

Parliamentary Questions and Answers **11-15 March 2013**

Summary

Richard Lochhead answered questions on pesticides, contaminated meat and CAP (area payments).

Paul Wheelhouse answered questions on Rassay shooting and fishing.

Nicola Sturgeon answered questions on broadband and Scottish Water.

Derek Mackay answered questions on Scottish Planning Policy and Environmental Impact Assessments.

Fergus Ewing answered questions on Year of Natural Scotland and the National Renewables Infrastructure Fund.

Margaret Burgess answered questions on housing.

Monday 11 March

Enterprise and Environment

Tavish Scott (Shetland Islands) (Scottish Liberal Democrats): To ask the Scottish Government, further to the answer to question S4W-12319 by Richard Lochhead on 25 January 2013, what information on pesticides is collected by (a) farmers and (b) Science and Advice for Scottish Agriculture and how often.

Holding answer issued: 6 March 2013 (S4W-13171)

Richard Lochhead: Under European pesticide legislation, farmers are required to keep at least three years of records of the pesticides they use, which includes the name, the time and the dose of application, the area and the crop where the pesticide was used.

The Scottish Government's Science and Advice for Scottish Agriculture (SASA) collect data on pesticide use on arable crops, soft fruit crops, vegetable crops and protected edible crops biennially, and pesticide use on grassland and fodder crops once every four years.

The pesticide data collected by SASA includes the rate applied, total quantity/volume used, area treated at each application, crop treated, details of which products are applied in the same tank, and date of application. This data is collected from a sample of farmers designed to be representative of Scottish pesticide use.

Rhoda Grant (Highlands and Islands) (Scottish Labour): To ask the Scottish Government what its officials told the crofters on Raasay about the consideration that would be given to tenders received for the lease to manage shooting and fishing on the island.

(S4W-13253)

IMPORTANT NOTE: This information sheet reflects information reviewed at the time of its publication. Accordingly, account must always be taken of any relevant changes in law, policy or other circumstances since that time. It is for general information only, and must never be relied upon as any substitute for appropriate professional advice, which should always be taken in any situation in which financial or other interests may be at stake. No liability can be accepted by Scottish Land & Estates or its employees for any misstatement in it or omission from it.

Paul Wheelhouse: Notice to Quit was issued to the Raasay Crofters Association on 1 November 2011.

The duplicate Notice was signed by the Association on 25 November 2011 and returned as acknowledgement of receipt. No further contact was made by the Association throughout the year until receipt of their offer for the new lease on 14 December 2012.

On 10 January 2013 the Association called the Scottish Government to discuss its bid. The caller was informed that letters had been issued, the Association had been unsuccessful in its bid and that it was lowest of five offers received. Following receipt of the aforementioned letter, the Association telephoned again outlining its concerns. We asked the Association to make its representations in writing so we could address them fully.

The Particulars of Let attached to the tender clearly stated that the highest or any offer may not be accepted. Ministers were not involved in the award of the contract to South Ayrshire Stalking.

Kezia Dugdale (Lothian) (Scottish Labour): To ask the Scottish Government how its broadband policy supports cabinet upgrades in (a) rural, (b) semi-urban and (c) urban areas.

(S4W-13348)

Nicola Sturgeon: The Scottish Government's Step Change 2015 programme – which will deliver infrastructure capable of delivering next generation broadband by 2015 – is technology and supplier neutral. The extent to which the programme will involve upgrades to BT cabinets will depend on the detail of the contracts awarded under the Highlands and Islands and the Rest of Scotland Procurement exercises.

The focus of the Scottish Government's broadband policy is to address the digital divide by extending the infrastructure needed to deliver next generation broadband to those areas where the market will currently not go. The focus of Step Change investment will therefore predominantly be in rural areas.

Kezia Dugdale (Lothian) (Scottish Labour): To ask the Scottish Government when Scottish Water's customer forum will be established.

(S4W-13349)

Nicola Sturgeon: The Customer Forum was established in Autumn 2011 with the task of bringing the customers voice to the table in determining future service levels, investment priorities, and how much customers should pay for water and waste water services.

Kezia Dugdale (Lothian) (Scottish Labour): To ask the Scottish Government how issues raised by Scottish Water's customer forum will inform Scottish Water's work programme.

(S4W-13350)

Nicola Sturgeon: The Customer Forum is already participating effectively in the on-going process of determining Scottish Water's investment and service level priorities. The Forum is working with Scottish Water in scrutinising its customer research programme, analysing and interpreting the results. Key stakeholders across the industry – the Scottish Government, the Water Industry Commission, and Scottish Water itself - have acknowledged that the customer voice in decisions about water and wastewater service provision can be strengthened. The Forum will make sure that customers' opinions are heard and taken into account in determining charges and spending priorities in the next price setting period.

Rhoda Grant (Highlands and Islands) (Scottish Labour): To ask the Scottish Government when the lease held by the crofters on Raasay to manage fishing and shooting on the island was due to end.

(S4W-13251)

IMPORTANT NOTE: This information sheet reflects information reviewed at the time of its publication. Accordingly, account must always be taken of any relevant changes in law, policy or other circumstances since that time. It is for general information only, and must never be relied upon as any substitute for appropriate professional advice, which should always be taken in any situation in which financial or other interests may be at stake. No liability can be accepted by Scottish Land & Estates or its employees for any misstatement in it or omission from it.

Paul Wheelhouse: The lease for the Raasay sporting rights held by the Raasay Crofters Association expired on 28 November 2012 and a notice to quit was issued on 1 November 2011. However, as the First Minister announced on 28 February, the notice to quit has been revoked and the existing terms of the original lease have been rolled forward so that the lease will end on 1 March 2014. As I have stated to the community this will allow for consultation with the community on Raasay as to the future model of management of sporting rights that will optimise the community benefit to the islanders

Tuesday 12 March

Governance and Communities

Alison Johnstone (Lothian) (Scottish Green Party): To ask the Scottish Government how it will ensure that the revised Scottish planning policy will provide improved (a) statutory guidance on sustainable development (b) protection for peatlands and (c) protection for Scotland's natural and cultural heritage.

(S4W-13361)

Derek Mackay: The Scottish Government is currently reviewing the Scottish Planning Policy. From October to January officials carried out a process of pre-draft engagement, seeking stakeholders' views on the priorities for change in the policy. These responses are being analysed and taken into account in the preparation of the consultation draft. The draft SPP will be published for consultation in the spring.

Wednesday 13 March

Enterprise and Environment

Colin Beattie (Midlothian North and Musselburgh) (Scottish National Party): To ask the Scottish Government whether additional funding has been set aside for local authorities to become more involved in the Year of Natural Scotland 2013.

Holding answer issued: 26 February 2013 (S4W-12673)

Fergus Ewing: No additional funding has been set aside by the Scottish Government specifically for local authorities to become more involved in the Year of Natural Scotland however partners across the country are being actively encouraged to join the celebration of the Year and to harness its significant potential to boost tourism and the wider economy.

I have had meetings with a number of local authorities to discuss Year of Natural Scotland and I am encouraged by their supportive approach.

Liam McArthur (Orkney Islands) (Scottish Liberal Democrats): To ask the Scottish Government whether it will investigate why demand for financial support from the National Renewables Infrastructure Fund has been lower than expected.

Holding answer issued: 8 March 2013 (S4W-13002)

Fergus Ewing: The offshore wind industry has enormous potential, and to realise this potential it is essential that investors have confidence. The proposals outlined to date in the UK Energy Bill and Electricity Market Reform programme lack the measures to give investors the confidence beyond 2020.

To deliver market certainty and maintain investor confidence, it is crucial that the UK Government progress the Electricity Market Reform programme to give investment clarity and assurance to the energy sector. The UK Government must also make clear their ongoing support for the offshore wind sector and emulate the Scottish Government's approach by setting a 2030 electricity decarbonisation target now, not in 2016 as planned under the UK Energy Bill.

IMPORTANT NOTE: This information sheet reflects information reviewed at the time of its publication. Accordingly, account must always be taken of any relevant changes in law, policy or other circumstances since that time. It is for general information only, and must never be relied upon as any substitute for appropriate professional advice, which should always be taken in any situation in which financial or other interests may be at stake. No liability can be accepted by Scottish Land & Estates or its employees for any misstatement in it or omission from it.

Scottish Enterprise and Highlands and Islands Enterprise are working closely with port owners and industry partners to progress the expressions of interest received under the National Renewables Infrastructure Fund programme.

Thursday 14 March

Tavish Scott (Shetland Islands) (Scottish Liberal Democrats): To ask the Scottish Government, in light of the findings of the European Food Safety Authority regarding the effects of three neonicotinoid pesticides on bees and the European Commissioner for Health and Consumer Policy's recent call for swift and decisive action, whether it remains the Scottish Government's position that neonicotinoid pesticides do not pose a significant risk to insect pollinators and what representations it will make to the Secretary of State for Environment, Food and Rural Affairs in relation to the vote on the proposed pesticide measures.

Holding answer issued: 7 March 2013 (S4W-12957)

Richard Lochhead: The Scottish Government's position is based on the scientific advice it receives from the Advisory Committee on Pesticides (ACP), its own scientists in SASA (Science and Advice for Scottish Agriculture), and through other sources such as the European Food Safety Authority.

This scientific advice has highlighted there are concerns and gaps in the knowledge about the effects of neonicotinoids on pollinators. It is also important to take into account the potential risks at levels of exposure to neonicotinoids which are realistically likely to occur in the field.

The ACP has been asked urgently to produce new advice taking account of the latest scientific data. As part of this process, the ACP has commissioned independent reviews of key research findings. ACP's advice following their reviews will then inform the Scottish Government's view on any action.

Claire Baker (Mid Scotland and Fife) (Scottish Labour): To ask the Scottish Government what action it expects retailers to take in identifying contaminated meat.

Holding answer issued: 12 March 2013 (S4W-13066)

Richard Lochhead: The Scottish Government expects the food industry, including retailers, wholesalers, food service companies, caterers and manufacturers, to co-operate with the Food Standards Agency (FSA) and local authorities throughout the on-going horsemeat investigation. The food industry has agreed to a request from the FSA to test for the presence of horse meat in all their processed beef products.

Further, we expect the food industry, including retailers, to have rigorous procurement procedures in place, with reputable suppliers, and to ensure that the products they sell are safe for consumers and accurately labelled.

The initial phase of testing is almost complete and the vast majority (over 99%) of tests continue to show no horse DNA at or above the level of one percent.

The industry will continue to test for the presence of horse DNA in its beef products, reporting to the FSA, with test results being published on the FSA website at quarterly intervals. Any confirmed cases of gross contamination, greater than one percent horse meat, will be reported to the FSA immediately and published on the FSA website once the information has been received.

Tavish Scott (Shetland Islands) (Scottish Liberal Democrats): To ask the Scottish Government under what conditions it would consider it necessary to gather and release pesticide application records or other such information on pesticides.

(S4W-13160)

IMPORTANT NOTE: This information sheet reflects information reviewed at the time of its publication. Accordingly, account must always be taken of any relevant changes in law, policy or other circumstances since that time. It is for general information only, and must never be relied upon as any substitute for appropriate professional advice, which should always be taken in any situation in which financial or other interests may be at stake. No liability can be accepted by Scottish Land & Estates or its employees for any misstatement in it or omission from it.

Richard Lochhead: The Scottish Government's Science and Advice for Scottish Agriculture (SASA) collect data on pesticide application annually from farmers' records. This data is published in summary form for Scottish Agriculture as a whole.

In addition, farmers have to meet a range of pesticide related requirements including recording details of each individual pesticide application. Scottish Government inspectors annually check approximately 250 farmers' individual pesticide records during routine inspections to establish whether pesticides have been applied in line with the product label.

The Scottish Government can also request sight of individual pesticide application records if there are good reasons to do so, for example, an alleged breach of conditions of pesticide application.

Third parties may request access to information on pesticide application records obtained by the Scottish Government under the Freedom of Information Act or the Environmental Information Regulations. Any request would be considered in accordance with the rules in that legislation.

Rhoda Grant (Highlands and Islands) (Scottish Labour): To ask the Scottish Government what arrangements are in place to factor its crofting estate and related assets on Raasay; when any such factoring arrangements were last put out to competitive tender, and what plans there are to put such work out to tender again.

Holding answer issued: 11 March 2013 (S4W-13266)

Paul Wheelhouse: The Scottish Government's Rural Payments and Inspections Division does all the factoring of the Scottish Ministers' crofting estate. This work has never been put out to tender and there are no plans to do so.

Bruce Crawford (Stirling) (Scottish National Party): To ask the Scottish Government how many private residential housing developments have been designated as contaminated under the Environment Act 1995 in each year since 1999.

(S4W-13413)

Paul Wheelhouse: Local authorities have the responsibility for identifying any land in their areas that meets the criteria of being contaminated land. Currently, contaminated land information of this kind is not held centrally. In the light of this, I will discuss the possibility of filling this information gap with Cllr Hagan of COSLA when next we meet.

Tavish Scott (Shetland Islands) (Scottish Liberal Democrats): To ask the Scottish Government what preparations it is making to ensure that its IT systems can cope with the new area payments system for landowners.

(S4W-13459)

Richard Lochhead: We have commenced a significant programme of work to re-engineer the business and IT processes which underpin the delivery of rural payments and inspections and to deliver CAP Reform. This is a long term programme of IT enabled business change, which will deliver significant improvements to the services which customers receive in the coming years. As part of this, a competitive tender was issued late last year to secure an IT delivery partner. During this year and through 2014, we will be engaging directly with our customers to get their views on what can be improved and how the new systems will operate.

Governance and Communities

Patrick Harvie (Glasgow) (Scottish Green Party): To ask the Scottish Government what its position is on the effectiveness and sufficiency of the policy that 25% of new housing units should be affordable housing.

IMPORTANT NOTE: This information sheet reflects information reviewed at the time of its publication. Accordingly, account must always be taken of any relevant changes in law, policy or other circumstances since that time. It is for general information only, and must never be relied upon as any substitute for appropriate professional advice, which should always be taken in any situation in which financial or other interests may be at stake. No liability can be accepted by Scottish Land & Estates or its employees for any misstatement in it or omission from it.

(S4W-13357)

Margaret Burgess: The Scottish Government's policy on the implementation of local affordable housing policies is set out in Scottish Planning Policy (SPP) which makes it clear that authorities may seek a percentage contribution from developers for affordable housing where this is justified. SPP encourages authorities to be realistic, flexible and to consider viability in applying such policies. The Chief Planner wrote to all local authorities in March 2011 reminding them of this requirement in view of the current economic climate. SPP is currently under review, and a consultation draft will be published in Spring this year.

Patrick Harvie (Glasgow) (Scottish Green Party): To ask the Scottish Government how many hits the Landlord Registration Scotland website has received in each year.

(S4W-13358)

Margaret Burgess: No records are kept of the number of individual hits on the Landlord Registration Scotland website.

However, a total of 211,339 applications for registration have been made on the website between inception of the system on 30 April 2006 and 31 January 2013.

Patrick Harvie (Glasgow) (Scottish Green Party): To ask the Scottish Government how many cases the Private Rented Housing Panel has dealt with in each year.

(S4W-13359)

Margaret Burgess: The Private Rented Housing Panel was launched on 3 September 2007 and deals with 2 types of cases, rent assessment and repairing standard cases. The figures for each are as follows.

Year	Rent	Repairs
2007 (from 3 September)	19	28
2008	67	115
2009	79	124
2010	71	194
2011	75	229
2012	47	232
2013 (to 4 March)	1	37

Alison Johnstone (Lothian) (Scottish Green Party): To ask the Scottish Government what action it is taking to ensure that the review of the European Environmental Impact Assessment Directive maintains a high level of protection for the environment in Scotland.

(S4W-13362)

Derek Mackay: The Scottish Government is committed to supporting the continuous development of more efficient and effective environmental impact assessment practice in Scotland. Officials across the Scottish Government recently hosted a series of seminars aimed at better understanding the European Commission's detailed proposals for amending this Directive, and the likely impact of those proposals in light of this objective. We are currently analysing the seminar findings and will publish a written summary in due course. We will use the seminar findings to inform our on-going engagement with UK and European partners including engagement with ministers and officials in Ireland, given their role in the Presidency of the European Council of Ministers.

Friday 15 March

IMPORTANT NOTE: This information sheet reflects information reviewed at the time of its publication. Accordingly, account must always be taken of any relevant changes in law, policy or other circumstances since that time. It is for general information only, and must never be relied upon as any substitute for appropriate professional advice, which should always be taken in any situation in which financial or other interests may be at stake. No liability can be accepted by Scottish Land & Estates or its employees for any misstatement in it or omission from it.

Islands) (Scottish Labour): To ask the Scottish Government what factors it assessed to decide whether best value was achieved in the decision to award the lease to manage shooting and fishing on Raasay to a company from Ayrshire and what weighting it gave to each factor considered.

(S4W-13256)

Paul Wheelhouse: I refer the member to the answer to question S4W-13255 on 8 March 2013. All answers to written parliamentary questions are available on the Parliament's website, the search facility for which can be found at:

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

IMPORTANT NOTE: This information sheet reflects information reviewed at the time of its publication. Accordingly, account must always be taken of any relevant changes in law, policy or other circumstances since that time. It is for general information only, and must never be relied upon as any substitute for appropriate professional advice, which should always be taken in any situation in which financial or other interests may be at stake. No liability can be accepted by Scottish Land & Estates or its employees for any misstatement in it or omission from it.