



The Scottish Parliament
Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 1, No. 20, Session 6

Meeting of the Parliament

Tuesday 31 August 2021

Note: (DT) signifies a decision taken at Decision Time.

The meeting opened at 2.00 pm.

1. Time for Reflection: Morven Lyon, Trustee of the Humanist Society Scotland, led Time for Reflection.

2. Revision to Business Programme: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-00963—That the Parliament agrees to the following revisions to the programme of business—

(a) Tuesday 31 August 2021—

delete

followed by First Minister's Statement: Programme for Government 2021-22

and insert

followed by First Minister's Statement: Agreement with the Scottish Green Party

followed by Scottish Government Debate: Appointment of Junior Ministers

followed by Scottish Government Debate: First 100 Days - Delivering for the People of Scotland

delete

5.00 pm Decision Time

and insert

6.00 pm Decision Time

(b) Wednesday 1 September 2021—

delete

followed by Scottish Government Debate: Programme for Government 2021-22

and insert

followed by First Minister's Statement: COVID-19 Update

followed by Scottish Government Debate: Supporting Success in Food and Drink in Scotland

delete

5.00 pm Decision Time

and insert

6.00 pm Decision Time

(c) Thursday 2 September 2021—

delete

followed by Scottish Government Debate: National Care Service

and insert

followed by Scottish Government Debate: Supporting the people of Afghanistan

The motion was agreed to.

3. Topical Questions: Questions were answered by Cabinet Secretaries.

4. Ministerial Statement: The First Minister (Nicola Sturgeon) made a statement and answered questions on Agreement with the Scottish Green Party.

5. First Minister's Appointment of Junior Scottish Ministers: The First Minister (Nicola Sturgeon) moved S6M-00987—That the Parliament agrees that Patrick Harvie and Lorna Slater be appointed as junior Scottish Ministers.

After debate, the motion was agreed to (by division: For 69, Against 56, Abstentions 0).

6. First 100 Days, Delivering for the People of Scotland: The Deputy First Minister and Cabinet Secretary for Covid Recovery (John Swinney) moved S6M-

00978—That the Parliament welcomes the delivery of 80 key actions within the first 100 days of the new administration that will have a positive impact on the people of Scotland by leading the COVID-19 recovery, supporting NHS and care services, tackling the climate crisis, backing economic recovery and creating jobs, supporting communities and helping children and families, and recognises these actions as the foundation of improved outcomes for Scotland's people that will continue to be delivered through the forthcoming Programme for Government, the COVID-19 recovery programme and the shared policy programme agreed between the Scottish Government and the Scottish Green Party.

Douglas Ross moved amendment S6M-00978.3—

As an amendment to motion S6M-00978 in the name of John Swinney (First 100 Days, Delivering for the People of Scotland), leave out from "welcomes" to end and insert "notes the failure of the Scottish Government to publish its Programme for Government in the week after recess, the first time that this has happened, outside of a pandemic, since 2014; further notes that this is not a new administration, but the same government that has been in power since 2007; notes the many failings of the Scottish Government since the election; believes that the Scottish Government's agreement with the Scottish Green Party will be a disaster for Scotland's economy, and calls on the Scottish Government to prioritise the recovery from the COVID-19 pandemic, not another independence referendum."

After debate, the amendment was disagreed to ((DT) by division: For 50, Against 73, Abstentions 0).

Anas Sarwar moved amendment S6M-00978.2—

As an amendment to motion S6M-00978 in the name of John Swinney (First 100 Days, Delivering for the People of Scotland), leave out from "welcomes" to end and insert "considers that the actions set out in the document, First Steps, lack ambition; notes the failure to implement a meaningful youth jobs guarantee, despite 18,000 young people in Scotland still on furlough, and the inadequacy of the Scottish Government's NHS Recovery Plan to deal with the pressures that health services are currently facing; acknowledges that COVID-19 cases have risen to the highest levels on record, and believes that failure to bring the virus back under control will undermine Scotland's recovery from the pandemic."

After debate, the amendment was disagreed to ((DT) by division: For 55, Against 68, Abstentions 0).

Alex Cole-Hamilton moved amendment S6M-00978.1—

As an amendment to motion S6M-00978 in the name of John Swinney (First 100 Days, Delivering for the People of Scotland), leave out from "welcomes" to end and insert "believes that events in the first 100 days of the new administration show that recovery from the COVID-19 pandemic, protecting the NHS, reaching for the best education, valuing carers and those whom they care

for, supporting businesses, protecting human rights and tackling the climate emergency must command the full focus of the Parliament; further believes that plans for the recovery of the NHS must include further details of how it will relieve the unsustainable pressure on staff and services experienced during the first 100 days, how the Scottish Government will meet the waiting times targets that were already being missed pre-pandemic and immediately establish a new coordinated and comprehensive action plan for long COVID; calls on the Scottish Government to increase the capacity of Test and Protect, in light of recent reports of fresh delays in contact tracing and the decision to scale back tracing activities, risking the spread of the virus, and commends the campaigning of teachers, which has helped secure new funding for permanent contracts, while urging the Scottish Government to reverse the casualisation of the profession and introduce a new teacher job guarantee because pupils need to get the full benefit of their talents."

After debate, the amendment was disagreed to ((DT) by division: For 55, Against 68, Abstentions 0).

The motion was then agreed to ((DT) by division: For 67, Against 55, Abstentions 0).

7. Substitution on Committees: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-00994—That the Parliament agrees that—

Collette Stevenson be appointed as the Scottish National Party substitute on the Net Zero, Energy and Transport Committee; and

Evelyn Tweed be appointed as the Scottish National Party substitute on the Social Justice and Social Security Committee.

The motion was agreed to (DT).

8. Committee Membership: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-00995—That the Parliament agrees that—

Willie Rennie be appointed to replace Beatrice Wishart as a member of the Education, Children and Young People Committee; and

Beatrice Wishart be appointed to replace Liam McArthur as a member of the Rural Affairs, Islands and Natural Environment Committee.

The motion was agreed to (DT).

9. Decision Time: The Parliament took decisions on items 6, 7 and 8 as noted above.

10. Success of Great Borders River Clean: The Parliament debated S6M-00131 in the name of Rachael Hamilton—That the Parliament recognises the success of the Great Borders River Clean, which returned on 15-16 May 2021; congratulates the 460

volunteers who took part and collected over 3,000kg of rubbish from the River Tweed, including shopping trolleys, mattresses, signposts and a sun dial; thanks GreenTweed Eco for organising the event; recognises the strength and spirit of Borders' towns and communities, who pulled together to tackle a common cause, and notes the importance of volunteer work ahead of Volunteers' Week 2021, which takes place from 1 to 7 June.

The meeting closed at 7.03 pm.

David McGill
Clerk of the Parliament
31 August 2021

Appendix
(Note: this Appendix does not form part of the Minutes)

Subordinate Legislation

Made Affirmative Instruments

The following instrument was laid before the Parliament on 5 August 2021 and is subject to the made affirmative procedure—

Health Protection (Coronavirus) (Requirements) (Scotland) Regulations 2021 (SSI 2021/277)

laid under paragraph 6(3) of schedule 19 of the Coronavirus Act 2020

The following instrument was laid before the Parliament on 6 August 2021 and is subject to the made affirmative procedure—

Health Protection (Coronavirus) (International Travel etc.) (Miscellaneous Amendments) (Scotland) (No. 7) Regulations 2021 (SSI 2021/278)

laid under section 122(6) and (7) of the Public Health etc. (Scotland) Act 2008

The following instrument was laid before the Parliament on 27 August 2021 and is subject to the made affirmative procedure—

Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 16) Regulations 2021 (SSI 2021/290)

laid under section 122(6) and (7) of the Public Health etc. (Scotland) Act 2008

Affirmative Instruments

The following instruments were laid before the Parliament on 20 August 2021 and are subject to the affirmative procedure—

Conference of the Parties to the United Nations Framework Convention on Climate Change (Immunities and Privileges) (Scotland) Order 2021 [draft]

laid under section 10(1) of the International Organisations Act 1968

European Union and European Atomic Energy Community (Immunities and Privileges) (Scotland) Order 2021 [draft]

laid under section 10(1) of the International Organisations Act 1968

The following instrument was laid before the Parliament on 23 August 2021 and is subject to the affirmative procedure—

National Bus Travel Concession Scheme for Young Persons (Scotland) Amendment Order 2021 [draft]

laid under section 52(3) of the Transport (Scotland) Act 2005

The following instruments were laid before the Parliament on 26 August 2021 and are subject to the affirmative procedure—

Na h-Eileanan an Iar (Electoral Arrangements) Regulations 2021 [draft]
laid under section 17(4)(b)(ii) and (5) of the Local Government (Scotland) Act
1973

Shetland Islands (Electoral Arrangements) Regulations 2021 [draft]
laid under section 17(4)(b)(ii) and (5) of the Local Government (Scotland) Act
1973

Orkney Islands (Electoral Arrangements) Regulations 2021 [draft]
laid under section 17(4)(b)(ii) and (5) of the Local Government (Scotland) Act
1973

The following instruments were laid before the Parliament on 27 August 2021 and
are subject to the affirmative procedure—

Argyll and Bute (Electoral Arrangements) Regulations 2021 [draft]
laid under section 17(4)(b)(ii) and (5) of the Local Government (Scotland) Act
1973

Highland (Electoral Arrangements) Regulations 2021 [draft]
laid under section 17(4)(b)(ii) and (5) of the Local Government (Scotland) Act
1973

North Ayrshire (Electoral Arrangements) Regulations 2021 [draft]
laid under 17(4)(b)(ii) and (5) of the Local Government (Scotland) Act
1973

The following instruments were laid before the Parliament on 30 August 2021 and
are subject to the affirmative procedure—

Children's Legal Assistance (Miscellaneous Amendments and Consequential
Provisions) (Scotland) Regulations 2021 [draft]
laid under section 37(2) of the Legal Aid (Scotland) Act 1986

Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Amendment
Regulations 2021 [draft]
laid under section 51(3) of the Animal Health and Welfare (Scotland) Act 2006

Social Security (Advocacy Service Standards) (Scotland) Amendment Regulations
2021 [draft]
laid under section 96(2) of the Social Security (Scotland) Act 2018

Negative Instruments

The following instrument was laid before the Parliament on 20 August 2021 and is
subject to the negative procedure—

Coronavirus (Extension and Expiry) (Scotland) Act 2021 (Evidence) (Saving
Provision) Regulations 2021 (SSI 2021/280)

laid under section 10(3)(b) of the Coronavirus (Extension and Expiry)
(Scotland) Act 2021

The following instrument was laid before the Parliament on 26 August 2021 and is subject to the negative procedure—

Sexual Offences Act 2003 (Prescribed Police Stations) (Scotland) Amendment (No. 2) Regulations 2021 (SSI 2021/282)
laid under section 138(3) of the Sexual Offences Act 2003

The following instrument was laid before the Parliament on 27 August 2021 and is subject to the negative procedure—

Meat Preparations (Import Conditions) (Scotland) Amendment (No. 2) Regulations 2021 (SSI 2021/288)
laid under paragraph 10A(3) of schedule 2 of the Trade in Animals and Related Products (Scotland) Regulations 2012

The following instrument was laid before the Parliament on 30 August 2021 and is subject to the negative procedure—

Prisons and Young Offenders Institutions (Coronavirus) (Scotland) Amendment (No. 2) Rules 2021 (SSI 2021/289)
laid under section 42 of the Prisons (Scotland) Act 1989

The following instruments were laid before the Parliament on 31 August 2021 and are subject to the negative procedure—

Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2021 (SSI 2021/292)
laid under section 275 of the Town and Country Planning (Scotland) Act 1997, section 82 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, section 12 of the Coronavirus (Scotland) Act 2020 and section 9 of the Coronavirus (Scotland) (No.2) Act 2020

Town and Country Planning (Cairnryan Border Control Posts) (EU Exit) (Scotland) Special Development Amendment Order 2021 (SSI 2021/293)
laid under section 275(3) of the Town and Country Planning (Scotland) Act 1997

Laid Only Instruments

The following instrument was laid before the Parliament on 31 August 2021 and is not subject to any parliamentary procedure—

Planning (Scotland) Act 2019 (Commencement No. 6 and Transitional Provision) Amendment Regulations 2021 (SSI 2021/291 (C. 16))
laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

Other Documents

The following documents were laid before the Parliament on 4 August 2021 and are not subject to parliamentary procedure—

Care Inspectorate: Weekly Care Home deaths report – periods up to 1 August 2021 SG/2021/199 laid under Section 79A(3) of the Public Services Reform (Scotland) Act 2010

Care Inspectorate: Fortnightly report to the Scottish Parliament on Care Inspectorate inspections – Laid before Parliament 4 August 2021 SG/2021/200 laid under Section 53A of the Public Services Reform (Scotland) Act 2010

The following document was laid before the Parliament on 6 August 2021 and is not subject to parliamentary procedure—

Risk Management Authority Annual Report & Accounts 2020-2021 SG/2021/93 laid under Section 13(3) of the Criminal Justice (Scotland) Act 2003 and Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

The following documents were laid before the Parliament on 9 August 2021 and are not subject to parliamentary procedure—

The Scottish Commission on Social Security report on The Disability Assistance for Children and Young People (Scotland) Amendment Regulations 2021 SCoSS/2021/03 laid under 97(8)(a)(ii) of the Social Security (Scotland) Act 2018

Coronavirus (Scotland) (No. 2) Act 2020: Seventh report on the Scottish Ministers' responses to requests for information under the Freedom of Information (Scotland) Act 2002 SG/2021/196 laid under paragraph 12 of schedule 4 to the Coronavirus (Scotland) (No. 2) Act 2020

The following document was laid before the Parliament on 10 August 2021 and is not subject to parliamentary procedure—

Restitution Orders for victims of assaults on police - Restitution Fund Operational Guidance SG/2021/186 laid under article 4(3)(b) of the Restitution Fund (Scotland) Order 2021 (SSI 2021/58)

The following document was laid before the Parliament on 11 August 2021 and is not subject to parliamentary procedure—

Care Inspectorate: Weekly Care Home deaths report – periods up to 8 August 2021 SG/2021/205 laid under section 79A(3) of the Public Services Reform (Scotland) Act 2010

The following documents were laid before the Parliament on 13 August 2021 and are not subject to parliamentary procedure—

Implementation of the Flood Risk Management (Scotland) Act 2009: Report to the Scottish Parliament – 2020 SG/2021/181 laid under section 52 of the Flood Risk Management (Scotland) Act 2009

HM Inspectorate of Constabulary in Scotland Annual Report 2020-21 SG/2021/201 laid under section 82(3) of the Police and Fire Reform (Scotland) Act 2012

Coronavirus Acts: eighth report to Scottish Parliament SG/2021/165 laid under section 15(5) of the Coronavirus (Scotland) Act 2020

The following document was laid before the Parliament on 16 August 2021 and is not subject to parliamentary procedure—

Industrial Development Act 1982 Annual Report by the Secretary of State for Business, Energy and Industrial Strategy, the First Minister of Scotland, and the Welsh Ministers for the year ended 31 March 2021 SG/2021/147 laid under Section 15 of the Industrial Development Act 1982

The following documents were laid before the Parliament on 18 August 2021 are not subject to parliamentary procedure—

HMICS Progress Review of Police Scotland’s response to online child sexual abuse and exploitation HMICS/2021/06 laid under section 79(3) of the Police and Fire Reform (Scotland) Act 2012

Scottish Parliamentary Pension Scheme - Valuation Report @ 31 March 2019 SPCPF/2021/01 laid by the Fund Trustees of the Scottish Parliamentary Pension Scheme under Schedule 1, Part S, Rule 103(4) of the Scottish Parliamentary Pensions Act 2009

Scottish Public Services Ombudsman: Compendium Report of Discontinued Investigations Compendium of Case Reports for August 2021 SPSO/2021/07 laid under Sections 15(1) and 15(1A) of the Scottish Public Services Ombudsman Act 2002

Care Inspectorate: Fortnightly report to the Scottish Parliament on Care Inspectorate inspections – Laid before Parliament 18 August 2021 SG/2021/209 laid under Section 53A of the Public Services Reform (Scotland) Act 2010

Care Inspectorate: Weekly Care Home deaths report – periods up to 15 August 2021 SG/2021/210 laid under Section 79A(3) of the Public Services Reform (Scotland) Act 2010

The following documents were laid before the Parliament on 19 August 2021 are not subject to parliamentary procedure—

Standards Commission for Scotland Annual Report and Accounts Year Ending 31 March 2021 SG/2021/206 laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

Office of the Scottish Charity Regulator Annual Report & Accounts 2020-21 SG/2021/211 laid under Section 2(1)(c) of the Charities and Trustee Investment (Scotland) Act 2005

The following document was laid before the Parliament on 20 August 2021 and is not subject to parliamentary procedure—

Joint Nature Conservation Committee and JNCC Support Co Annual Report and Accounts for year ending 31 March 2021 SG/2021/212 laid under Paragraph 18(3) of Schedule 4 to the Natural Environment and Rural Communities Act 2006 and Article 6(2)(b) of the Government Resources and Accounts Act 2000 (Audit of Non-profit-making Companies) Order 2009

The following documents were laid before the Parliament on 23 August 2021 and are not subject to parliamentary procedure—

Scottish Civil Justice Council Eighth Annual Report and Programme 2021 (SCJC/2021/01) laid before the Scottish Parliament under section 5(4) of the Scottish Civil Justice Council and Criminal Legal Assistance Act 2013

The following documents were laid before the Parliament on 25 August 2021 and are not subject to parliamentary procedure—

Care Inspectorate: Weekly Care Home deaths report – periods up to 22 August 2021: (SG/2021/214) laid before the Scottish Parliament by the Scottish Ministers under section 79A(3) of the Public Services Reform (Scotland) Act 2010

The following documents were laid before the Parliament on 26 August 2021 and are not subject to parliamentary procedure—

Scotland's Fiscal and Economic Forecasts– August 2021 (SFC/2021/7) laid before the Scottish Parliament by the Scottish Fiscal Commission under section 5(2) of the Scottish Fiscal Commission Act 2016

Fiscal Update - August 2021 (SFC/2021/8) laid before the Scottish Parliament by the Scottish Fiscal Commission under section 5(3) of the Scottish Fiscal Commission Act 2016

Supplementary Forecast Evaluation Report – August 2021 (SFC/2021/9) laid before the Scottish Parliament by the Scottish Fiscal Commission under section 5(3) of the Scottish Fiscal Commission Act 2016

Boundaries Scotland Review of Electoral Arrangements: Na h-Eileanan an Iar Council Area Final Proposals: Report to Scottish Ministers: (SG/2021/216) laid before the Scottish Parliament by the Scottish Ministers under section 17(4)(a) of the Local Government (Scotland) Act 1973

Boundaries Scotland Review of Electoral Arrangements: Orkney Islands Council Area Final Proposals: Report to Scottish Ministers: (SG/2021/217) laid

before the Scottish Parliament by the Scottish Ministers under section 17(4)(a) of the Local Government (Scotland) Act 1973

Boundaries Scotland Review of Electoral Arrangements: Shetland Islands Council Area Final Proposals: Report to Scottish Ministers: (SG/2021/218) laid before the Scottish Parliament by the Scottish Ministers under section 17(4)(a) of the Local Government (Scotland) Act 1973

The following documents were laid before the Parliament on 27 August 2021 and are not subject to parliamentary procedure—

Boundaries Scotland Review of Electoral Arrangements: Argyll and Bute Council Area Final Proposals: Report to Scottish Ministers: (SG/2021/219) laid before the Scottish Parliament by the Scottish Ministers under section 17(4)(a) of the Local Government (Scotland) Act 1973

Boundaries Scotland Review of Electoral Arrangements: The Highland Council Area Final Proposals: Report to Scottish Ministers: (SG/2021/220) laid before the Scottish Parliament by the Scottish Ministers under section 17(4)(a) of the Local Government (Scotland) Act 1973

Boundaries Scotland Review of Electoral Arrangements: North Ayrshire Council Area Final Proposals: Report to Scottish Ministers: (SG/2021/221) laid before the Scottish Parliament by the Scottish Ministers under section 17(4)(a) of the Local Government (Scotland) Act 1973

The following documents were laid before the Parliament on 30 August 2021 and are not subject to parliamentary procedure—

Scottish Courts and Tribunals Service- Annual Report and Accounts 2020-21 SCTS/2021/01 laid under section 67 of the Judiciary and Courts (Scotland) Act 2008 and section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

Scottish Housing Regulator - National Report on the Scottish Social Housing Charter, Headline Findings 2020-21, 31 August 2021 SG/2021/204 laid under Section 41 of the Housing (Scotland) Act 2010

The following documents were laid before the Parliament on 31 August 2021 and are not subject to parliamentary procedure—

Scotland's Population 2020 - The Registrar General's Annual Review of Demographic Trends 166th Edition SG/2021/135 laid under Section 1(4) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965

Scottish Enterprise Annual Report and Accounts For the year ended 31 March 2021 SG/2021/189 laid under Section 30 of the Enterprise and New Towns (Scotland) Act 1990

Queen's & Lord Treasurer's Remembrancer Annual Report and Accounts for the year ended 31 March 2021 SG/2021/190 laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

South of Scotland Enterprise Annual Report and Accounts 16 October 2019 – 31 March 2021 SG/2021/213 laid under Section 16(2) of the South of Scotland Enterprise Act 2019

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