.

A couple of months ago, I was in Cardiff with a representative of the Scottish Youth Parliament, and we talked to people from other areas including the Isle of Man, Jersey and Guernsey. They were so impressed by what we are doing in the Scottish Parliament to engage young people and encourage them to become involved.

It has not ended there, as I am sure members agree. The general election campaign is starting, and the young people who were involved in the referendum campaign, particularly in my area in Glasgow, are back on the streets again. They are back in what we call the Partick hub, which was launched once again on Saturday. The young people are back. I also want to put in a plug for Lady Gaga—not “the” Lady Gaga, but one of our activists who comes along and sings at some of our events.

Certainly the interest in politics has transcended to the general election campaign as well. We have captured it, and we cannot let it go.

I thank everyone, and Patrick Harvie in particular, for supporting the motion. I enjoyed all the speeches today.

13:00

Hanzala Malik (Glasgow) (Lab): Thank you and good afternoon, Presiding Officer. I, too, thank Patrick Harvie for securing today's debate.

It is an honour to talk in today's debate about young voters and their engagement. The 85 per cent turnout in last September's referendum on Scotland's future was truly remarkable. However, a recent survey by TNS found that only 64 per cent of people who voted in the referendum will, or are planning to, vote in the upcoming general election. More than 100,000 16 and 17-year-olds came out to vote in the referendum, no doubt stimulated by the great importance of the question that they were being asked about Scotland's future. The fact remains, though, that engaging young people in debate has proven to be quite difficult.

As I have stated before, there is a wider problem of youth disengagement from politics. Putting the referendum aside, recent reports suggest that 30 per cent of those aged 18 to 25 were not even registered to vote in advance of the recent local and European elections. There are also people who were registered to vote but did not actually bother voting. In the last general election, in 2010, fewer than half of all 18 to 24-year-olds voted, which was much lower than the national average.

Scotland has played an important role in supporting and encouraging debate on politics, although there was an issue in the run-up to the

referendum. As passions ran high, there were some instances of young people feeling intimidated by both teachers and pupils of different opinions. However, some of the most stimulating and thought-provoking experiences during the referendum campaign came from talking to young people up and down Scotland. On the whole, the referendum was a positive experience for 16 and 17-year-olds, which needs to be built upon.

The Labour Party, like me, strongly supports the extension of voting rights to that age group. I am happy to see the broad cross-party backing for reducing the voting age to 16 years. Let us continue to build on that.

What is remarkable is the fact that the Labour Party wants to introduce the measure right across the United Kingdom, and that is important. Sixteen and 17-year-olds can already, as has been stated, get married, hold jobs, be parents and be successful and important elements of our communities. Why should they be denied the vote?

It takes me back to the early days, when women did not have the vote. It took a lot of campaigning for them to get it. I think that voting is important, that young people should be encouraged to do it and that the new media systems should be used for it, as colleagues have already mentioned.

Online voting can be done and should be encouraged, because it would mean that many people—people with disabilities, people who have difficulties in accessing buildings and the like—could participate in voting themselves, rather than have someone else vote for them. I know that the postal system is there—there are postal votes—however, I think that people want to see their vote registered online themselves. If we can introduce that in the future, it would be very helpful.

Overall, I am a great supporter of the voting age being reduced to allow our young citizens to participate in that as they do in everyday life.

13:04

The Minister for Parliamentary Business (Joe FitzPatrick): I congratulate Patrick Harvie and thank him for bringing the debate to the chamber at such a timely moment. As members have said, the referendum was a remarkable demonstration of democracy at its best, and it is right that the chamber both recognises and celebrates the impact that young people have had on politics and the opportunity that the extension of the franchise presents to our democracy.

It is also right that we should seek to maintain the momentum in civic engagement that was gained through the referendum, not only among young people but right across the population in

town hall meetings, public events and school debates. The referendum, with its phenomenal 84.5 per cent turnout, showed that people are not indifferent to politics by nature. People engage strongly when they see that they have a role to play and that they can impact and affect the outcomes. Perhaps one of the biggest roles for us, as politicians, is to show people that they have a role to play at various levels. Individuals across the country, many of whom had never voted before and some of whom had not even registered to vote previously, engaged, sought information and made their decision because they saw what could be achieved and that their vote could make a difference that would impact on their lives.

Like other members, I commend our schools, local authorities and other organisations that arranged, supported and participated in school debates, public hustings and information events that allowed young voters to engage with the issues and hear the arguments from both sides. Political debates and mock referendums in schools gave young people the chance to express their opinions on Scotland's future, and they did so in a mature and thoughtful manner. However, I take on board the point that a number of members made about the situation being variable, and we may need to consider how a more consistent approach can be taken. I will steal Patrick Harvie's words and say that we need to learn from the best as we take the matter forward.

Curriculum for excellence gives all learners the opportunity to gain the skills, knowledge and understanding that are needed to be politically literate. It helps learners to continue to develop as responsible citizens, to participate in decision making, to take an active role in society and to be directly involved in changing their communities for the better. It is not just about voting; it can be about other participation as well. Education Scotland's online resource for learners and educators covers the importance of not just political literacy and an understanding of politics but the role of social media and gives information about how young people can get involved in the democratic processes in their schools and communities.

All parties, including the Association of Directors of Education in Scotland and the Electoral Commission, have the shared aim of ensuring that all young people are prepared to cast a well-informed vote after engaging in balanced and well-informed consideration of the issues.

Patrick Harvie: Does the minister agree—and will he put it to the directors of education—that part of the engagement that all young people should expect is active debates that they do not have to be signed up to a modern studies class to take part in? Such debates should be something

that all young people get to participate in and experience in schools. Does the minister believe that that should become the norm everywhere?

Joe FitzPatrick: I am not going to stand here and tell schools how to provide education, but I think that we should learn from the best and, in schools where such debates took place, the young people appreciated it because it gave them the ability to make the most informed decision possible. As Mr Griffin mentioned, that was probably the age group who changed their vote most often as they heard the arguments and decided for themselves. The days of young people voting as their parents voted and for no other purpose are gone. Young people have shown that they are going to make up their own minds and make their own decisions on the basis of the facts as they see them.

As members, we all know of examples in our constituencies of young people being given the opportunity to engage, learn and make mature, thoughtful and responsible decisions. They have grasped every opportunity willingly and with ability. Scotland's young people have amply demonstrated their enthusiasm, engagement and willingness to participate in the democratic process. They have not taken that responsibility lightly, and neither should we.

A lot has been said about the record-breaking turnout and unprecedented levels of engagement by the people of Scotland. Scotland should be proud of the fact that we are now the most democratically engaged nation in western Europe. We must not lose the momentum that was reflected in the substantial number of people who voted for the first time, including 16 and 17-year-olds, and the Scottish Government is committed to playing its part in achieving that ambition.

Our programme for government that was published in November 2014 set out our commitment to learn lessons from the referendum, as Patrick Harvie mentioned, and to continue the process of making voting more meaningful for our people and communities. In particular, we want to ensure that young people have the opportunity to engage meaningfully with and shape the democratic debate, as they did ahead of the referendum. It has long been the Scottish Government's policy to extend the vote to 16 and 17-year-olds where we can do so, and we did that for the referendum because it was the right thing to do to encourage the participation of young people in Scotland's democratic processes and give them a voice on matters that affect them.

We have had success on that front, and I am delighted that there is now cross-party support in the Scottish Parliament for extending the franchise to include 16 and 17-year-olds for the Scottish Parliament and local government elections. I am

delighted that we now have a deal with the UK Government to transfer the required powers to make that possible, and the Scottish Government now intends to bring forward legislation to the Scottish Parliament as soon as possible after the order in question is in force to lower the voting age to 16 for those elections, which will allow 16 and 17-year-olds to vote in the 2016 Scottish Parliament and local government elections and all future elections.

During the debate on 23 September 2014, the then First Minister called on all parties to take a vow to urge the UK Government to build on the success of the referendum and to lower the voting age to 16 for all elections. However, many young people who participated in the referendum in September will be somewhat disappointed that they cannot participate in the Westminster elections that will take place in May—Mark Griffin described feeling a similar frustration when he was 12, I think.

Who would deny that the decision to extend the referendum franchise to 16 and 17-year-olds and its implementation were an outstanding success that contributed to the unprecedented levels of democratic engagement that we witnessed? The case for extending the franchise to 16 and 17-year-olds in all elections is no longer theoretical: it is now unarguable. Unfortunately, the powers in relation to the franchise for UK elections and European Union elections remain with Westminster. The Scottish Government and—I hope—everyone in this chamber will urge the UK Government to bring forward legislation at Westminster as soon as possible to lower the voting age for Westminster elections, too.

Again, I thank Patrick Harvie for bringing the debate to the chamber. I urge everyone across the chamber to work with the Scottish Government to ensure swift passage of the legislation to enfranchise 16 and 17-year-olds, so that it is in good time for the Scottish Parliament elections on 5 May 2016.

13:12

Meeting suspended.

14:00

On resuming—

National Marine Plan

The Deputy Presiding Officer (Elaine Smith):

The first item of business this afternoon is a debate on motion S4M-12343, in the name of Richard Lochhead, on the national marine plan.

The Cabinet Secretary for Rural Affairs, Food and Environment (Richard Lochhead): I am pleased that we are able to debate Scotland's first national marine plan, and I begin by thanking the stakeholders who have played an important part in shaping the plan. A diverse range of interests have contributed thoughtfully and helpfully and have played a constructive role in the process. I also thank members of the Rural Affairs, Climate Change and Environment Committee for their scrutiny; I set out my response to their thoughtful recommendations earlier this week. I note the positive comments made by stakeholders during that process. For example, Calum Duncan, representing Scottish Environment LINK, stated:

"We welcome the national marine plan as a step change in the management of our seas".—[Official Report, Rural Affairs, Climate Change and Environment Committee, 7 January 2015; c 4.]

Marine planning is new and important. We need to act now to put in place a framework that will promote marine activity and ensure that our unique marine environment is safeguarded. Scotland's natural resources are world famous and our seas are part of a rich legacy. In fact, our sea area is six times the landmass of Scotland. I shall repeat that: it is six times the landmass of Scotland, with over 460,000km² of some of the most productive and diverse waters on the whole planet. Those seas support habitats ranging from shallow estuaries to deep sea coral reefs, and more than 6,000 marine species, including more than 20 species of marine mammals such as seals and dolphins. Our seabird population is vast—as large as our human population—and includes a number of protected species.

I take the responsibility of protecting the environment for future generations extremely seriously, not only for families in Scotland but because climate change is a global issue and we must contribute what we can to a global response. The seas do not respect boundaries, so we must work in partnership across sectors and nations to manage them well. That is why I led the development of a new legislative framework, the Marine (Scotland) Act 2010, through the Parliament.

The act requires us to have a marine plan that sets out policies for the sustainable development

of Scotland's seas, including economic, social, climate change and ecosystem objectives—that is, a plan that respects the stunning environments and supports our amazingly productive marine industries while allowing for new industries to emerge.

Our diverse industries illustrate why we must have proper safeguards in place to protect our rich natural assets and those who make a living from them. As we are all aware, a number of recent incidents, such as the large cargo ship that ran aground at Ardnamurchan point yesterday, highlight the real risks that we must guard against and respond to.

As things stand, the United Kingdom Government is responsible for determining the appropriate levels of provision to protect ships passing through our waters, and there have now been three significant incidents in our waters involving large vessels in the past few months alone, reminding us all of the need to protect not only human life but our precious marine environments. Yet, we still have the unacceptable situation that sees some of Europe's largest and busiest waters protected by only one emergency towing vessel berthed in the northern isles, leaving the waters on the west coast, in particular, severely exposed.

I have raised the issue with the UK Government a number of times since the decision to slash funding and halve the number of emergency tugs in our waters. Most recently, I wrote in November requesting an early discussion of the current situation on funding beyond next year, following the incident involving a shipment of radioactive waste in our waters, but I have yet to receive an acceptable response and firm commitment on the issue. I can tell the chamber today that I will be writing in the strongest terms to the UK Government, urging it immediately to review the current provision and calling on it to guarantee future funding for appropriate provision beyond 2016, when the current arrangements come to an end. As things stand, by easter 2016, we could be without any cover from that tug service in Scotland's waters. Given their economic and environmental importance, we simply cannot afford to gamble with our seas. The UK Government must recognise the potential cost of leaving our seas vulnerable, rather than obsess about the cost of maintaining adequate emergency tug provision.

Of course, that is not the only barrier to genuine integrated management of our seas. The arrangements that govern the Crown Estate are well documented. Its assets in Scotland include around 50 per cent of the foreshore, almost all the sea bed out to 12 nautical miles and the

associated rights on the continental shelf beyond 12 nautical miles.

I call on the UK Government to confirm that it will deliver full legislative devolution for all our Crown Estate assets for all our seas out to 200 nautical miles. That will enable the national marine plan to move forward and cover all activity, including reserved activities, out to 200 nautical miles. Future decisions, including those by the UK Government and the Crown Estate, must take account of the policies on safeguarding Scottish interests that are set out in the plan.

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): Is the minister aware of the concerns that many of the fishermen whom I represent have when they see, beyond the 12-mile limit in particular, fishing boats from other nations operating quite differently, which is to the disadvantage of our fishermen? Will the minister call on the UK Government to give us greater powers, so that we have equality of access to our waters?

Richard Lochhead: Unfortunately, the marine plan does not usurp the common fisheries policy. However, it is certainly the Scottish Government's policy position to pursue a level playing field in Scottish waters. We are making that point strongly to the UK Government, so that fishermen fishing side by side are subject to the same rules and regimes.

The plan is about delivering sustainable development and, through an ecosystem approach, achieving our vision for seas that are clean and safe, healthy and biologically diverse, productive and managed to meet the long-term needs of nature and people. The sea provides a range of goods, from fertilisers to pharmaceuticals, as well as critical services, such as climate regulation and the breaking down of waste. There are many other benefits. Indeed, who can fail to value the feel-good factor of a simple walk along the shore, our pride in our nation's maritime history and our culture and the inspiration that the sea brings to novelists, poets and film makers?

Sustainability means taking account of and reflecting all the benefits. We know that it is possible for the environment to thrive alongside developments. The plan seeks to ensure that that is always our approach and to create a framework in which development in our seas always stays within environmental limits.

Tavish Scott (Shetland Islands) (LD): On the minister's point about development, has he come to a considered view on the burying of sea-bed cables, given that the fibre optic cable between Faroe, Shetland and the Scottish mainland has been dredged up in the past? Has he come to a final view on how best to deal with the issue?

Richard Lochhead: As the marine plan lays out, and as was discussed with the Rural Affairs, Climate Change and Environment Committee, although we are willing to review the wording, as I agreed with the committee in line with its recommendations, we want repairs to any cables to be carried out as quickly as possible. When it comes to laying new cables underground, processes must be followed, but we want those to be timely, so that matters are not held up.

Key to some of the objectives that I have just laid out are the general policies and objectives which form the marine plan's core. Those reflect the high-level marine objectives agreed not just in Scotland but across the whole of the UK; they also reflect the descriptors of good environmental status that flow out of Europe's marine strategy framework directive. That ensures that the plan is consistent with existing UK and European frameworks while reflecting our ecosystem's needs.

The plan also aligns with the guiding principles of sustainable development, which include achieving a sustainable economy, promoting good governance, using sound science, creating a strong, healthy and just society and, as I have said, living within our environmental limits. I very much welcome the committee's endorsement of that approach.

The general policies highlight the need for sound science, too. A good evidence base is crucial to making the correct decisions. I am very proud of the development of "Scotland's Marine Atlas: Information for the National Marine Plan" and the evolution of the national marine plan interactive, which enables more than 500 spatial data layers to be made available to planners online. That supports the committee's proposal that that should be at the centre of marine planning.

We are, however, committed to commissioning new science and research to support on-going developments and our understanding of environmental impacts. New information will be made available online as widely as possible and will inform the monitoring and reviewing of the plan in the times ahead.

The policies also highlight adaptive management, which is critical to development of the decision-making processes in future—another issue that the committee raised with me when I appeared before it. We cannot ever have perfect knowledge; we must always consider the evidence and adapt our approaches to ensure that the outcomes are the ones that we want.

The policies also promote an understanding of the cumulative impact of projects and developments so that the sum of all activities in an

area remains within that area's environmental limits. Marine planning provides a single framework that enables all that evidence to be considered in the round—a framework that I believe both provides clarity and allows for flexibility and adaptation to changing circumstances.

The planning process is also an opportunity for participation and discussion of the evidence and for different perspectives and interests to be represented. The process of planning for marine protected areas and renewables demonstrates that fact—there has been a great deal of public interaction and engagement, and the proposals are evidence based and take account of the experience and views of local communities—but we will continue to explore ways to improve on the process and build up even more evidence to ensure that we are reflecting up-to-date knowledge.

I have been clear throughout the process that we require to strike a number of delicate balances. Scotland's seas are diverse; so are the many and varied activities that take place on our coasts, under the sea bed and throughout the water column. It is challenging to develop a plan that is comprehensive and clear but which remains user-friendly and allows for a range of diversity. I believe that the plan strikes the balance appropriately, notwithstanding the fact that I am open to making changes before adopting the final plan in line with the committee's recommendations.

The engagement that we have had so far has been very influential. A pre-consultation draft was issued in 2011, prior to formal consultation in 2013; more than 30 public meetings were held; and there have been on-going discussions within the marine strategy forum and in other forums, too.

Let us take one example from the past few weeks that perhaps sums up the need to strike an appropriate balance. The committee reflected its view on the need to protect fishing, but the need to control fishing was the focus of Highland Council's response to the consultation on the management of marine protected areas. There are also a number of debates about the benefits of the oil and gas sector and our aquaculture industries versus the need to transition to renewable energy and control the environmental impact of aquaculture. Therefore, although we are looking for a single framework and consistency, we must acknowledge that we have to be flexible.

On adoption, the national marine plan will be the first statutory national plan in all of these islands. The first plan was for the east marine region of English waters, but ours is the first national plan. Our approach is distinct. We have sought to

ensure sufficient consistency for industries that operate at a United Kingdom, European and global level, and we are currently discussing the monitoring and reviewing of the plan with colleagues in the Marine Management Organisation in Newcastle. Those discussions will feed into the next cycle of planning.

I remain committed to the development of regional planning, in line with our belief that those most affected by decisions should be as closely involved as possible in the decision-making process. Regional planning will be evolutionary, and there are legitimate questions about governance structures and resources. We will work hard on those questions in the times ahead, but we are phasing the roll-out and starting with marine planning partnerships in Shetland and in Clyde—two very different areas, which both have a strong history of dealing with marine issues. The lessons will be learned and taken forward in developing the other regions.

In conclusion, I hope that what I have said so far demonstrates that I recognise the balance that the national marine plan must strike. I am happy to reflect further on any particular issues, but I close by reiterating that we need to act now to get a framework in place that will demonstrate Scotland's commitment to improve the management of our seas, a framework that will demonstrate our commitment to the marine environment and marine industries alike, and a framework that will provide for truly sustainable development of the wonderful marine resources in our Scottish waters.

I move,

That the Parliament notes that the draft *National Marine Plan* sets out the Scottish Government's vision for the sustainable development of Scotland's seas; further notes that the general policies in the draft plan provide an important framework to deliver the sustainable development of Scotland's seas and are a crucial part of the process toward their better management at both regional and national level, and recognises the consultation and engagement process that has led to widespread stakeholder buy-in.

14:14

Claudia Beamish (South Scotland) (Lab): Scottish Labour values the opportunity for additional scrutiny that this debate on the draft national marine plan brings.

As the cabinet secretary has highlighted, the draft NMP must provide a vision and framework for the future, underpinned by sustainable development. Leading on from the Marine (Scotland) Act 2010 and supported by the statutory obligation, we must ensure that Scotland's seas are sustainable and that marine biodiversity is at the heart of the plan, through the

recovery, protection and—I stress—enhancement of the health of our seas.

At the start of this Scottish environment week I held a hermit crab in my hand here in the Scottish Parliament. It came out of its shell home to check me out as I checked it out. Its delicate grace and inquisitiveness were palpable. I carefully placed it back in a small tank, and I reassure members that the Marine Conservation Society returned it to the sea on Monday night.

From the families who marvelled at the sea lice—there we go—I mean the sea life in the small tanks in the Parliament on Monday, along with many others who enjoy our coastal waters and beaches, to the surveyors who map out new offshore wind facility sites, we all have a responsibility to treat our marine environment with respect.

Our sustainable marine industries—as the cabinet secretary said, they must operate within environmental limits—are fundamental to Scotland's future. Our seas are vital for sustainable sources of protein from what it is hoped will be an increasing range of fish. The development of marine renewables helps us to meet our climate targets. We have oil and gas, and there is carbon capture and storage, which not many people have talked about so far in the Rural Affairs, Climate Change and Environment Committee. We also have shipping, which is supported by ports and harbours.

In that context, the committee issued quite a hard-hitting report. It

“believes that the general policies set out in the draft plan provide an important framework and reinforce sustainability as an overarching principle ... However, the Committee is concerned that the draft, as it currently stands, is in parts too detailed and prescriptive and in other places too vague, and therefore requires amendment to make it fully fit for purpose.”

I acknowledge the point that the cabinet secretary made in his response to our committee, which was that

“The varying level of prescription reflects a number of factors including the current state of the evidence base, the differing levels of maturity of marine industries and their existing regulatory frameworks and consultation feedback to date.”

However, it is essential to have as much consistency as possible across all the sectors.

In the main, the general principles are robust and set out a clear framework for the future. General planning principle 5, which is on climate change, provides an example. It says:

“Marine planners and decision makers must act in the way best calculated to mitigate, and adapt to, climate change.”

It must be acknowledged that the Scottish Government does not prioritise any one sector over another. It is essential to respect the contribution that all marine sectors make to our economy and the jobs that they provide, but a tension in GEN 5 must be recognised as we address the challenges of moving towards a low-carbon economy.

Lucy Greenhill from the Scottish Association for Marine Science said in relation to the oil and gas industry that,

“As far as climate change is concerned, we have highlighted what seems to be a poor balance between adaptation to climate change and its mitigation.”

She also referred to

“the need to look at the different temporal scales on which effects are elicited on the environment, either at the protected area or species level or at the climate change level.”—[*Official Report, Rural Affairs, Climate Change and Environment Committee*, 7 January 2015; c 15.]

I emphasise that and ask the cabinet secretary to ensure that the issue is carefully assessed as the plan develops.

It is also necessary to focus on GEN 9, which is on the natural environment. It says:

“Development and use of the marine environment must ... Protect and, where appropriate, enhance the health of the marine area.”

As we are all keenly aware, some of our marine environment is in a poor state of health and is in need of recovery, and some is even denuded. It would be helpful if the cabinet secretary would outline now or in his closing remarks whether he is considering further guidance on enhancement for developers. Scottish Labour supports Scottish Environment LINK's proposal for a further general planning principle on the subject, which would say:

“Sustainable developments and marine activities which provide protection and enhancement of the health of the area and which further marine biodiversity are encouraged.”

I emphasise, as the committee did, that existing activity must be sustainable. The Scottish Fishermen's Federation has raised concerns about that. The draft plan highlights the potential for growth in the aquaculture industry. The demand for seafood is increasing as wild-catch resources are diminishing, so the weight of food security is falling more heavily on fish-farming businesses.

Increased Scottish aquaculture would produce thousands of jobs and more Scottish exports, and it would contribute to the upkeep of community services. The Scottish Government has set a target for an increase in aquaculture production of 50 per cent by 2020; I acknowledge that the increase is a good way towards meeting that. Targets have been included in the draft plan and

the key word must be “sustainable”. Environmental limits must be adhered to rigorously or the environment will once again pay the price for industry growth. Will the cabinet secretary assure us that there will be sufficient scientific research and expertise in place to monitor the increase? If the NMP is to function as a working document, it must be aware of and reactive to environmental changes as they arise.

We finally have the first marine protected areas, which is a great relief to all people across all sectors and the environment movement. My colleague Sarah Boyack will address whether they are robust enough, in our view.

Strategically, Scottish Labour is clear that although it is important to ensure that any modifications are included, the overriding aim should now be—as the cabinet secretary has acknowledged—to publish the national marine plan without more delays. There is, of course, a tension here, but what is needed now is the plan, which can be added to and built on.

The geographic information system, national marine plan interactive, must enable the plan to become a living document to which stakeholders can contribute and decision makers will refer. For instance, RSPB Scotland has new data on seabird foraging trips that could be added in order to inform marine planning. All the sectors have a responsibility to contribute to the process. Science has an essential role to play, and evidence can come from a wide range of sources. The Scottish Fishermen’s Federation makes a strong contribution and citizen science will have an increasingly vital role to play. The Scottish marine science strategy will be key in drawing it all together. Will the cabinet secretary reassure Parliament that there will be adequate funding? I note his comment today that there is on-going funding for this area of science.

I turn to regional marine plans and marine planning partnerships. Voluntary groups and inshore fisheries have a strong part to play, for example in the Solway partnership in my region, and so do local authorities.

In his letter to the committee, the cabinet secretary explained that

“a phased approach will be taken”

—as he highlighted today—which in part will help to

“ensure that appropriate support is not spread too thin.”

It is reassuring that local authorities will continue to be represented on the marine strategy forum. However, training for assessment and monitoring of developments and conflict resolution when the marine planning partnerships come into being will still be a significant challenge. Assessment of

cumulative effect will also be vital. Will some form of prioritisation by the Scottish Government become necessary as the years go on? In his closing remarks, will the cabinet secretary say more about support for training in local authorities?

Clarity is needed from the Scottish Government about when the review will be and what the processes are for public and stakeholder engagement. Scottish Labour looks forward to the time when the marine plan will be laid before Parliament and acknowledges the cabinet secretary’s commitment to make a statement to Parliament and to provide an opportunity for final questioning.

Scottish Labour and I, as a member of the RACCE Committee, wish everybody well, as we move forward to adoption of the national marine plan. It is indeed a delicate balance—in the words of the cabinet secretary—and one that so many people will want to ensure will work for the future of Scotland.

I move amendment S4M-12343.2, to insert at end:

“and hopes that the Scottish Government will respond favourably to the recent Rural, Climate Change and Environment Committee report to the Parliament; notes the importance of enhancing, in addition to recovering and protecting, the health of Scotland’s seas; notes the concerns expressed by the Don’t take the P out of MPAs (marine protected areas) campaign; recognises the significant challenges posed by taking forward the delivery of the plan and the importance of ensuring that there is capacity at regional level to assess and monitor developments and their possible cumulative effects, and recognises the value of the National Marine Plan Interactive in ensuring that the national plan and regional marine plans are living documents”.

14:23

Alex Fergusson (Galloway and West Dumfries) (Con): No one from the Conservative Party or, I am sure, from any other party, would argue with the overall statement in the motion that

“the general policies in the draft plan provide an important framework to deliver the sustainable development of Scotland’s seas”.

They do, and—Claudia Beamish referred to this—the opening paragraph of the Rural Affairs, Climate Change and Environment Committee’s report acknowledges that fact absolutely.

However, in what I think is a first for this parliamentary session, the committee’s unanimous report was quite critical of certain aspects of the draft plan. That needs to be recognised in the motion—it certainly would have been if this had been a committee debate, as was originally envisaged—which is why we seek to amend the

motion very slightly to highlight the committee's position.

However we have tried to word it, the committee has been quite hard-hitting and critical of the draft plan. Indeed, in one of the lighter moments during our deliberations, an interesting clerical typo was that the original draft of our report referred to "the daft plan" rather than the draft plan. I have to admit that the committee had a momentary thought to perhaps leave that uncorrected.

More seriously, I am sure that I am not alone in welcoming the fact that the marine plan and our deliberations have been completely devoid of party-political divisions. The future sustainability of our marine environment is surely way beyond that. As a result, I hope that the Government will take our constructive criticisms in the manner in which they are intended. They are not criticisms for criticism's sake and they are not made for party-political point scoring, but are made with a view to producing a plan that is clear, concise and easily understood by those to whom it applies.

I remain concerned that, when the committee states that the national marine plan is too detailed and proscriptive in parts, and yet too vague in others, the cabinet secretary's response is just:

"I believe the plan provides a clear overarching framework".

I remain a little concerned that the cabinet secretary's response to the committee's criticism that the draft plan does not provide a clear and concise set of principles that can be consistently applied by decision makers is:

"I believe the approach is proportionate given the existence of the Marine Policy Statement and the inclusion of a limited range of General policies."

The committee states that it has serious concerns about whether local authorities have sufficient experience, expertise and resources to successfully develop and implement regional marine plans, so I remain concerned because the Government's response is:

"There is significant expertise in some areas which Partnerships will be able to access".

I accept, however, that the cabinet secretary acknowledged that further support and work will be needed in that area.

I could go on, but members will have got the picture. The committee has raised a series of genuine questions relating to the draft plan; the Government needs to take them with the utmost seriousness if the plan is to provide the ultimate guidance to decision makers on, and users of, Scotland's marine environment, as it sets out to do. If it can achieve that aim, it will be a document of enormous importance and value, but it has to remain focussed on that principal purpose. It has

been in danger of losing that focus and, somewhere during the long development process—it has been a huge amount of work—it has been in danger of losing its way and losing sight of exactly who the plan is for.

"Having a national marine plan is entirely commendable, useful and desirable but, when we get into the detail of what activity is being undertaken where ... and I see that we are endeavouring to give indications nationally and create regional marine plans locally ... I think that we are in danger of creating a cat's cradle of regulation and guidance."

Those are not my words but the words of Michael Russell when taking evidence on the committee. I assure members that I have his permission to quote him. He then went on to ask what is happening

"to ensure that the plan will be a simple framework for decision making and will not produce some unconscious move towards the accrual of all sorts of prescriptive powers that will make development, living and activity much more difficult".—[*Official Report*, Rural Affairs, Climate Change and Environment Committee, 17 December 2014; c 27.]

A simple overarching framework for decision making is surely the very heart of what the plan should be about, but it is not simple and it has also gone way beyond being overarching.

There is a great deal that is good within the plan—particularly the emphasis on sustainability that is at its core. The establishment of NMPi as the main portal for special data that are relevant to marine planning is a great innovation and, as I started out by saying, the principle of adopting a national marine plan is absolutely right and proper. It is therefore surely all the more important to make sure that our national marine plan becomes a guide book that is regularly taken off the shelf to be consulted and used, rather than a "cat's cradle of regulation" that steadily gathers dust while remaining resolutely on the shelf. It is in all our interests that it should be the former and the committee's concerns are aimed at ensuring that the end product of this considerable body of work is a national marine plan that will benefit the whole country.

I move amendment S4M-12343.1, to insert at end:

", but notes the Rural Affairs, Climate Change and Environment Committee's concerns as raised in its recent report to the Parliament, and encourages the Scottish Government to recognise these concerns as the draft plan is taken forward".

14:29

Rob Gibson (Caithness, Sutherland and Ross) (SNP): The scrutiny of the national marine plan has raised quite a lot of criticisms from our committee. They are intended to say not, "This is

not fit for purpose”, but, “This is not fit for purpose yet.”

We know that it has taken five years to develop the plan; we recognise that it is the first one that there has been; and we very much welcome the efforts that have been made by the officials and Marine Scotland to get a workable document. Between us, my colleagues and I will be able to show some of the ways in which the plan could become a more workable document.

The Scottish Government’s draft plan in its present form could carry the danger of creating conflict by having highly prescriptive actions in some areas while setting out vague aspirations in others. Simply put, instead of making the marine environment easier, it risks making it more difficult. That was the overall view of our committee, so we need to take it seriously.

From looking at the marine plan, we can see that it points to that problem. In GEN 4, which is on co-existence, there are a whole lot of concerns about the ways in which different sectors should work together. The whole point about a national marine plan is that it is able to give guidance to more local bodies that have to deal with the issues and to provide a clear agreement about how each of the competing interests will work together.

In the area that I represent, the Highland Council has responsibility for three different marine plan areas: the west Highland marine region from Ardnamurchan north to Cape Wrath; the north coast along to Duncansby Head; and the area from Duncansby Head to Fraserburgh, on which it has to work with Moray Council and Aberdeenshire Council. It has a huge task ahead of it.

We have had evidence that officials and councillors in the Highland Council do not believe that their planning departments have the skills at this time to be able to carry through the work that is expected of them—they will share the largest burden of that work. It is important for us to highlight those facts.

Given that we live in straitened circumstances for money for local authorities, we have to ask how we proceed. Partly, we have to adopt the precautionary principle, but we also have to encourage people who want to go further and faster at a local level. I will concentrate on that just now.

We have had the successful application, as far as I know, of the several order around Shetland for the past 10 years, which I guess will be looked at carefully in the near future. We have instigated the no-take zone in Lamlash Bay. We have groups such as Sea Change around Loch Broom that want to make sure that the marine protected area

in that area is not held back in the process of these plans being developed.

The problem that we have is this: if we are waiting for the Highland Council to set up the west Highland marine region, what happens in the meantime to people who know, in commonsense terms, that they could do much more to improve the habitat of the area that they represent, for the benefit of fishing, regeneration of the area and the seabed, and tourism and visitors? What will they do in the meantime?

I understand that Sea Change is about to lodge a petition with the Scottish Parliament to discuss that specific matter. I am sure that other people around Scotland will also have impatience about being able to make progress and do more.

At present, Sea Change is saying that it hopes to

“foster relationships between fishermen and scientists, environment groups and representatives of the public to build a model of best practice which fits local needs—thus pioneering a modern approach which includes ongoing education of the public, but equally by both fishermen and scientists working together to encourage greater understanding to achieve common goals.”

Without a doubt, those ideas are embodied in the national marine plan. However, with the evidence of people saying that different models have to be tried—we know that there are currently pilot schemes in the Clyde and around Shetland—we need to encourage people, and if we are short of money we need to take the precautionary principle in some cases. That is why folk around Loch Broom are saying that certain aspects of fishing, such as scallop dredging, will have to be curtailed as part of the process of reaching a balance again in nature. That is the kind of thing that the national marine plan has to take into account.

I could talk about many of those things—and my colleagues will talk about many other things—but the exact model that is developed may be different in each area. Given our focus on very local matters, it would be appalling if we lost the whole of the habitat of the Minch because the Maritime and Coastguard Agency tug is taken away from that area or even near that area by Easter next year—the cabinet secretary mentioned that. Is it not appalling that we are beholden to such a scheme from the UK Government?

The Scottish responsibility for the MCA needs to happen quickly, but we need to sort out the question of the tug. The grounding at Ardnamurchan is just another example of the fact that, around our seas, there is the potential to destroy vast amounts of habitat, and very local groups cannot stop that. We need a national marine plan to deal with those matters effectively.

14:36

Margaret McDougall (West Scotland) (Lab): I welcome the opportunity to speak in this debate on our national marine plan. The plan has been drafted to be consistent with the UK marine policy statement, in which the UK Administrations share a common vision of having clean, healthy, safe, productive and biologically diverse oceans and seas.

I have a keen interest in Scotland's national marine plan, as my region is dominated by coastal areas and includes both Arran and the Cumbraes as well as the Clyde. With that in mind, I will focus my speech on the work of the Community of Arran Seabed Trust, which is known as COAST, and relate that back to the draft national marine plan policy.

COAST was created in 1995 with the aim of working for the protection and restoration of the marine environment around Arran and the Clyde. Since then, it has become one of the UK's leading community marine conservation organisations. It was responsible for the establishment of Scotland's first no-take zone, in Lamlash Bay, which I have previously highlighted in the chamber, and it is now campaigning for the complete exclusion of trawlers and dredgers from the newly designated south Arran marine protected area.

COAST currently has concerns about the national marine plan. I would be grateful if the cabinet secretary addressed those concerns today. It is concerned that the views of smaller organisations and coastal communities are not being listened to. It feels that bigger groups, such as the Scottish Fishermen's Federation, the oil and gas industry and others, have a disproportionate level of input into Marine Scotland, and it argues that Marine Scotland is far too centralised and that it needs more bottom-up initiatives and less dictation.

In COAST's view, coastal communities get no say over the waters that surround them. How will the new local-level regional marine plans be developed to ensure that both coastal communities and smaller organisations are able to have input into them? I note that they will take account of local circumstances, but we need to ensure that people in local areas have an input.

The Rural Affairs, Climate Change and Environment Committee's scrutiny suggests that the current draft of the marine plan fails to give sufficient guidance to local authorities on the development of regional plans and that many local authorities will not have the experience, expertise or resources to develop and implement those regional plans.

Scottish Environment LINK has also highlighted that issue. It argues:

"The emergent Marine Planning Partnerships—the mechanism by which regional marine planning is to be delivered—will require secure funding to ensure evidence-based, adaptive decision-making via stakeholder participation."

I accept that Marine Scotland will take a lead and feed into the process in developing expertise and sharing good practice, but I wonder whether this is an ideal opportunity to get organisations such as COAST and our coastal communities involved in the process, allowing them to work with local authorities so that the regional plans can be fed into and therefore created using an evidence-based approach, which is currently not reflected throughout the draft marine plan.

In relation to a consistent evidence-based approach, Scottish Environment LINK and other stakeholders are also concerned about what constitutes good environmental status. That is highlighted in the Rural Affairs, Climate Change and Environment Committee's scrutiny, and it points out, as I mentioned, that the plan does not contain sufficient guidance for local authorities and that the document does not provide a clear and concise set of principles that can be consistently applied.

It is not enough for the plan to have vague aspirations. We need clear and consistent policy and indicators, not only so that the regional plans can be implemented but so that they can work collaboratively. Having clear indicators would also allow us to monitor, evaluate and report on the plans, so I agree with the committee's recommendation that the Scottish Government revisits the document with a view to streamlining the information that is provided.

We need to ensure that the draft national marine plan is robust and consistent and that it adopts a strong scientific approach. I hope that the Scottish Government will take on board the concerns that have been raised by the RACCE Committee, as well as those raised by outside stakeholders.

Finally, we need to ensure that sufficient resources and funding are made available to those who are expected to deliver regional marine plans and that the guidance on them is clear and concise so that there is no conflict between different regional plans. As we all know, the seas know no boundaries.

The Deputy Presiding Officer: We have a little bit of time in hand if members wish to take interventions.

14:42

Graeme Dey (Angus South) (SNP): Pivotal to successful delivery of the marine plan in both the

national and local contexts will be the points that are covered in paragraph 43 of the Rural Affairs, Climate Change and Environment Committee report, which notes Marine Scotland's role in providing advice on conflict resolution between different sectors and intervening in such circumstances as required. More importantly, it sees the committee call on Marine Scotland to be proactive in engaging with local authorities and relevant others to ensure that they are aware of the support that is available.

Proactive engagement both in that regard and in respect of the general expertise that can be called upon will be essential when it comes to local authorities, because there is a concern that some, at least, are not as well equipped to develop the regional plans as they will need to be. The Convention of Scottish Local Authorities advised the committee that it holds no central data on the level of experience and expertise in marine planning across the 32 authorities, and a conversation with a senior official in my council regarding available and appropriate expertise for that did nothing to ease my concerns about how well placed, as things stand, those who are charged with drawing up a plan for the area that I represent may be.

I hope that, despite the best—or perhaps more accurately the worst—efforts of the Westminster Government and the RSPB, we will ultimately have offshore wind developments to factor into consideration along the Angus coast, along with inshore fisheries, recreational angling and the activities of a commercial port with the dredging that that requires.

Claudia Beamish: It is possible that, if the marine plan had not been delayed so much—I understand the reasons for that delay—we would not be in the situation that we are now in, with the judicial review.

Graeme Dey: That is one point of view, but the fact is that a significant series of critical offshore developments are under threat because of that.

Appropriate expertise and support will be critical and, as the Cabinet Secretary for Rural Affairs, Food and Environment has acknowledged, a significant amount of effort will be required to build up the necessary expertise at the local level. His commitment during evidence to the committee, which was reinforced in his response to our report, that Marine Scotland will take a lead in ensuring that best practice and expertise are shared across Scotland—followed, as it has been, by an explanation of the support that is being provided for the preparation for the first marine planning partnerships in Shetland and Clyde—is therefore welcome.

It is clear that the process of shaping the national plan and then working up 11 regional plans is—and will be for some time to come—a work in progress. Indeed, the cabinet secretary admitted in evidence to the committee that it will take quite a few years to complete the jigsaw of regional plans. That is appropriate, as it is important that we get this right.

That said, with work supported by Marine Scotland, Scottish Natural Heritage and the Scottish Environment Protection Agency, among others, already going on as part of the pre-marine plan development phase for Shetland and Clyde, the opportunity should be there relatively soon to identify any sticking points that might arise and to identify what should be included in the plan that perhaps did not feature in initial thinking. It ought to be possible to establish a solid foundation relatively soon, although I understand entirely the point made by the cabinet secretary about not spreading too thinly the support that will be required.

In terms of making progress and calling upon available expertise, I suggest that, in seeking to equip those local authorities that lack a full understanding of all relevant aspects of the marine environment, we should encourage dialogue—even informal dialogue—with local Royal National Lifeboat Institution stations during both the consultation and the development phases.

On a visit to the Arbroath RNLI station earlier this week, I was struck by the very detailed knowledge of the local marine environment that exists within lifeboat crews. Often crew members have been crewing the lifeboat over many years or they make their living at sea. In either case, they have built up a detailed understanding of navigational channels, local fishing areas and the interactions between recreational boating and commercial vessels. The chances are that, unlike others who gave evidence to the committee, they will not have a vested interest in ensuring that local plans—or, indeed, the national plan—take a particular direction.

It strikes me that it would be crazy for those charged with shaping the regional plans not to sit down with the RNLI volunteers and seek their input as we seek to draw up plans that, as well as fitting in with the overarching national strategy, accurately reflect local circumstance. Any relevant data that comes to the fore but is not already included in the national marine plan interactive could then be fed in to it.

In paragraph 71 of the committee's report, we talked of the need to encourage use of the information contained within the NMPi for the purpose of developing the regional plans, but we also called for all relevant data held by local authorities to be fed in. In hindsight, perhaps we

ought to have added a line somewhere in the report that stressed the need for councils to tap into local expertise to ensure that the whole process is as fully informed as it might be, so that the NMPi becomes the single, first-class, authoritative mapping source for Scotland's marine areas that we all want it to be. One would hope that that will happen anyway.

As we said in the committee's report—and as Claudia Beamish touched upon—the marine plan requires amendment to make it fully fit for purpose. As we have heard, the committee members stand by that observation—certainly as an observation at that time. In light of the cabinet secretary's formal response to the report and his comments today, I think that we are making some progress. Richard Lochhead's commitment to review the text of the plan to ensure that the relationship between the general and sectoral policies is representative and his commitment that the engagement of Marine Scotland with local authorities will be proactive are examples of that progress, as is the fact that we are already seeing movement in developing the plans for Shetland and Clyde. The cabinet secretary also indicated in his opening remarks that he is open to making further changes.

It is worth pausing for a moment to consider the scale of what is being taken on. The plan and its regional subsets have to take into consideration 900 islands, around 6,500 species, aquaculture, the interaction between fishing and subsea cables, navigational channels, areas for depositing the consequences of dredging, and so on. It must balance the promotion of economic activity while ensuring that that activity takes place in a sustainable manner that not only protects but enhances the natural marine environment. It must also provide a clear steer on consistency while allowing for local flexibility. Let us recognise both the importance of the plan and the fact that, as I mentioned, it is understandably a work in progress and will be so for some time to come.

To that end, I am sure that successors of the current RACCE Committee will in due course return to the subject to monitor the progress that is being made.

14:48

Tavish Scott (Shetland Islands) (LD): I start by agreeing with Graeme Dey's point about the RNLI's expertise. I absolutely share that view regarding the expertise in Lerwick and Aith in my constituency.

I agree broadly with the points by Rob Gibson and the cabinet secretary about emergency towing vessels. I am in accord not with the rhetoric but certainly with the principle of the positions that

they outlined. I absolutely agree with the cabinet secretary on the Crown Estate as well. My best comment on that is, "Implement Smith," because Smith has it absolutely right.

I will come at the debate from the perspective of the Government's food and drink strategy, which I entirely agree with. The industry is worth £13 billion a year to the economy, and Scotland's seas contribute £2 billion to that overall figure. Fish, including salmon, and mussels and prawns are all consumed at the nation's dinner tables and exported around the world. A starting point for the marine plan is whether it will help such businesses to achieve the Government's target of growing our food exports and eating more healthily.

Frankie's fish and chip shop in Shetland, where the cabinet secretary has eaten, is the best in the UK. It sources fish from Shetland boats that land in the islands. The seafood industry in Shetland is worth £300 million to our local economy, which is far higher than the value of the oil and gas industry to our economy. How will the marine plan help that business and the industry as a whole?

The salmon industry is under huge regulatory pressure, much of which was created here in Scotland, yet it is expected to deliver the 50 per cent growth target that the Government has set. How will the plan help it?

Seabird numbers fluctuate, as Claudia Beamish and others have mentioned. The availability of food sources, sea temperature changes and other pressures all affect one of Scotland's most glorious images—gannets diving on shoals of fish close to the coastline, which I can see in Bressay Sound out of my window at home. I have also seen that sight on the west coast and in the Firth of Forth. How does the plan deal with the changes in seabird numbers?

The Government's idea for the renewables industry is the closest thing that it has to an industrial strategy. Offshore wind—Graeme Dey mentioned it—and tidal and wave energy can keep the lights on by producing green power. As Liam McArthur's members' business debate yesterday showed, the wave energy sector is under pressure and commercial firms are going bust. How will the plan help those emerging technologies?

That is my point. Governments relish plans, consultations, strategies and the rest of it, but plans have to achieve something—they cannot just be top down. Members should ask Orkney Islands Council about that—it wants a 10-year moratorium on marine designations that the Scottish Government is set to implement. An approach that brings local people, industries, science and environmental bodies together has to be the practical way forward. A one-size-fits-all,

top-down, bureaucratic approach simply will not work.

I believe that the cabinet secretary knows that. As has been mentioned, his marine plan includes two areas—the Clyde and Shetland—that already have regional plans. For some areas, the concept of marine planning is new, but that is not true of Shetland. We have had marine planning around the coast since the Zetland County Council Act 1974, which gave the islands control over works licences. Those were the basis for the Sullom Voe oil terminal and the subsequent oil agreements. In 2000, the Scottish Parliament passed an inshore regulating order that devolved local management of inshore fisheries. Shetland produced its first marine spatial plan in 2006. We have more experience of marine planning than any other part of the country has.

Under the Government's timetable, it will be 2016 before a regional marine plan for Shetland is formally in place. I guess that the process will take a little longer for the Clyde, given the number of local authorities that are involved, so none of this is quick. The lesson from our experience of marine spatial planning is simple: all the people who are affected have to sit around one table and work on the way forward.

Offshore renewables developers like the clarity of the Shetland marine spatial plan and use it. It tells them what they need to know—which areas to avoid—and it saves them time and money. I hope that that approach to regional plans will work around Scotland's coast. It helps marine planners to integrate terrestrial and marine planning, which is the correct aim of the Government. Even salmon farmers—in our case, the Norwegians—know where an application to increase production is more likely to be agreed to. Those are the positive aspects of having an agreed local marine plan.

The marine plan must be underpinned by good science, data collection, verification and the constant updating of information. I feel a bit for Marine Scotland, because I see from the Government's budget that Marine Scotland's budget for the next financial year will be reduced by 3 per cent, yet it is under enormous pressure from all of us who want more effort to be put into marine science.

Marine Scotland can enter into more working partnerships with marine research institutions around Scotland to ensure that regional plans are based solidly on evidence. I suggest that the cabinet secretary should consider increasing the fishing industry science alliance funding from its current level of £150,000 a year and providing three-year funding allocations, as that helps projects to become much more effective than annual projects can be.

In Shetland, North Atlantic Fisheries College staff work with white-fish skippers to monitor landings and records. That keeps the figures and the evidence up to date. A number of colleagues have made the point that the marine plan should change on the basis of real-time evidence. It must be a live working document, not an academic one that gathers dust on a shelf, as Alex Fergusson rightly said.

My plea in supporting the minister's approach is that we should not listen to the clarion calls for everything to be driven from the top. Frankly, regional plans will be worthless if they are all the same, so of course they will be different, never mind whether the difference is between Shetland and the Clyde or the area around Graeme Dey's constituency on the east coast. We must also invest in science and evidence in a coherent and long-term manner. Further, I agree with the interesting case made in *The Press and Journal* today for the Scottish Seafood Association to be on the Scottish food commission. I agree with the minister's approach to the commission, but I hope that he might have another look at its membership.

I very much agree with the Government's approach to Scotland's £13 billion food and drink industry, of which seafood and sea fish are an enormously important part. My test of the marine action plan will be how it helps to develop an industry that can be an increasing part of the overall approach, so that the industry flourishes in the context of sustainable development while supporting the local economy and local people.

14:55

Dave Thompson (Skye, Lochaber and Badenoch) (SNP): I, too, welcome the principle of the Scottish Government adopting a national marine plan to provide guidance to decision makers and users of Scotland's marine environment.

The Deputy Presiding Officer: Mr Thompson, can you move your microphone slightly more towards you? We are having difficulty in hearing you. Thank you.

Dave Thompson: I could shout, but I had better not. I take it that the volume is better now, Presiding Officer. I will start again so that you can hear the whole thrust of the wisdom of my words.

I welcome the principle of the Scottish Government adopting a national marine plan to provide guidance to decision makers and users of Scotland's marine environment. The draft NMP's vision for the marine environment strives to ensure clean, healthy, safe, productive and diverse seas that are managed to meet the long-term needs of nature and people. That is admirable and I congratulate the Government on its work so far.

I want to mention the recent grounding of the ship on Ardnamurchan point near Kilchoan in my constituency, which the cabinet secretary and one or two other speakers mentioned. Fortunately, the ship's crew are safe, there is little apparent pollution from the grounding and it looks as if it will be possible to get the ship off the rocks all right.

However, as the cabinet secretary said, the incident highlights the need for a tug on the west coast. We are vulnerable at present and might not be so lucky the next time. Tavish Scott said that he agrees with the principle of having tugs but not with the rhetoric that he heard around it, but I remind him that I agree with the principle and the reality that it is the Conservative-Liberal Government that is presiding over a situation where we have only one tug, based in Shetland, when everyone with any sense knows that we need two, including one in the Minch. I hope that he will support that point much more strongly than he has done until now.

The marine plan is primarily designed to protect Scotland's sustainable future. That is a great idea; I would not support activities that were to the detriment of our natural heritage. However, we must also safeguard the livelihoods of those in our coastal communities. The RACCE Committee, of which I am a member, feels that the Government must ensure as the plan develops that appropriate safeguards are put in place to outline rights and responsibilities clearly, without being too highly restrictive.

I endorse my committee colleagues' comments about our concerns, which I am sure the cabinet secretary is addressing. In particular, I urge the cabinet secretary to ensure that, as other speakers have said, regional marine planning is married properly to the national plan and relevant guidance is given to local authorities, which must also be adequately resourced. I am grateful that the cabinet secretary acknowledged that concern.

It is good news that, after initial reservations, the Scottish Fishermen's Federation is much more satisfied with the plan. The SFF believes that most of its concerns have been addressed, so it is now much happier with the plan.

I am very supportive of sustainable fishing activities in our waters. Our fishing fleets are major users of the marine environment and have a vital role to play economically and socially. However, that role must be balanced against protecting the environment. I have some reservations about scallop dredging in that regard. I feel that safeguards need to be and should be put in place.

I am pleased that the three scallopers who are members of the Mallaig and North West Fishermen's Association, which also contributed to the consultation, are fairly relaxed about the

consequences for their businesses of the plan. Given their vast experience, that puts me at some ease. They are relaxed about the NMP, so long as a suitable impact assessment is applied to any detailed proposals that come forward on their sector of the industry.

There has been concern about the inclusion in the planning policies of targets for the growth of aquaculture. Those targets must be subject to strategic environmental assessment and habitat regulation assessment to ensure that the level of growth can be achieved within environmental limits.

Although climate change impacts are noted for every other sector in the plan, there is no mention of the climate change impacts of the oil and gas sector. That is not in keeping with the Government's commitment to reducing the carbon footprint.

As the RACCE Committee has noted, as members have said and as I have alluded to, local authorities are not equipped to deliver marine planning effectively. That must be addressed as a matter of urgency. As I have said, I am pleased that the cabinet secretary has expressed his willingness to do that.

Regional marine planning and the governance of the decision-making bodies that are required to deliver the plans must be well resourced, as that will facilitate efficiency and streamlined management at regional and national levels. Scottish Environment LINK, which Claudia Beamish mentioned, also takes that view. LINK, which is the forum for Scotland's voluntary environmental organisations, has more than 35 member bodies that represent a broad spectrum of environmental interests. It aims to ensure that the environment is fully recognised in the development of policy and legislation that affect Scotland. LINK has a common goal with the RACCE Committee and the Scottish Government, which is to contribute to a more environmentally sustainable society. I support that goal.

I would like to insist that the cabinet secretary ensures that the final plan is effectively monitored and assessed. I therefore recommend that the Scottish Government revisits the document with a view to streamlining the information that is provided. That will ensure that the final national marine plan stands as a clear overarching framework for decision makers that can be applied evenly across the country. I echo the comments of my colleagues on the RACCE Committee that the online interactive version of the plan, which is to be established, should be a first-class authoritative source for all of Scotland's marine areas. That will keep arrangements fluid between regional and national bodies, enhance accessibility for all concerned and engender the public's trust.

15:02

Elaine Murray (Dumfriesshire) (Lab): I apologise to the cabinet secretary for not being present for the beginning of his speech, but I am a member of the Justice Sub-Committee on Policing, which was taking evidence that is of some interest to the Parliament and the Government.

Unsurprisingly, my focus in this debate on the national marine plan rests on the Solway and on regional planning for that sea. The Solway has rightly been proposed as one of the 11 Scottish marine regions, but it differs from most of the others in that it not only crosses the border between Scotland and England but is close to the Isle of Man and Northern Ireland, which have their own marine legislation and management arrangements. The English side of the Solway is regulated by the UK Marine and Coastal Access Act 2009 and the Scottish side is regulated by the Marine (Scotland) Act 2010. Although there are many similarities between the two acts, there are also differences. However, despite that, there was a strong feeling that the Solway Firth should not be divided for marine planning purposes.

The Solway Firth Partnership, which I spoke about in Rhoda Grant's members' business debate in December on Scotland's coastal partnerships, led a vigorous campaign to ensure that the area was not divided for planning purposes and that any differences in arrangements should be a help rather than a hindrance to the planning processes. As the cabinet secretary knows, the partnership's sustained campaigning on the issue resulted in a joint ministerial statement in 2009 by the then UK minister, Huw Irranca-Davies, and the cabinet secretary, which committed both Governments to a joined-up marine planning process across the border. The measures in the agreement included joint stakeholder consultation and communication between Governments throughout the planning process, the publication of a single planning document, a seamless approach to marine spatial planning for the Solway Firth and clear articulation on how the two planning regimes interact and integrate.

It is not surprising that, at the end of last year, the Solway was chosen as a case study by the Celtic seas partnership project. It has been identified as a best-practice example of how to address co-locational, sectoral interaction and transboundary challenges. The important role that the Solway Firth Partnership plays in ensuring success has been highlighted. The outcome of the first stage of the case study will be presented at a conference in Paris in May, although I do not know whether any members will be invited to attend and hear the results.

Other than campaigning for the Solway to be treated as one entity, the Solway Firth Partnership does not normally lobby, as it has a broad membership and its role is normally one of facilitation and mediation between interests. It did not, for example, contribute written evidence to the RACCE Committee inquiry on the draft marine plan. However, when I read the committee's report, it struck me that the partnership's experience could be helpful in addressing some of the issues that the committee raised.

In paragraph 42 of the report, for example, the committee expresses concern

“about the possibility of inconsistency between Regional Marine Plans”

and says that there is a need for

“guidance ... on how regional marine areas will be expected to work together to ensure that users of the marine environment operating at a national level do not face inconsistent or conflicting arrangements.”

It strikes me that such a challenge will be addressed in the Solway because of the different legislative regimes and management arrangements not just between Scotland and England but in relation to the Isle of Man and Northern Ireland, too. Some examples from that good practice could be applicable across regional marine plans throughout Scotland.

The sectoral interests of the Solway are diverse. It supports a diverse mixed fishery, which in turn provides employment in Cumbria and in Dumfries and Galloway. As Dave Thompson spoke, I was reminded of the conflict of interest between hand gatherers of cockles and dredgers for cockles; even in the same sector or the same area, there are differences of interest between proponents of different techniques.

There are areas of environmental importance—the estuary is a Ramsar site and the inner Solway is designated as a special protection area under the European Union birds directive and as a special area of conservation. The English side of the Solway was designated as an area of outstanding natural beauty back in 1964 and three national scenic areas were designated on the Scottish side 20 years ago. The area also includes a number of national nature reserves and sites of special scientific interest.

There is potential for conflict between those interests and the renewable energy opportunities in the Solway. As those of us who were around at the time will know, the 60-turbine Robin Rigg offshore wind farm development was contentious on both sides of the Solway. Five years ago, nine possibilities for tidal energy generation—including barrages, lagoons and reefs—were identified in a report that was commissioned by Scottish Enterprise, the Northwest Regional Development

Agency and the Nuclear Decommissioning Authority. I am not aware of much progress having taken place on any of those proposals over the past five years. However, there could undoubtedly be significant environmental consequences, particularly if the larger barrage schemes were implemented. Those schemes were the only ones that were considered to be commercially viable.

Marine planning in the Solway will be crucial in balancing competing interests and, importantly, in protecting the marine area and the marine environment. As others have said, it will be essential for local authorities on both sides of the Solway to have sufficient expertise and resource to develop a robust marine planning system for the region. They need to be able to draw on the expertise of local organisations such as the Solway Firth Partnership. In his response to the committee report, the cabinet secretary acknowledges the

“existing expertise which can be drawn on locally”

and how much of that expertise there is. However, to enable the best use of local expertise, the national plan must—as the committee recommends—be “clear and concise” in defining the principles that must be applied, without being prescriptive.

The RACCE Committee has been critical of the draft plan. For example, it stated that the plan is

“too detailed and prescriptive in some parts, and yet too vague in others.”

I note that the cabinet secretary has agreed to review the text with regard to the relationship between general and sectoral policies, but I would welcome clarification on what opportunities might be available for scrutiny of any revised plan. The draft national plan has been a long time in its preparation, as we have heard, but the committee’s report indicates that it still has some distance to go before it becomes the final plan.

15:09

Michael Russell (Argyll and Bute) (SNP): I am glad that the cabinet secretary has, at the very outset, drawn attention to the on-going difficulty in the Sound of Mull with the Lysblink Seaway, which is in Mr Thompson’s constituency but within sight of mine. I shall be on the island of Mull tomorrow, just across from where the vessel ran aground.

The grounded vessel is now leaking fuel oil and there is a boom round the ship. I am very pleased that not only the cabinet secretary but the member of Parliament for the Western Isles, Angus Brendan MacNeil, and the Westminster candidate for Argyll and Bute, Brendan O’Hara, have drawn attention to exactly the same issue that the cabinet secretary raised, which is that we require a tug on

the west coast. If there is no tug, such incidents will be dealt with more slowly than they would otherwise be dealt with, which means that a small leak yesterday becomes a larger leak today. This is not yet a crisis, but there could be a crisis, and it is important that a tug is based in the area.

That demonstrates the need for an integrated approach to marine management, and I strongly commend the cabinet secretary for the work that he has done with the UK Government on seeking that approach. It is just a pity that in this matter—and, some would argue, other matters—the UK is not yet measuring up.

The marine plan is undoubtedly good, but the obligation on the Scottish Government is to produce not just a good marine plan but the best plan possible. When Graeme Dey and I met the members of the Northern Ireland Assembly’s Committee for the Environment this morning, we were impressed by the convener, Anna Lo, who said that she thought that the Scottish Government’s work on marine planning was exceptional and without doubt the best in the world. Of course, it could always be better and Alex Fergusson’s view that the marine plan should be clear, concise and easily understood is exactly correct. That is what the plan should aim to be, and I am very pleased that the cabinet secretary has confirmed to the committee that further simplification is required and has, in a letter to the committee convener, committed to reviewing the text to consider how the relationship between general and sectoral policies is best represented. That will take us a further step along the road to the best possible marine plan that we are aiming for.

I want to raise three specific issues that I think are of importance, the first of which is about ensuring that local authorities gain the expertise and experience in marine planning that they need. That issue has already been raised by a number of members, but it might help if I illustrate it with two examples. Last night, I spoke to Liam McArthur—I am sorry that he is not in the chamber, because he knew that I was going to mention this—about the representations from Orkney fisheries that some members have received, expressing the belief that there is a lack of expertise in the local authority that is hindering the local fishing industry’s work.

Paradoxically, the opposite position has been taken in the representations made to the committee by Argyll and Bute Council, which believes that that lack of expertise, which it admits exists, will in fact lead to more restrictive planning and more restrictions on development. Whatever the final outcome, we need careful and strong resourcing of training and the development of expertise in local authorities to allow them to

operate the marine plan. Until that is in place, the plan should not operate in the anticipated regions. The two pilot regions are working reasonably well, and there should be no expansion until that experience is in place.

Secondly, some have expressed concern about the progress being made in conservation. In my area, work on the marine protected area for the common skate and the special area of conservation for the harbour porpoise seems to have moved more slowly than it should have done. Indeed, Northern Ireland has a special area of conservation for the harbour porpoise, but Scotland does not have one as yet. As Rob Gibson has indicated, the enthusiasm and impetus from local communities to get involved in these processes and to see conservation happen need to be supported by Government. The marine plan is the ideal place for that to happen, because it provides the framework in which communities can understand and influence the process of conservation and designation.

The third issue that I want to raise—I know that the cabinet secretary will expect me to raise it—is marine cables. There is a difference between repairing an existing cable and replacing an existing cable with a new one. I make that obvious point because of the experience last year of the people of Islay, Jura and Colonsay, who for six months did not have a working marine cable that brought electricity to their islands. For six months, there was discussion and debate between Marine Scotland, SSE and other parties about how the existing cable, which had failed, should be replaced.

The marine plan does not make the proper distinction in that matter. It must allow the replacement of cables speedily—indeed, as an emergency; after all, this is the way in which electricity is supplied to remote communities. Of course, new cables should be subject to different regulation and, where necessary, those cables should be buried. I do not think that even the most difficult electricity company would resist that, but to stop communities being connected because a state body could not come to an agreement with the electricity provider about a cable that had failed was wrong and was a disservice to those rural communities.

Those are three of the many issues that the committee discussed, and I have to say that I was impressed by the work of my new committee colleagues on this matter. There is a desire to support the Scottish Government and the cabinet secretary to ensure that this is the best possible marine plan, and certainly one that can stand among the best in the world.

However, to ensure that that happens, some simplification and redrafting are required. I

remember a senior civil servant saying to me, “Minister, simplification is a complex business.” However, I think that we have here a situation in which simplification can be extremely simple. The committee has given good guidance to the cabinet secretary on how to go about it, and I look forward to reading and debating the final version of the plan.

15:15

Jean Urquhart (Highlands and Islands) (Ind):

I, too, welcome the national marine plan as a positive step towards effective marine spatial planning of the Scottish sea area. I acknowledge that, although the plan is a work in progress, it needs to be implemented, in part at least, to allow regional planners within the 11 regions to manage their natural environment. However, the impact of certain sectors has not been addressed within the plan and that could jeopardise the recovery of the marine environment.

It is wrong at this time to place targets on the tonnage of fin fish to be produced per year, considering the environmental implications of a mismanaged fish farm—we should not pretend that those do not exist. The environmental impacts of the farms can range from internal effects, which might affect only a single cage or, at worst, a farm to those that have repercussions through whole water bodies and ecosystems. Effects such as nutrient enrichment, contamination through fish faecal matter, increased parasite numbers and fish escapees from cages all carry significant risk to wild populations and ecosystems. Sea lice are of particular concern.

Although I understand that the industry contributes towards food security as well as to the Scottish economy, the risks that I have outlined cannot be taken too lightly. The targets should be subject to rigorous environmental impact assessment and, given the knowledge that we now have, presumed against in some areas of high sensitivity.

The lack of climate change mitigation measures in the oil and gas sector is baffling, considering the fact that this sector is probably the most polluting of all. Rather than showing a commitment towards a low-carbon economy, the plan seems to promote sector growth of the oil and gas industry. I hope that that will be reconsidered. Scotland has climate change targets, and the industry needs to be accountable for the damage that it does to the environment.

Concerns have been raised that the 11 marine regions may not be able to cope with the challenge of managing their coastline, whether that is due to funding issues or a lack of expertise or resources. There must be a cohesive approach

from local authorities, environmental groups and local people to deliver the plan's objectives. I believe that the Rural Affairs, Climate Change and Environment Committee is correct in its assessment that local authorities are not currently equipped to deal with setting up and monitoring local marine plans. However, development of tools and collaboration between local authorities might ensure that, if mistakes are made, they are not repeated.

The plan needs to be more ambitious in setting targets for not only the recovery of the marine environment but its enhancement, both outside and inside marine protected areas. My constituency contains the Wester Ross MPA, which has some badly damaged maerl beds, despite the fact that they are a priority marine feature. The management plan has now become obsolete as a result of further scientific work that has been carried out on the location of the beds, and there have been reported infringements of the voluntary marine area. The national marine plan needs to first protect and then restore vulnerable areas such as those beds, alongside the marine protected area legislation.

In one comparatively small sea loch in Wester Ross there is all manner of activity, including three ferries a day; commercial trawling; fishing; scallop diving; shellfish creel fishing; divers visiting three wrecks; sea angling; wildlife boat trips; people using skiffs, kayaks and canoes and mooring yachts; windsurfing; water-skiing; people attending a sailing school; fish farming; visiting cruise liners; and even wee girls and boys fishing off the end of the jetty or, if they get the chance, the big pier. Further, there might soon be subsea cabling.

That kind of activity in our sea lochs merits the kind of management that we are talking about. I have two concerns, the first of which is that we police the management properly. I am not sure how that will be done but it is essential if it is to have any effect. My other concern is the matter that is left to the creativity of industry and fishermen to deal with: the litter in the sea and the education that is needed for that to change.

I agree with Rob Gibson and Tavish Scott that the local variations of the national plan will be essential and welcome.

15:20

Jamie McGrigor (Highlands and Islands) (Con): I am pleased to close this important debate for the Scottish Conservatives. We have had some good and positive contributions from many members.

As Alex Fergusson indicated, the Scottish Conservatives, like parties across the chamber, recognise the vital importance of our marine

environment to our biodiversity, economy and communities. We can surely all sign up to the vision of the national marine plan for clean, healthy, safe, productive and diverse seas that are managed to meet the long-term needs of nature and people. The challenge is how to achieve that vision while allowing existing sustainable activities—some of which have gone on for centuries—and the jobs and communities that they underpin to be preserved and, indeed, enhanced. It is also to avoid complicated or excessive regulation.

Unfortunately, as members across the chamber have said, we have real concerns that the draft plan simply does not adequately help meet those aims. Therefore, like others, I welcome the Rural Affairs, Climate Change and Environment Committee's thorough and useful report into the plan, which makes important recommendations for significant improvements. We look to the Government to act on those recommendations. I fully agree with the committee's statement that the NMP

"should provide a simple framework for decision making and should not unintentionally produce a variety of prescriptive powers which will make operating in the marine environment more difficult."

On fishing, I flag up the concerns that were expressed by Bertie Armstrong of the SFF, who rightly spoke about the need to recognise the existing and sustainable activities of our fishing fleets. Those activities sustain many remote and island communities in my region on the west; they also help with food security and are valuable to our economy.

The NMP should provide the appropriate level of protection for existing sustainable use in the wild fisheries industry that our fishermen understandably want to see. I echo the committee's sensible call for the Scottish Government to work with the SFF, other fisheries associations and all other stakeholders to review the fisheries chapter so that we have no contradictions with existing fisheries regulation or confusion in interpretation.

I have argued consistently for the sustainable co-existence of our farmed and wild fish sectors, both of which are important to the economy of my region and the wider Scottish economy. Therefore, although it is right that the NMP supports the development of our aquaculture sector, it is also right that it identifies the need for a risk-based approach to the location of fish farms and the potential impacts on wild fish.

I have called consistently for fish farms to be positioned away from river mouths and further out to sea and I note with interest the committee's discussions on the current precautionary presumption against aquaculture on the north and

east coasts. One leading aquaculture stakeholder suggested to me only yesterday that the presumption was outdated and that, in the not-too-distant future, the industry might have developed the technology that will allow it to develop on the north coast.

At any rate, I support the committee's recommendation that the Government should review the science and evidence with a view to refining the presumption. The aquaculture industry has had a bad year. A healthy and prosperous industry will do far more for conservation than one that is hard pressed and hanging on by its fingertips.

Rob Gibson: What species does Jamie McGrigor think should be farmed on the north and east coasts of Scotland?

Jamie McGrigor: I think that the industry is talking about farmed salmon.

My constituents in Islay and Jura have expressed many concerns to me about the unacceptable delays that they faced in the restoration of the subsea power cable that serves their islands; Michael Russell mentioned that. During that time, they had to rely on an ageing generator. On their behalf, I welcome the fact that their serious concerns are voiced in the committee's report. I strongly support the calls for a new fast-track approach for such emergency circumstances to be detailed in the final NMP.

I support the amendment in Alex Fergusson's name and call on the Government to recognise the significant improvements that require to be made to the final NMP.

15:26

Sarah Boyack (Lothian) (Lab): Five years ago, we passed a hugely ambitious marine act. The marine plan, which follows it five years on, is crucial.

As other members have said, the plan is a decision-making framework. The document must remain up to date and reflect national priorities and policy; it must also provide the basis for regional and local decision making. That is the context in which the RACCE Committee felt that the draft plan is not fit for purpose. As many have said, the plan is overprescriptive in some areas, but too vague in others. Rob Gibson ably set out the committee's concerns in that regard.

I very much welcome the fact that the cabinet secretary has accepted our amendment. We wanted not to delete but to move on and add to the Government's motion, in particular to reflect the excellent representations that were received in evidence to the committee. It also enables us to

flag up a couple of issues that were not covered in the motion.

The debate has been a good one, reflecting the quality of the advance briefings that we all received. Those have been extremely helpful.

Through our amendment, we wanted to flag up the central issue of the health of Scotland's seas and the importance of enhancement, recovery and protection. We wanted to note the concerns expressed by the don't take the P out of MPAs campaign and, in particular, to recognise the significant challenges posed in progressing delivery of the plan and ensuring capacity not only at the regional level, in the new regional partnerships, but in our local authorities to monitor and assess developments and to consider the potential cumulative and interconnected impacts of new development.

We recognise the importance of the national marine plan interactive in making sure that the national and regional marine plans are living documents. Our overarching objective must be sustainable development and recognition of its three legs: environmental, social and economic interests. The crucial issue for the marine environment is not just to look at how things are now, but to think to the future, in particular about climate change adaptation and mitigation.

A key issue that has been stressed is the capacity, resourcing and expertise to make the decisions that will be needed, following on from the marine plan. How will the regional marine and spatial planning partnerships be able to progress those parts of the national marine plan that we in the committee think are vague?

The idea of sharing Marine Scotland's expertise and science is crucial. I observe in relation to renewables, for example, that the time lag for local authorities to gain expertise in onshore marine was years, and extra investment was needed from ministers. A huge amount of catch-up will be needed, because marine technologies are changing all the time; so is the science and the knowledge about the impact on our wildlife. Therefore, we have a challenge in front of us. It is crucial that we get the balance right, whether in relation to fishing, aquaculture, oil and gas, renewables, transport, the leisure industries or nature interpretation. The interplay among all those different uses will be judged and decided not just by what is in the plan, but by how the regional partnerships and our local authorities get involved.

That is why the science base that Tavish Scott mentioned is so important. Science will not make the decisions for us but it will at least let us weigh up the choices and make more informed decisions.

The precautionary principle, which Rob Gibson mentioned, is crucial. If we are not sure, we can always come back to an issue, but we must ensure that we do not make things worse.

Some important issues were raised in the briefing from Scottish Renewables, which is concerned that there should not be ad hoc, year-on-year changes to the national marine plan. I understand that concern—it is a concern about stability, which was raised by Tavish Scott, too. However, given the pace and scale of change in the marine environment and the industries that are active in it, the committee felt quite strongly that we need to revisit the marine plan, not just in five years but perhaps in three.

RSPB Scotland made an important point about the fact that national policies must be implemented within safe environmental limits and be supported by robust environmental assessment. The RSPB's concern is that the lack of an overall assessment of the plan compromises the potential of the plan to deliver.

Environmental assessment of every protected area in the marine environment is more important than ever. If we are to achieve

“Clean, healthy, safe, productive and diverse seas”,

if they are to be

“managed to meet the long-term needs of nature and people”

and if we are to live within environmental limits, we need the knowledge base. That is a key issue because it is about the relationship between what we need as a society and what many of our most fragile rural communities need to keep living and growing. It also affects the long-term capacity of our marine environment to be exploited to deliver jobs and economic benefits. That is why the committee wanted to flag the concerns of the don't take the P out of MPAs campaign.

I echo the comments from Claudia Beamish and Rob Gibson about the need for conflict resolution. In fact, conflict resolution was mentioned by everybody who talked about the local issues and is a crucial issue for us to focus on. Graeme Dey, Margaret McDougall and Elaine Murray also raised the issue. We need to draw on the expertise and experience that are already there. The work that has been done in Shetland and Clyde is important—we need to draw that in.

However, we cannot wait until those pilots are complete before we take decisions. Because of the length of time that it has taken to get to the marine plan, there are decisions that need to be taken throughout the country. That makes the experience of volunteers, local organisations and marine planning partnerships hugely important now and not just in future.

Margaret McDougall referred to the work that has been done by COAST. In its submission to the Clyde marine protection area, it touches on some of the win-wins that Dave Thompson talked about. When we have sustainable fisheries and local involvement, and when we try to bring together the interests of sustainable fisheries, recreational sea angling, tourism, leisure and other sustainable developments, there are potential win-wins. The research that COAST highlighted in its submission talks about the economic benefits that come from making the most of small-scale but cumulatively important developments.

The same point was made by Jean Urquhart, when she asked how we can ensure that those opportunities are delivered properly. She made an important point about policing of the process and of what people are doing. We need to be confident that what people aspire to do is what happens in practice.

Elaine Murray made an important point about drawing on the expertise across boundaries. I want to finish on that issue. A huge amount of expertise is there already—we need to learn from that. If there is one thing that we need to take forward, it is the knowledge and information that are already there. The real challenge is to ensure that those who will be responsible for marine planning have that knowledge and expertise at their fingertips because, in the end, that will be the measure of whether the process is successful.

15:34

Richard Lochhead: I thank all members across the chamber for their contributions to the debate on Scotland's first national marine plan, which has been many years in the making. Although I accept that we may have improvements to make—that is the purpose of the committee's work—I am laying a draft plan before Parliament for comment. This is a first, and I hope that when we look back in a few years' time it will be taken as the norm that Scotland has a national marine plan and I hope that Scotland will move forward and get all the benefits from it.

We all support having a thriving marine environment, which we all want to safeguard for biodiversity reasons, the environmental benefits and so on. At the same time, of course, we want to promote sustainable economic development in our seas, given that the industries that thrive in our seas sustain tens of thousands of jobs onshore and at sea.

The plan is about industries and it is also about the people who use our seas for work or leisure. In that regard, I join those members who paid tribute to the RNLI in Scotland. Of course, as we saw recently, it had a record number of call-outs last

year. It is doing a grand job and its volunteers often put their own safety on the line for others.

The 2012 Scottish annual business statistics demonstrated that the core marine sector alone is worth £4.5 billion to the Scottish economy and employs almost 50,000 people. That includes oil and gas services, but not oil and gas extraction, which of course accounts for more billions of pounds of revenue and thousands more jobs. Over and above that, we have our fishing and aquaculture sectors: major players that contribute hundreds of millions of pounds to our economy and safeguard local jobs in some of the more remote parts of Scotland, as many members mentioned. Our seas also provide Scotland with energy and will do so more in the future: 25 per cent of Europe's tidal and offshore wind power and 10 per cent of Europe's wave power can be found in Scottish waters. There is massive potential there. In terms of our seas, Scotland is in many regards a leading player globally.

Stakeholders and others who input to the process over the past few years have played a huge role. I am glad that they welcome much of where we have got to with the first marine plan. Bertie Armstrong of SFF said:

"In general terms, we are pleased with what has come out."

The Crown Estate said:

"it provides a good vision for Scotland's seas."

The British Ports Association said:

"We very much welcome the document".

Professor Thomas, from the Scottish Salmon Producers' Organisation, said:

"The plan is probably more advanced than those in any other European Union region."

Although I ask Professor Thomas to take note that Scotland is a nation, not a region, he makes a fair point in his comments. The representative of marine scientists, Lucy Greenhill, said:

"The main benefit that the marine plan and process could provide is the ability to assess cumulative impacts across multiple sectors."—[*Official Report, Rural Affairs, Climate Change and Environment Committee, 7 January 2015; c 2-5.*]

Despite some of the comments about the need for improvement on some aspects of the draft plan, which I accept and will come on to, generally the stakeholders, with whom we have worked very closely over many years, have welcomed where we have got to with the plan.

There have been many comments about making the plan simpler, which I take on board. As we prepare to adopt the final plan we will see how we can make it simpler, easier to read and so on. However, I gently point out that the only plan

produced in England so far is a regional plan—it is not even the national plan—and it goes to 190 pages. Ours is only 133 pages, and we represent 60 per cent of UK waters—the lion's share. We accept that a lot of detail must go into the plan, but perhaps it is already more streamlined and simplified than those in other parts of these islands.

As I said, we have an open mind on improvements to the plan, and I take seriously the comments made by the committee and members who have spoken in today's debate. There have been a range of issues. Local authorities' possible lack of expertise to implement the plan has been highlighted, which we take seriously. I point out that we have seven coastal partnerships in Scotland already and the Scottish Government funds project officers who work with coastal partnerships on these kinds of issues. As Tavish Scott and others said, Shetland will be one of the first two areas for regional planning and no one would argue with the idea that Shetland has a lot of expertise in dealing with the kinds of issues that we are speaking about today. As the years progress and more regional plans are put in place, we will have to develop expertise at the local level, but there is a lot there already and we must ensure that we use that and bring it together.

Many members mentioned conflict resolution and the issue of whether one activity should trump another. It is very difficult to lay down a general rule, because we have to look at each case on a case-by-case basis. Marine Scotland will play the role of broker when there is potential conflict at local level.

We will also monitor the plan constantly to make sure that it is adapted when necessary and that it is working. There is a five-year review timescale, although some members have said that that should be reduced to three years. We will consider that, but the renewable energy and other sectors say that there should be stability and if we keep on having reviews, that could make the situation less stable. We must take those views into account as well.

The question about whether we should go for enhancement and not just protection of marine features is also part of the debate around marine protected areas. That question will be taken forward as part of the marine bill in due course. As members know, we have just consulted on the management options for the MPAs.

Claudia Beamish: Does the cabinet secretary agree that enhancement is vital because some areas are denuded? Recovery is not enough for our marine environment, and that is highlighted in the act itself.

Richard Lochhead: As Claudia Beamish knows, our approach is to encourage enhancement of the marine environment when possible, but we have to respect existing activities. Unless there is strong evidence that existing activities are causing significant damage, we must respect the fact that they have been there for a long time and should continue. Of course, we should enhance the marine environment where possible.

Many members have alluded to delicate balances and I want to highlight some of the issues that arose during the debate that might illustrate the challenge facing the Government in striking that balance. Margaret McDougall and Rob Gibson spoke about the calls for more fisheries conservation at the local level in different parts of Scotland. At the same time, we have the committee's recommendation that we should perhaps put more safeguards in for the fishing industry. It is difficult to have it both ways, so we have to strike a balance because, in the eyes of some, those two positions are incompatible.

On aquaculture, we heard Tavish Scott looking for a plan to promote aquaculture in Shetland, and Jean Urquhart said that she did not want to see a target for aquaculture and that we should take a precautionary approach. The plan does a fairly good job of balancing the requirements of those two positions. We can have a sustainable aquaculture sector that develops and sustains jobs in local communities in the times ahead.

The marine plan does not just go out to 12 miles, the area which is the responsibility of the Scottish Parliament. Because of the agreement with the UK Government, it goes out to 200 miles, albeit that we are waiting for additional responsibilities such as control over the management of the Crown Estate. We are seeking confirmation from the UK Government that that will go out to 200 miles and not just 12 miles.

The fact that the marine plan goes out to 200 miles gives us a range of factors that we can take into account when planning for the future. We have to safeguard fishing wherever possible. We also need the ability to have preferred locations for marine renewable developments. We have to look at salmon and other migratory species, their impact on the environment and the impact that other activities have on their health. We have to look at how we reuse oil and gas infrastructure where possible, particularly in relation to carbon capture and storage. So there is a range of issues that we can look at because the plan covers the area between 12 and 200 miles.

We are entering a new era for the marine environment of Scotland. We are a global player when it comes to the marine and maritime sectors and the richness of our seas. In my opening

remarks, I outlined how we have unique species, offshore renewables potential, the oil and gas industry, the fishing industry and so on. We are a major global player when it comes to the maritime sectors.

We are now looking at marine protected areas, which will soon be implemented in Scotland to add more conservation of the marine features that lie beneath the waves. Inshore fisheries groups have been set up to look at local management of fishing. We are looking at regional planning partnerships, and as part of what we have discussed today around the marine plan we are looking to take a bottom-up rather than a top-down approach.

Sarah Boyack: One of the concerns that has been flagged up to us is about the detail of MPAs and the balance between protection and sustainable fisheries. Will the cabinet secretary take a look at that so that we can be sure that we will not get blanket decisions across the MPAs and that local concerns will be adequately reflected?

Richard Lochhead: As I have indicated previously, I am happy to look at that.

If I have time, I just want to raise an issue that other members have mentioned. We need to ensure that we can protect our marine environment and that we have the power and resources to do so. Therefore, given the events of the past 24 hours, it is unacceptable that in Easter 2016—in just over a year's time—we could have no emergency towing vessels based in Scottish waters. The contract for the one vessel that we are left with, in the Northern Isles, will run out in Easter 2016. Given that there have been three major incidents involving three large vessels in Scottish waters over the past few months alone, we should not have fewer emergency towing vessels in Scottish waters; we should have the number that we had before restored—we should have our two vessels back in Scottish waters to safeguard Scotland's marine environment. The UK Government should get a grip and deliver that and recognise that it is leaving Scottish seas vulnerable to pollution and other damage. That is why I am writing to the UK Government asking it to ensure that it puts adequate resource into Scottish waters to protect the marine environment.

I believe that in the marine environment we can get all these ducks in a row. We will improve and take on board the comments on the draft marine plan. We will deliver protection for the hundreds of thousands of jobs that depend on Scotland's seas and deliver protection for Scotland's precious and world-famous marine environment.

I commend the motion to Parliament.

Community Charge Debt (Scotland) Bill: Stage 3

15:45

The Deputy Presiding Officer (John Scott):

The next item of business is stage 3 proceedings on the Community Charge Debt (Scotland) Bill. In dealing with the amendment, members should have the bill and the marshalled list. The division bell will sound and proceedings will be suspended for five minutes should there be a division on the amendment. The period of voting will be 30 seconds. Members who wish to speak in the debate on the amendment should press their request-to-speak buttons as soon as possible after I call the amendment.

After section 2

The Deputy Presiding Officer: Amendment 1 is in the name of Gavin Brown.

Gavin Brown (Lothian) (Con): The amendment reflects concerns raised by a number of councils in written and verbal evidence to the Finance Committee. Councils were worried that the bill and the publicity surrounding it could have a negative impact on the collection of other local government taxes. Seven councils that gave evidence to the committee, either in writing or verbally, made that point. They were a spread of councils in political and geographical terms. The point was raised by councils that were for the bill and councils that were against it.

In our view, if that worry turns out to be the case in practice, the burden to compensate should fall on those who created the situation. In this case, that is the party that introduced the bill—central Government as opposed to local government.

I was not allowed to go quite that far in terms of the admissibility of my amendment, so my amendment does what is in my view the next best thing: it creates a legal obligation on the Scottish Government to monitor the situation and publish the results in a transparent fashion.

Such a specific duty allows the Parliament and the wider public to judge for themselves the impact of the bill. If there is to be an impact on the collection of other local government revenues, it is most likely to happen sooner, amid the publicity around the act, rather than later, hence the amendment obliges the Scottish Government to monitor and publish the results only twice—once after six months and once after 12 months.

It is important to have this amendment in primary legislation, given the mixed messages coming from the Scottish Government. Following a meeting with the then local government minister,

Derek Mackay, the Convention of Scottish Local Authorities understood the position to be that if other revenues were hit, the Scottish Government and COSLA would be back round the negotiating table to sort the issue out. However, in evidence to the committee, the Deputy First Minister suggested that any hint of compensating councils was off the table.

In my view there is a risk arising from the bill and it has been highlighted by many councils. That risk ought to be monitored closely and the results of that monitoring should be transparent and should be published.

I move amendment 1.

The Minister for Local Government and Community Empowerment (Marco Biagi):

Amendment 1 was lodged because of a desire to see the continued health of our local government revenues. Everyone in the chamber shares the belief that taxes arising should be taxes collected. The money that we are paying in council tax is going straight into funding essentials offered by our local councils, whether schools, care homes, roads or parks—the list goes on. Keeping those revenues buoyant is already a priority that is closely monitored.

Council tax collection rates today stand at 97 per cent. Placing an additional burden on local authorities to provide the specified information to the timescales that Gavin Brown proposes would be unnecessary and unhelpful. Information on community charge payments is already included in the returns that local authorities make to the Government on tax collection. The council tax collection statistics for 2013-14 were published by the Scottish Government on Tuesday 17 June 2014, which was less than three months after the end of the financial year.

The Scottish Government will undertake to report the final community charge collection data to the Finance Committee at the same time as the council tax collection statistics for 2014-15 are published. I expect that to be before the summer recess. I also expect—should the bill be passed—that the data will show that the amount of community charge that was collected continued to decline up to the date on which it was extinguished. Further council tax collection statistics will continue to be published as routine.

For those reasons, I ask Gavin Brown not to press the amendment.

The Deputy Presiding Officer: Unusually, I call Jackie Baillie to speak to amendment 1. I will revert to the minister at the end. I will call Cameron Buchanan to speak after Jackie Baillie.

Jackie Baillie (Dumbarton) (Lab): Thank you very much, Presiding Officer. I understood that

there was an open debate on the amendment, which is why I pressed my button to speak.

I have sympathy with the substance of what Gavin Brown said. We, too, want to ensure that there are no unintended consequences or impacts on the collection of council tax. However, I believe that we already monitor and publish collection rates, so we do not need to put what is proposed in legislation. I am sure that local authorities will be extremely vocal in ensuring that attention is drawn to any reduction in the collection of rates despite their considerable efforts to recover debt, and I suspect that the Parliament's Local Government and Regeneration Committee will be likewise.

For those reasons, we will not support the amendment, although we have sympathy with its intentions.

The Deputy Presiding Officer: I call Cameron Buchanan.

Cameron Buchanan (Lothian) (Con): I would not usually expect to speak at stage 3 of a bill so soon after having spoken at stage 1. However, the Government seems to have little desire to listen to most people's views on removing the liability to pay the community charge. I have said before that there are many worrying questions, and I am compelled to ask them again.

How is the bill fair to the people who paid the charge? Will it stand up to the legal challenge from those who would, understandably, seek compensation? Will the compensation that is offered to local authorities be reviewed to match the true cost of the policy? What will be the total effect of the worrying precedent that the bill sets on tax avoidance? Will its impact be monitored?

The Deputy Presiding Officer: Mr Buchanan, are you speaking to the amendment or making your speech, which we would expect you to do in the open debate?

Cameron Buchanan: I am speaking because you asked me to speak.

The Deputy Presiding Officer: Your speech should come later.

I will now revert to the minister. Is there anything further that you wish to say before I ask Mr Brown to wind up on the amendment?

Marco Biagi: I am content.

Gavin Brown: I am a little disappointed, although not hugely surprised, by the Government's response. The minister said that the burden would be "unhelpful". I suspect that it would be a little unhelpful for the Scottish Government, because it might shine a light on what the impact of the bill has been, but I am not sure that the burden would be quite such a big burden on, or so unhelpful to local authorities.

What would be more unhelpful to them would be the collection rates dropping as a consequence of the bill that we have passed and their having no recourse to the Scottish Government and there being no obligation on the Scottish Government to do anything about that.

Given the level of sophistication of local councils and their financial officers, they would be in a position to give us an indication in early course of how the collection rates had changed, if they had. They may not change, but seven councils suggested that they might. We would be in a better position if we knew about that sooner, rather than waiting until several months after the end of the financial year and then trying to drive backwards.

Jackie Baillie is right. I am sure that local government will be vocal if the collection rates drop, but the amendment's purpose is to ensure that the Government has an obligation to monitor and publish. If that existed, the Government would be more likely to listen to councils and would be more likely to be forced politically to act as opposed to being in a position in which to ignore councils more easily.

For that reason, I press amendment 1.

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

Members: No.

The Deputy Presiding Officer: There will be a division. There will therefore be a five-minute suspension, after which there will be a 30-second division.

15:55

Meeting suspended.

16:00

On resuming—

The Deputy Presiding Officer: We will proceed with the division on amendment 1.

For

Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 McGrigor, Jamie (Highlands and Islands) (Con)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Boyack, Sarah (Lothian) (Lab)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Malik, Hanzala (Glasgow) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMillan, Stuart (West Scotland) (SNP)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)

Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Robison, Shona (Dundee City East) (SNP)
 Rowley, Alex (Cowdenbeath) (Lab)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

Abstentions

Hume, Jim (South Scotland) (LD)
 McInnes, Alison (North East Scotland) (LD)

The Deputy Presiding Officer: The result of the division is: For 13, Against 90, Abstentions 2.

Amendment 1 disagreed to.

The Deputy Presiding Officer: That ends consideration of amendments.

Community Charge Debt (Scotland) Bill

The Deputy Presiding Officer (John Scott):

The next item of business is a debate on motion S4M-12344, in the name of John Swinney, on the Community Charge Debt (Scotland) Bill.

I call on Marco Biagi to speak to and move the motion in the name of John Swinney. Minister, you have 10 minutes.

16:01

The Minister for Local Government and Community Empowerment (Marco Biagi):

Thank you, Presiding Officer. On 2 October last year—

The Deputy Presiding Officer: Wait one second, Mr Biagi. I must ask members who are leaving the chamber to do so quickly and quietly, please, as a mark of respect to the minister.

Marco Biagi: On 2 October last year, the former First Minister announced the Government's intention to introduce legislation to ensure that councils could take no further action to recover ancient debts that arose under the community charge, which we have all come to know as the poll tax. We are here not because we need to abolish the poll tax—strictly speaking, that took place 22 years ago—but because we must deal with what it left behind. Today we vote on legislation that will draw a line under the last remnants of that tax and, most important, put one of its last bitter legacies behind us once and for all and ensure that all can come forward and register to vote without fear.

The register is nothing less than the foundation that we lay under our democracy; it is that on which everything else rests. All that we do here is built on what has to be an authoritative and comprehensive account of those eligible to vote on the future of our country. It has to be so, because, if we are to be faithful to the principles of democracy, all those who have the right to vote should be free, and feel free, to exercise it in practice.

A fortnight ago at First Minister's questions, concerns were rightly raised about reports that many hundreds of thousands of people might not yet have transferred to the new register under individual electoral registration. Any loss of voters from the register is a concern, but any growth as a result of genuine democratic spirit should be welcomed. We can be proud of the democratic spirit that our country showed in last year's referendum. There was an 85 per cent turnout and an all-time high total of 4.3 million people on the electoral register. That has been noted, that has

been praised and that has been celebrated in this chamber time after time as an example of democratic engagement that is second to none.

Yes, I know that many of the new names on the register were 16 and 17-year-olds for whom this was a democratic awakening of their own, but there were still significant numbers of people who had registered again for the first time in decades or who had never registered at all before. All of us probably know them, or we have knocked on their doors and spoken to them. Many were signed up to vote at makeshift stalls on high streets or, in one campaign, outside jobcentres. It was clear to us all that people were invigorated by that choice as by nothing before. In a democracy, that sort of awakening is precious. It must be cherished, and it must be nurtured.

It was because of the high level of registration that, after the referendum, the responses of some councils—just some—gave us concern. For example, Aberdeenshire Council was quoted in the media as saying that it was looking at the register to track down people who owed poll tax debt. On 30 September 2014, it said:

"If they don't pay, we will go after them for that money."

Defending their proposed approach, those councils referred to the statutory duty on local authorities to collect local taxes. They have that duty, as they should; when I spoke to Gavin Brown's amendment, I reinforced the point that collecting taxes is important. The Abolition of Domestic Rates etc (Scotland) Act 1987 and the Local Government Finance Act 1992 make it the duty of every local authority to collect the taxes that it is owed. I therefore understand the councils that genuinely felt that they had to do something—they felt that it was their responsibility. As a result, although some councils had already ceased the collection of poll tax debt, there was space for legitimate doubt.

With the bill, we wanted to make it crystal clear that local authorities were absolved of their obligations to pursue and collect poll tax debt. We are not talking simply about a voluntary arrangement to cease collection; our aim is to deal with this debt—and this doubt—once and for all. Therefore, we wanted to ensure that the legislation was simple, straightforward and unambiguous, and it has to be said that this is one of the shorter and more-to-the-point bills that the Parliament has considered. We must put the issue beyond doubt by extinguishing the liability for the poll tax entirely.

Gavin Brown (Lothian) (Con): Is it okay for councils to look at the expanded electoral registers to track down council tax debt of, say, 18 years' duration?

Marco Biagi: The issues that we face with the poll tax were created by very particular historical

circumstances, in which there were high levels of protest, disruption, deliberate non-payment and deliberate non-registration. That is what we are trying to address. I will come to the issue of council tax debt, because it is important that councils collect council tax and do so in a responsible way.

Had we taken a different approach in the bill, by, for example, making it illegal for local authorities to collect poll tax debt, it would have caused all kinds of difficulties. For example, if debtors had not been able to cancel repayment arrangements in time, councils could have found themselves breaking the law simply by receiving money. Alternatively, what if a civic-minded individual simply wanted to make a gratis payment out of the blue? We did not want to replace one uncertainty with another.

It is not only the basic poll tax debt that is being extinguished, but all the associated liabilities, including the interest charges and penalties that were imposed as part of the process of collecting the poll tax. With many such debts, as many money advisers will be aware, penalty can be heaped upon penalty and leave money still being repaid long after the principal has expired. Those paying off community charge debt up to 1 February include some of the poorest and most vulnerable people in society, who were unable to pay at the time and were paying small sums towards arrears every week.

Extinguishing this historical debt will let local authorities concentrate on breaking the cycle of debt, as some of them explained in their evidence to the Finance Committee. As we know, many councils gave up pursuing historical poll tax debt years ago. There are 10 councils that will not receive any money from the settlement, having indicated that they did not intend to undertake any further collection. I should point out that the council tax collection rate in every one of those councils is at or higher than the Scottish average for in-year council tax collection. Each of those councils made a choice for their locality that today we are making for the nation as a whole.

In the stage 1 debate, I reminded the Parliament of the singular unfairness of the poll tax, the history of which goes back for more than 1,000 years. Members might be disappointed to hear that I do not intend to go over that detail again. However—and I know that I should not have to say this—I repeat that this Government believes that people should pay the tax for which they are liable under the laws of the land. Even after the bill is passed, as I hope it will be, it will remain for each local authority to determine the most appropriate means of recovering council tax debts. The bill leaves people's liability to pay council tax and local authorities' duty to collect it unaffected, although the Government will, as always, expect

local authorities to pursue debts in a way that is sympathetic to the debtor's needs and circumstances.

The bill also leaves unaffected the long-standing law that debts can expire, as indeed most of the outstanding poll tax debt now almost certainly has. In 2013-14, the authorities that still collected community charge debt collected only £327,000, which was down from a total of £1.3 million just a few years before in 2009-10. Clearly the total collected has been declining every year. Moreover, I note that the collection rate for the community charge over its lifetime was 88.4 per cent, whereas the in-year collection rate for the council tax is 95.2 per cent, with, as I have said, the expectation that more than 97 per cent of council tax will be collected once follow-up measures are taken.

Over the past week, we have read reports of one council after another setting its budget. Let us be honest: that has not been done without controversy, debate and extensive discussion. For the first time, however, councils need not take any element of the community charge into account in setting their budgets. That is the case not only for the authorities that had willingly already stopped collecting the community charge, but for all authorities.

I thank everybody who, in partnership with local authorities, has been involved in making sure that this will happen and in dealing with the bill's expedited timetable. With the co-operation of the parliamentary authorities and the local authorities, we have been able to expedite the bill to ensure that it can be in force for the start of the next financial year.

I move,

That the Parliament agrees that the Community Charge Debt (Scotland) Bill be passed.

16:10

Alex Rowley (Cowdenbeath) (Lab): I begin with something that I forgot to do at stage 1, which is thanking the Finance Committee. It should be put on the record that it did a good piece of work on the bill and took really useful evidence on it. However, I did say at stage 1 that the Labour Party would support the passing of the bill as speedily as possible because it is right to draw a line under the poll tax.

It is also right to point out that the success of the referendum in terms of the number of people who registered to vote should not have resulted in some of the statements that were made about poll tax debt. The then First Minister was absolutely correct at the time to say that he would legislate on the issue. We are certainly happy to be here today to support the passing of the bill. We have

had many passionate speeches in the chamber about how bad and unfair the poll tax was and about the misery that it caused to individuals and communities up and down Scotland. It was a bad tax—the wrong tax—and it needed to go.

I think that it is important for me to make again a couple of points that I made at stage 1. As part of the Finance Committee's evidence taking on the bill, East Ayrshire Council said that it had taken evidence from people who had struggled to pay the poll tax but had paid it even though they objected to it in principle. It is important that, when we draw a line under the poll tax today, we recognise equally that many people throughout what was a difficult period paid the poll tax. Some of those people struggled to pay it, but they did so because they valued local government services.

I was a member of Fife Regional Council at that time, so I know that the poll tax caused turmoil for local government finance and uncertainty for council services. To all those people who struggled to pay but did pay the poll tax, we should therefore say thank you and that we recognise that they made a sacrifice during that time.

It is right to move on. As the Deputy First Minister pointed out in one of his speeches on the poll tax, by 2013-14 the amount of money that was being collected for poll tax debt was down to £327,000.

A deal has now been agreed with the Convention of Scottish Local Authorities. We need to take on board the fact that we were getting to the stage at which it would cost councils more money to collect than they would be able to collect. As the minister said, and as we have seen from the evidence, many councils have already stopped collecting and others are at the point at which it is becoming difficult to collect much more. Therefore, although we are taking steps today to formalise the matter, we are already at the point at which very little of the money is being collected, so it is right to draw a line under it.

In evidence to the Finance Committee, Perth and Kinross Council said that having to pursue the poll tax interfered with its collection of council tax. The council said that some of the families who had poll tax debt 20 years ago also have agreements in place to pay back council tax debt. That shows us that, 20 years on, in some communities the same families and individuals are still struggling with deprivation and social inequality. That surely tells us that we need to do more to tackle inequality and poverty.

In the stage 1 debate, the Deputy First Minister said:

"Those paying off community charge debt include some of the poorest and most vulnerable who were unable to pay at the time and are now paying ... towards arrears ... or

having them deducted from social security benefits".— [Official Report, 29 January 2015; c 73.]

That should reconcile us to the fact that, whatever poverty strategies have been put in place, they are still not working for many communities and many people and families. It is a generational thing. We have not been able to break the cycle of deprivation and poverty, which should shame us all in the Parliament. We need to highlight that and consider how we are going to tackle it.

That links to local government finance. The minister talks about council tax, which in its current form is causing major difficulties in communities because it is not a sustainable way forward for financing local government. We need to find a way forward, because the type of budgets and cuts that local authorities have announced this week are biting into local government services across Scotland. We need to find a way of properly funding local government. Some 22 years on from the poll tax being scrapped, we still do not have in place a proper mechanism for funding local government.

That brings me right back to my point about poverty. I believe that we will not be able to tackle poverty and inequality in Scotland unless we have a national poverty strategy that links into a local poverty strategy. At the heart of delivering that locally are the community planning partners, and key among them is local government. Local government is the body that can tackle inequality and poverty at local level and actually change things. If it is not financed properly and if local government finance is broken, that will not work.

It is with pleasure that we will see the bill go through today, as we can draw a line under the poll tax. However, the message is that we have to sort out local government finance.

16:18

Gavin Brown (Lothian) (Con): We have been against the bill from the beginning. We have been critical of the way in which it was announced and the lack of consultation. We are against the bill in principle and we are concerned about the pragmatic aspects that could flow from it.

I will first deal with the point that I tried to make in an intervention on the minister. The Government tries to paint the bill as some kind of high-minded safety measure that it has to bring in to protect democracy and the electoral roll. It says that people should feel free to register without the fear of being chased for tax. However, what the Government does not say is that that applies only to the community charge. If councils want to use the expanded electoral roll to chase up council tax debts that have existed for 17, 18 or 19 years, that apparently is okay with the Government. Indeed,

the finance secretary is enthusiastic about councils using their powers and the expanded electoral roll to chase up old council tax debts.

The narrative behind the bill of it being about protecting democracy falls somewhat short when it applies only to one tax debt but not to another tax debt that could be decades old. In years gone by, the Scottish National Party in particular has been pretty aggressive about the council tax and has said some pretty unpleasant things about it, which are pretty close to what it has said about the community charge. It was all very different, of course, a couple of weeks ago, when the finance secretary was praising the council tax and said on the record that it

“is linked to ability to pay”.—[*Official Report*, 29 January 2015; c 73.]

That is in stark contrast to what many SNP members said in the last parliamentary session, where we can find a whole plethora of quotations about how awful they felt the council tax was.

I said that we are against the bill on principle, and the principle is fairly straightforward. It is a principle that has been espoused many times by John Swinney himself: people should properly pay the taxes for which they are liable. On the Conservative side of the chamber, we do not deviate from that principle in relation to the community charge. We think that that is how it ought to be.

We also think that there should be a principle of equality between those who paid the tax and those who did not pay. We now have the situation where some people paid that community charge, even if they were against it—as I know the majority of members in the chamber were—and made great sacrifices in order to do so, but those who did not pay it, some of whom probably could have paid it quite reasonably, are let off. There is an inequality between those two situations.

I looked through the *Official Report* of the relevant Finance Committee meeting and that is a live issue that has been raised with many MSPs. The convener of the Finance Committee said:

“I imagine that most—if not all—MSPs have, like me, received a number of communications from constituents who have said, in effect, ‘What about those who paid at the time?’”

The convener went on to say:

“We are all getting correspondence about it. I have not had anyone tell me what a great idea the bill is, but I have had plenty of folk writing to me in the terms I have just described.”—[*Official Report*, *Finance Committee*, 14 January 2015; c 24-25.]

Those are not the words of a Conservative MSP; that is a direct quote from the convener of the Finance Committee, who did far more consultation on the issue than the entire Scottish Government.

We are against the bill for reasons of principle but we are also against it for reasons of pragmatism. That is what the amendment that we lodged earlier was about. In written submissions to the committee and in giving evidence to the committee, even the councils that were supportive of the bill, such as Dundee City Council, were concerned about the impact that the bill could have on the collection of council tax.

John Mason (Glasgow Shettleston) (SNP):

Does the member not think that a worse example is the big companies and the rich individuals who hide their money overseas, creating a huge tax gap? Are they not the ones that should be pursued?

Gavin Brown: We are happy to debate tax evasion and tax avoidance of any nature in this chamber at any time, but today we are debating stage 3 of the specific bill in front of us, which I am sure that Mr Mason acknowledges. We are confined to talking about the contents and the impact of that particular bill. If Mr Mason wishes to use his debating time to debate other stuff, so be it—we are happy to debate at any time—but currently our remarks have to be confined to the bill in front of us.

As I said at the start, we are against the bill in principle; we are against it for practical reasons too. The Scottish Government carried out no consultation on it whatsoever, and there could be some unforeseen consequences. For those reasons, we will not support the bill and we will vote against it at 5 o'clock.

16:23

Kenny MacAskill (Edinburgh Eastern) (SNP):

The debate is not about the principle of paying taxation; it is about the final burying of the poll tax. Like many members in the chamber, I have recently filed my income tax return and have paid my income tax. Although I was not ecstatic, I was happy to do so because the tax took cognisance of the ability to pay, it was banded, and it went towards the protection of necessary public services.

The poll tax was an entirely different entity. It was a political tax that was brought in by the Conservatives and was brought in a year earlier in Scotland, with Scotland being used as a guinea pig for the taxation despite the best endeavours to advise better and wiser counsel on Margaret Thatcher, even including some efforts from within her own party. The tax ultimately bit the dust and she finally fell with it.

I was proud to take part in the can't pay, won't pay campaign, which was about ensuring that those who could not pay would never have to pay. We defeated this iniquitous tax, and this bill finally

puts to bed the issue of the last few individuals who are being pursued for it.

The tax was certainly iniquitous. It was a tax on the poor and the vulnerable, and it did not take into account people's ability to pay. It was all about marginalising people in society. The attitude was, "I don't have a child at school, so why should I pay for education? I am fortunate in being healthy, so why should I worry about those who are afflicted?" It was about dividing and divvying up, and it was about the privatisation of our society, which, I am sad to say, has been continued by more recent Governments.

It was also about undermining local government services. The points that Alex Rowley made in that respect were appropriate, but we should, as I mentioned in the stage 1 debate, remember the gearing effect. Councils had either to ratchet up the poll tax to an unaffordable level or to privatise or simply dispose of services. That is why the tax had to go.

Will a few individuals who probably should have paid escape? Sadly, there are probably a few, but the overwhelming majority will be people who, for 20 years, have not been able to afford to pay. How do we know that? There were expedited powers associated with this tax; I know that Her Majesty's Revenue and Customs has expedited powers to deal with those, whether they be MSPs or others, who do not pay their taxes. That is only right but, as John Mason has correctly pointed out, accountants, tax avoidance and, sadly, tax evasion kick in with income tax and other more complicated forms of taxation.

The system of expedited powers was imposed by local authorities on the ordinary man and woman in the street who had to struggle to pay their community charge. We should remember, for example, the summary warrant process, which was an expedited procedure that did not require the council to raise any particular action. The warrant was simply printed off on a computer and passed to sheriff officers, who, at one stage, could use the threat of a warrant sale to intimidate people and get money.

For the overwhelming majority of people, however, the situation was dealt with through a bank or earnings arrestment. As a result, those who have still not been able to pay and are being pursued for the tax are those who simply cannot pay. Councils have tried to pursue them, but they have not been able to get anything from them, because, in the main, those people do not have the wherewithal to pay. To seek to pursue them would be fundamentally wrong.

This bill is not only about protecting the poor but about dealing with those councils that, shamefully, wish to intimidate people and put them off going

on the electoral register. After the outstanding sign-up campaign and politicisation of people during the referendum, there was a brazen political attempt by Tories, in particular, to do to people what has been done in other jurisdictions and dissuade them from exercising their democratic mandate.

The Deputy Presiding Officer: You must close, please.

Kenny MacAskill: On that point, Presiding Officer, I will end.

16:28

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): I was very happy to support this bill soon after it was published, because it is the right thing to do. However, we have to respond to the points that Gavin Brown has raised, given that the Conservatives are the only people who are opposing the bill.

With regard to Mr Brown's fears about the council tax, I remind him that Perth and Kinross Council told the Finance Committee

"further attempts to collect ... would be expensive and" could

"come at a cost to Council Tax collection".

I therefore invite Mr Brown to consider this bill as the put all our energy into collecting the council tax bill. If we look at it from that point of view, even he might find it very positive.

Gavin Brown: I note that Perth and Kinross Council, which Malcolm Chisholm mentioned, also said:

"Beyond this issue we also have further concerns about the potential impact on ongoing collection of Council Tax."

Malcolm Chisholm: Well, that seems to contradict the quote that I highlighted.

In any case, the more fundamental point is that Gavin Brown does not regard the poll tax as being different from other taxes, whereas most of us in the chamber do. Indeed, that is the fundamental dividing line between the Conservatives and other people in the chamber, and it is also the reason why I do not think that it will lead to the effects on the council tax that have been suggested.

There has never been a mass non-payment campaign about the council tax, because even those who are concerned about it recognise that, with its relation to people's ability to pay, it is a fundamentally different tax. The collection rates show that. We have high rates for the council tax and we had much lower rates when the poll tax existed.

I believe that Mr Brown's fears are unfounded and I believe that, in principle, we have to regard the poll tax as a fundamentally different tax from other taxes. It is certainly different from any tax that I have known in my lifetime. It is the most unfair and inequitable tax. Of course, large sections of Gavin Brown's party recognised that at the time, as the issue split his party just as it united the rest of the country against it.

This is a historic day, when we can put the final nail in the coffin of the poll tax. For those of us with long political memories, it reminds us of the campaigns that we were involved in against the poll tax in the late 1980s and early 1990s. It was fundamentally different from any tax that we have ever seen.

Of course, there are people outside the chamber who have concerns about the proposal and I would make to them some of the points that I have made to Gavin Brown. However, it is important to put the issue in perspective when speaking to people who have concerns. One thing that I say to them is, "You know, this is just a Scottish issue. They haven't been collecting poll tax in England for 10 years." I realise that there are legislative reasons for that, but it helps to put things into perspective. Of course, the other point that is helpful in that regard is that, as other members have said, there is not much left to collect anyway. We should remind people that 10 local authorities already do not collect poll tax debt, and that only £327,000 was collected last year. I understand that some people feel intensely about this issue, but I think that giving that perspective helps to take a little bit of the heat out of the argument.

I am glad that most people in the chamber are united behind the bill. I accept that the Conservatives, perhaps because they introduced the poll tax, have a certain affection for it still and do not wish to separate it from the other taxes that succeeded it. However, I think that most people in Scotland will be pleased that, today, we are finally drawing a line under that era of unfair taxation. Of course, as Alex Rowley said, the important matter now is to fix local government finance. We have not yet come up with the best solution, but I think that everyone is agreed that the council tax was a big improvement on the poll tax, so we should ensure that all our energies are devoted to collecting the council tax—because, my goodness, local government needs it—but we should also cast into the history books and the dustbin of history the unfair and unwanted poll tax.

16:32

Alex Salmond (Aberdeenshire East) (SNP): I speak not so much as the member of the Scottish Parliament for Aberdeenshire East but as Alex

from Strichen, who was moved to call the "Call Kaye" phone-in programme on the very subject that we are debating. What moved me to do that was the enthusiasm that was being displayed by Councillor Jim Gifford, the leader of Aberdeenshire Council, who seemed to want to use the magnificently enlarged electoral register as a means of hounding people for debts that were 20 years old and more.

I found three particular difficulties with Councillor Gifford's argument. One was the fact that he seemed entirely oblivious to the fact that the pittance that was being collected by Aberdeenshire Council most certainly meant that it was in the position that Alex Rowley outlined, in which it was costing more to collect the money than was being collected. The second was the fact that he seemed unaware that much of the outstanding debt was an illusion, in that it was owed by people who either had never existed in the first place or had died in the past 23 years. It was a mythical debt, in terms of its total. The third was the fact that he seemed to be unaware that, as the minister indicated, because of the cumulative charges, people who were having the debt collected from them had probably paid it many times over, and, with regard to people who had not been paying the debt, by definition, if it was new debt, it was outlawed by the 20-year rule because—again, by definition—poll tax debt is more than 20 years old. Councillor Gifford was unaware of all of those things, hence I was moved to enter the debate on the "Call Kaye" programme.

However, that touches on the importance of the connection between non-payment and voting. It has been widely reported in the press that the Liberal Democrats owe £800,000 to the Police Service of Scotland—an £800,000 debt that they are refusing to pay. The Labour Party, the Scottish National Party, the Green Party and—for all I know—the Scottish Socialist Party pay for the security at their party conferences, and there are no debts outstanding. However, it has been widely reported that the Liberal Democrats owe £800,000. It has even been reported that the Conservative Party has an outstanding debt to the Police Service of Scotland.

I do not know whether that is a non-payment campaign. The Liberal Democrats might be short of money, but the Conservatives cannot be short of money, as their tax-evading donors ensure that they are not. However, even given those circumstances, I would never draw the conclusion that they should be stopped from voting in the Parliament because they are engaged in a non-payment campaign, deliberately or otherwise, against the Police Service of Scotland—mind you, the Liberal Democrats look like they have beaten me to it by not turning up to vote or debate in the

first place. It is a very dangerous connection to make.

Gavin Brown: It is interesting that Alex Salmond criticises others for not being in the chamber to vote or debate, but let us move past that. If it is so iniquitous, why is he so enthusiastic for the Scottish Government to use the electoral roll to chase up a 19-year-old council tax debt?

Alex Salmond: Because of the three reasons that I outlined. First, the poll tax cost more to collect in many circumstances than could be collected. Secondly, the debt is mythical because many of the people never existed or no longer exist. Thirdly, there is the important point that I made that the small amount that was being paid was from people who had already paid many times over and, by definition, if it is new debt, it is caught by the 20-year rule on the poll tax. It is all of that and more. The poll tax was the most iniquitous tax of recent times. If I were the Conservative Party, I would be trying to forget it, not trying to make everyone remember it.

I notice that Mr Brown did not take the opportunity to deny that the Conservative Party might have an outstanding debt to the Police Service of Scotland. If that is not the case, I am sure that he will want to explain to the Parliament why that bill does not seem to have been paid. However, I would never draw the conclusion that Mr Brown or his colleagues should not be allowed to vote in the Parliament because of it.

Democracy is precious. We have 98 per cent registration on the voters register and we had an 85 per cent turnout in the referendum. That is much more precious than any of the normal political arguments that take place in the chamber. We should defend it at every available opportunity because that is embracing a huge democratic experience.

If I have one criticism, it is not of the minister but of myself as First Minister: I should have introduced the bill years ago. I wish that I had. Now that we have, let us put it through and bury that iniquitous tax for good.

16:37

John Mason (Glasgow Shettleston) (SNP): I am pleased that the bill has got to stage 3 and that it has the widespread support that it obviously has. The community charge was a bad tax, and my colleague Kenny MacAskill put that eloquently, as others will.

In the first place, it is not just any old debt that is being written off. There is a much stronger argument for writing off the poll tax debt than for writing off the debt for any other run-of-the-mill tax, because the poll tax was so unfair all along the

line. However, the reality is that all debt needs to be evaluated at times. We must evaluate, for example, whether it can be collected at all, whether the cost of collecting it makes it worth while and whether chasing it is detrimental to other objectives.

I suggest that, on all three of those points, the tax write-off that the bill proposes passes the test. First, it is clear that the vast bulk of the debt cannot be collected, as people do not have the money, have died or are not traceable. Secondly, some councils have already decided that it would be throwing good money after bad to pursue the debt and have stopped trying to collect it. Thirdly, councils such as Glasgow City Council have decided to pursue council tax debt rather than diverting limited resources to the poll tax debt.

We should not think that writing off debt is unusual. Private and public sector debt is first provided for if there is doubt about its collectability. That often occurs by providing 25 per cent, 50 per cent and so on as the debt gets older without being collected. Once any debt has been provided for 100 per cent, it can still sit in the accounts but the net effect is nil, as the provision matches the asset. In effect, that is what has already happened with community charge debt, as I understand that all councils have provided 100 per cent of the outstanding debt. Therefore, writing it off merely reflects the reality that the debt is, to all intents and purposes, irrecoverable.

It is also not unusual that those who pay tax—or any cost, for that matter—cross-subsidise others who do not or cannot pay it. Anything that we buy in the shop includes the cost of shoplifting and, when we pay for gas or electricity, the payment includes the cost of those who default. The Conservatives may try and make a big song and dance out of the situation, but we are doing only what any business or utility—or whatever—does pretty regularly.

As has been mentioned, there is a tax gap. We gather that that is £34 billion for the UK. If we were starting off from scratch to close the gap, would we look for the few pounds here or there that we could get from people who were struggling or would we chase the big multinational companies that avoid tax through dodgy transfer pricing and the rich individuals who can afford clever tax experts and who move large parts of their assets to offshore tax havens?

There is a moral question here. Are we pursuing unpaid tax from the rich and powerful with the same enthusiasm as we are pursuing it from the poorer and the weaker? The SNP, Labour, the Greens and the independents are pretty clear on that point, but I fear that the Conservatives tend to side with the rich and powerful against the weaker

and poorer. I have no idea where the Liberal Democrats are on the issue.

I am more than happy to support the bill and I am delighted that it has reached stage 3. It is not just about a few thousand pounds or even a few hundred thousand pounds. We are sending out a symbolic message that this Parliament does not approve of taxes such as the poll tax, that it will not introduce taxes like the poll tax and that it will do what it can to make our society fairer and help those most in need.

I congratulate the Government on introducing the bill. I look forward to it being passed today.

16:41

Cameron Buchanan (Lothian) (Con): First, I apologise for speaking out of turn earlier. As they say on the radio programme, "I'm sorry, I'll read that again." I assure members that, from now on, I will be very nervous about pressing the wee green microphone button.

The Government seems to have little desire to listen to most people's views on removing the liability to pay community charge debt. I have said before that there are many worrying questions; I am compelled to ask them again. How is the bill fair to the people who paid the charge? Will it stand up to a legal challenge from those who would—understandably—seek compensation? That question is important. Will the compensation that is being offered to local authorities be reviewed to match the policy's true cost? What will be the total effect of the worrying precedent that the bill sets on tax avoidance? For example, what about the council tax? We have heard from members about paying council tax arrears, which the bill will definitely have an effect on. As ever, the Government will not give many answers.

Michael Russell (Argyll and Bute) (SNP): The answer that the member seeks on why the Government is so passionate is simple. I think that Gavin Brown was 14 when the poll tax came in. Many members in the chamber fought against the poll tax as the most iniquitous tax ever seen in Scotland. That is the answer to Cameron Buchanan's question.

Cameron Buchanan: I was not 14 at that time. This is a question of principle rather than anything else. The principle is about paying taxes and not about whether the tax is fair. I was not arguing about the latter issue.

The collection rate was around 88 per cent, which makes it clear that most people paid their contribution. I am still baffled by the Government's position. I am aware that it wants to cover new ground, but legislating to make all taxpayers

compensate for the tax evasion of others reaches new heights of irresponsibility.

The Government is stubbornly choosing to rush the bill through Parliament no matter the consequences. No responsible Government would trample over fairness for the honest majority, but that is what the Government is doing.

John Wilson (Central Scotland) (Ind): What does Cameron Buchanan say to his Westminster colleagues who have supported those who have been offshoring their accounts to avoid paying tax in the UK?

Cameron Buchanan: That is more the point that John Mason made. I will not say anything about that, because it is not what we are talking about. [*Interruption.*] No, it is not. We are talking about the principle of paying tax and the community charge in particular. [*Interruption.*]

The Deputy Presiding Officer: Order.

Cameron Buchanan: Many of my constituents have contacted me to express their opposition to the bill. They are absolutely right—it is unfair. No matter the spin that is offered, it cannot in any way be fair for some people to be excused of their obligations while others are not. I have said before and I will say again that hard-working taxpayers should not be forced to subsidise other people's tax avoidance and the SNP's irresponsible rhetoric.

For the policy to have any semblance of equal treatment, those who paid the tax would have to be reimbursed. That, too, is a fundamental point. The Government's retort might be that such remuneration would be unaffordable—yet surely that only underlines the bill's recklessness as a whole.

The only practical, affordable and fair thing to do is to scrap the bill altogether. That is obvious to many of my constituents and others throughout Scotland.

It is important that we fully understand the bill's consequences for local authorities' finances, because the compensation that is on offer—£869,000—is only 0.2 per cent of the total uncollected £425 million. Despite the Government's protests about collection, the compensation is far from adequate. It still does not accommodate informal payments made to local authorities. As has been said, the taxes are still being collected, albeit slowly. The approach also ignores the potential knock-on effects on future tax payments to local authorities.

The risk of losing council tax as a result of people expecting their debt to be cancelled at a later date has been highlighted repeatedly, yet the Government has explicitly ruled out giving compensation to local authorities that suffer from a

knock-on effect in council tax collection. With that in mind, Gavin Brown's amendment to require reporting on the effect of the provisions on council tax revenues would have provided much-needed information.

At a time of significant financial difficulties, the last thing that councils need is a Government that removes debt that they are owed, however difficult collecting it is. The Government offers only a tiny settlement in compensation—that is an important point—and encourages tax avoidance. The people of Scotland deserve to be treated fairly, which means that the honest majority should not be discriminated against in favour of tax avoiders and made to cover the cost of compensation. The only fair thing to do is to scrap the bill. Accordingly, I will vote against it.

16:46

Jackie Baillie (Dumbarton) (Lab): As other members have done, I thank the Finance Committee and the clerks to the committee for scrutinising the bill in the run-up to the stage 3 debate.

Aside from the Conservatives, there is little dissent from the intention behind the bill. Given how discredited the poll tax is, I am surprised that the Conservatives—the architects of the poll tax—remain intent on clutching on to it.

The question whether legislation is needed has been raised several times before. I absolutely agree that the increase in voter registration during the referendum is to be celebrated. If that increase had been used to pursue historical poll tax debt, that would have sent out the wrong message about democratic participation.

I will quote the former First Minister, which I am sure he has not often heard me do. However, this is clearly a case of absence making the heart fonder of Alex from Strichen. Even he noted—he repeated it today—that the bill, which was hurriedly introduced, has no practical effect, because there is already a legal bar on chasing debts that are more than 20 years old.

COSLA does not believe that the bill is necessary. I am pleased that the minister acknowledged that a substantial and welcome element of the increase in voter registration was among 16 to 18-year-olds, who were not born when the poll tax was introduced.

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): The member might care to clarify what she said. There is a 20-year bar on recovering debts rather than chasing them. Is that not kind of the point?

Jackie Baillie: The member is right. There is a 20-year legal bar on recovering debts. However, I

think that he will find that most local authorities said that, practically, it was too difficult to chase down those debts after such a significant period had elapsed.

Having decided to legislate, the Government wasted no time in introducing the bill. We support the bill. I understand the need for speed, given the circumstances, but it is clear that consultation was sacrificed as a consequence.

Alex Salmond: Since I am here, I will reciprocate. Jackie Baillie rightly touched on the fact—perhaps she should reflect on the point—that this is about the practical effect and the messages that were being sent out. I called the phone-in programme because of the messages that had been sent out by the Conservative leader of Aberdeenshire Council, which could have resulted in people being frightened to stay on the electoral roll. Does she accept that point?

Jackie Baillie: I do. I happened to tune in to “Call Kaye” and I was very surprised to hear the former First Minister described as Alex from Strichen. By that time, Alex Salmond had announced that he was retiring to the back benches. I suspect that he enjoyed phoning in—something that he had not done previously, as First Minister.

A more detailed conversation with stakeholders would have been helpful, so I welcome the evidence taken by the Finance Committee.

I agree with the majority of members in the chamber that the poll tax is totally discredited. It has been overwhelmingly rejected by the people of Scotland and it has finally run its course. Tonight, we have the opportunity to consign it to the dustbin of history.

Members across the chamber have recognised that people who paid their poll tax, and in many cases struggled to do so, will believe that the Government's decision is unfair. However, Malcolm Chisholm got it absolutely right: the amount that is actively being collected is small and, practically, it is hugely difficult to track down and collect the rest. Let us be clear that local government is rightly focused on ensuring that council tax collection rates are high, and we should applaud it for its efforts.

Alex Rowley hit the nail on the head in his concluding comments. The real debate is not about the bill—important though it is—but about how we finance local government, and not as some abstract thing. The debate is about how we properly fund schools and education, our home helps, our care homes and the maintenance and repair of something as basic as our roads—never mind the range of services that local authorities provide.

Members will have heard me say in the chamber before that local government has borne the brunt of the Scottish Government's cuts. Strain has been placed on its ability to provide the range of services that our communities need. The cabinet secretary has been fond of pointing out that the cut from the UK Government to the Scottish Government is 10 per cent. That is to be regretted but, in some cases, he has passed on 20 to 22 per cent cuts to local government.

I welcome the commission on local government funding, which I believe will meet next week. It is essential, but we need to look at the wider issue of not just the council tax but how we fund local government in a much more sustainable way. If the Scottish Government is up for doing that, it will have Labour members' support. In the meantime, I am pleased to support the bill and banish the poll tax from Scotland for ever.

16:52

The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney): I will begin by responding to some of the remarks made by Alex Rowley. He identified the important point at the outset of the debate that, as we take the final steps to abolish the outstanding debt that arose from the poll tax, we should remark on the fact—the Conservatives made this point as well—that many people in Scotland paid their poll tax, and many paid it through financial hardship.

Many of us, such as my friend and colleague Kenny MacAskill, took part in the non-payment campaign but fulfilled our obligations once the poll tax had been abolished in the early 1990s. People made genuine sacrifices to ensure that public services were properly funded. I have had correspondence from members of the public who paid their poll tax and are concerned about the fact that the Government is acting to abolish the last remnants of the poll tax today, and we appreciate, welcome and value the contribution that those individuals made to funding the public services of Scotland.

The point I advanced in the Finance Committee, which addresses many of the issues that have preoccupied the Conservatives, is that a false comparison has been made between the poll tax and the council tax and the issues of collection that may arise. The difference between the poll tax and the council tax is that the poll tax is a dead tax—it is no longer functioning—while the council tax is a currently operating tax and our local authorities have commendable and constantly improving success rates for collecting it. The average in-year collection rate for the council tax in Scotland is 95.2 per cent.

In his opening remarks, Marco Biagi, the minister, made the point that the local authorities in Scotland that voluntarily are no longer collecting the poll tax have a higher in-year collection rate for the council tax than the average rate in Scotland. That demonstrates that the belief that non-collection of outstanding poll tax arrears in any way affects council tax collection is a myth that is not substantiated by the evidence.

Gavin Brown: In that case, why did seven of the councils that gave written or oral evidence to the Finance Committee make that point?

John Swinney: That is a question that Mr Brown can ask the seven councils concerned. For me, the evidence demonstrates that, when councils that have outstanding arrears stopped collecting the poll tax, it did not in any way undermine their ability to collect the council tax. The poll tax is now uncollectable, as the data show, with a fall-off to a collection in 2013-14 of just £327,000.

One of the other issues that was raised in the debate was tax compliance and the importance of people paying their taxes. The Government has wrestled with many of those issues in the steps that we took on the land and buildings transaction tax and the landfill tax and during the Revenue Scotland and Tax Powers Bill. This point resonates with the point that Mr Mason made. In the cold light of day, we decided to set the highest possible standard that we could by applying a general anti-avoidance rule in the Revenue Scotland and Tax Powers Bill to send out a clear signal that we expect people to pay their taxes. Revenue Scotland will take that approach forward in future.

One of the interesting things about this final debate, which I hope leads to a vote in which the remnants of the poll tax are abolished, is that it has been graced by contributions from the two remaining members of the Scottish Parliament who took part in the parliamentary votes about the poll tax when it was conceived into legislation in the late 1980s—Malcolm Chisholm and Alex Salmond. For the record, I should point out that they both voted against the introduction of the poll tax.

Malcolm Chisholm made a fascinating point. After all these years, with the miserable impact that the poll tax had on the reputation of the Conservative Party in Scotland, in 2015 the Conservatives are desperately clinging on to the last discredited vestments of the poll tax. What does that say about the Conservative Party in Scotland? It says that it has not changed one iota since the late 1980s and the early 1990s.

It is also important that we heard the contribution of our former First Minister, the

member for Aberdeenshire East, or, as he might affectionately be known, Alex from Strichen. The fact that we are considering this proposed legislation today is a direct result of Alex Salmond's determination—as in so many other areas of policy—to ensure that the right thing is done to address an injustice in our society.

Alex Salmond showed tenacity and determination in bringing the issue to the fore in the circumstances that he recounted, of seeing the democratic enthusiasm of our country being challenged by an enthusiasm to go back to the late 1980s and early 1990s to collect historical debts on a discredited tax. It is to Alex Salmond's credit that he has forced the pace of the issue and that, at 5 o'clock, we can take the decision to abolish the last elements of the poll tax.

I want to respond to the point that Jackie Baillie made about properly funding local authorities with a point to the Conservatives. We reached a financial agreement with Convention of Scottish Local Authorities of £869,000 as a final payment—we do not always manage to reach agreement with COSLA, but I am delighted that on this occasion we were able to do so. The Government remains committed to ensuring that local authorities are properly and fully funded to undertake the responsibilities that they are allocated. We know that the financial climate is difficult; we are also wrestling with the financial climate. At a time when the Government's budget is under real strain, we have taken the decision to properly and fully fund local government in Scotland, and that is the way that it will stay under this Government.

Decision Time

17:00

The Presiding Officer (Tricia Marwick): There are four questions to be put as a result of today's business.

The first question is, that amendment S4M-12343.2, in the name of Claudia Beamish, which seeks to amend motion S4M-12343, in the name of Richard Lochhead, on the national marine plan, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S4M-12343.1, in the name of Alex Fergusson, which seeks to amend motion S4M-12343, in the name of Richard Lochhead, on the national marine plan, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S4M-12343, in the name of Richard Lochhead, on the national marine plan, as amended twice, be agreed to.

Motion, as amended, agreed to.

That the Parliament notes that the draft *National Marine Plan* sets out the Scottish Government's vision for the sustainable development of Scotland's seas; further notes that the general policies in the draft plan provide an important framework to deliver the sustainable development of Scotland's seas and are a crucial part of the process toward their better management at both regional and national level; recognises the consultation and engagement process that has led to widespread stakeholder buy-in; hopes that the Scottish Government will respond favourably to the recent Rural, Climate Change and Environment Committee report to the Parliament; notes the importance of enhancing, in addition to recovering and protecting, the health of Scotland's seas; notes the concerns expressed by the Don't take the P out of MPAs (marine protected areas) campaign; recognises the significant challenges posed by taking forward the delivery of the plan and the importance of ensuring that there is capacity at regional level to assess and monitor developments and their possible cumulative effects; recognises the value of the National Marine Plan Interactive in ensuring that the national plan and regional marine plans are living documents, but notes the Rural Affairs, Climate Change and Environment Committee's concerns as raised in its recent report to the Parliament, and encourages the Scottish Government to recognise these concerns as the draft plan is taken forward.

The Presiding Officer: The final question is, that motion S4M-12344, in the name of John Swinney, on the Community Charge Debt (Scotland) Bill, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Boyack, Sarah (Lothian) (Lab)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hume, Jim (South Scotland) (LD)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kelly, James (Rutherglen) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Malik, Hanzala (Glasgow) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)

McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMillan, Stuart (West Scotland) (SNP)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Robison, Shona (Dundee City East) (SNP)
 Rowley, Alex (Cowdenbeath) (Lab)
 Russell, Michael (Argyll and Bute) (SNP)
 Salmond, Alex (Aberdeenshire East) (SNP)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

Against

Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Davidson, Ruth (Glasgow) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 McGrigor, Jamie (Highlands and Islands) (Con)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)

The Presiding Officer: The result of the division is: For 98, Against 15, Abstentions 0.

Motion agreed to.

That the Parliament agrees that the Community Charge Debt (Scotland) Bill be passed.

Meeting closed at 17:02.

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