



# The Scottish Parliament Pàrlamaid na h-Alba

## MINUTES OF PROCEEDINGS

Parliamentary Year 2, No. 68, Session 6

Meeting of the Parliament

Wednesday 25 January 2023

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

The meeting opened at 2.00 pm.

- 1. Portfolio Questions:** Questions on Rural Affairs and Islands and then on Health and Social Care were answered by Cabinet Secretaries and Minister.
- 2. Urgent Question:** An urgent question, to ask the Scottish Government whether it will provide an update on the Scottish Prison Service's Gender Identity and Gender Reassignment Policy Review, was answered by the Cabinet Secretary for Justice and Veterans (Keith Brown).
- 3. Homeless Emergency:** Miles Briggs moved S6M-07613—That the Parliament recognises the large number of homeless people in Scotland, people in temporary accommodation and people on social housing waiting lists; expresses particular concern at the number of vulnerable people in these categories, such as veterans, children and disabled people, and calls on the Scottish Government to declare a homeless emergency and to prioritise finding suitable accommodation for people in need.

The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison) moved amendment S6M-07613.2—

As an amendment to motion S6M-07613 in the name of Miles Briggs (Homeless Emergency), leave out from “expresses” to end and insert “shares concern at all people who are homeless or at risk of homelessness, which is why tackling homelessness is a national priority through the joint Scottish Government/COSLA Ending Homelessness Together action plan;

acknowledges that a Temporary Accommodation Task and Finish Group, co-chaired by Shelter Scotland and the Association of Local Authority Chief Housing Officers, has been established with the aim of reducing the number of households in temporary accommodation; notes that the Scottish Government has delivered 115,558 affordable homes since 2007, of which, over 81,300 were for social rent, including 20,520 council homes; notes the Scottish Government's intention to legislate on both homelessness prevention and the right to housing in this parliamentary session; regrets that the UK Government's mismanagement of the economy has caused increased inflation and significant rises in energy and basic day-to-day living costs, which has led to a cost of living crisis affecting most households that has a disproportionate impact on those on the lowest incomes, and calls on the UK Government to use all the powers at its disposal to tackle the cost of living crisis on the scale required, remove the so-called bedroom tax and benefit cap, increase the Local Housing Allowance, which, as of 2023-24, has been frozen for the third year, and change the no recourse to public funds rules to allow all people, regardless of their nationality, to access homelessness support.”

After debate, the amendment was agreed to ((DT) by division: For 69 (including 1 proxy vote), Against 55, Abstentions 0).

Mark Griffin moved amendment S6M-07613.1—

As an amendment to motion S6M-07613 in the name of Miles Briggs (Homeless Emergency), insert at end “; notes that the continued lack of sufficient funds for local authorities granted by the Scottish Government is having a direct effect on the ability of councils to meaningfully tackle the housing emergency in Scotland; urges the Scottish Government to designate a single housing minister with overall and direct responsibility for tackling Scotland's housing emergency and addressing the housing needs of people in Scotland, and calls on the Scottish Government to use all the policy levers at its disposal to tackle this crisis, including reversing the delay to its proposed Housing Bill, urgently extending and revamping the Home Owners' Support Fund Mortgage to Shared Equity scheme, and making changes to its affordable housing supply programme grant rules to facilitate the purchases of properties with tenants in-situ to expand stock and prevent further homelessness.”

After debate, the amendment was disagreed to ((DT) by division: For 53, Against 71 (including 1 proxy vote), Abstentions 0).

The motion, as amended, was agreed to ((DT) by division: For 69 (including 1 proxy vote), Against 55, Abstentions 0).

Accordingly, the Parliament resolved—

That the Parliament recognises the large number of homeless people in Scotland, people in temporary accommodation and people on social housing waiting lists; shares concern at all people who are homeless or at risk of homelessness, which is why tackling homelessness is a national priority through the joint Scottish

Government/COSLA Ending Homelessness Together action plan; acknowledges that a Temporary Accommodation Task and Finish Group, co-chaired by Shelter Scotland and the Association of Local Authority Chief Housing Officers, has been established with the aim of reducing the number of households in temporary accommodation; notes that the Scottish Government has delivered 115,558 affordable homes since 2007, of which, over 81,300 were for social rent, including 20,520 council homes; notes the Scottish Government's intention to legislate on both homelessness prevention and the right to housing in this parliamentary session; regrets that the UK Government's mismanagement of the economy has caused increased inflation and significant rises in energy and basic day-to-day living costs, which has led to a cost of living crisis affecting most households that has a disproportionate impact on those on the lowest incomes, and calls on the UK Government to use all the powers at its disposal to tackle the cost of living crisis on the scale required, remove the so-called bedroom tax and benefit cap, increase the Local Housing Allowance, which, as of 2023-24, has been frozen for the third year, and change the no recourse to public funds rules to allow all people, regardless of their nationality, to access homelessness support.

**4. Delivering the Homes Scotland Needs:** Miles Briggs moved S6M-07614— That the Parliament believes that building new homes is the best way to address the housing crisis; expresses disappointment that the Scottish Government missed its housebuilding target deadline by a year; is dismayed by the cuts to the housing budget in the Scottish Government's proposed Budget 2023-24 and that residents in Scotland will be forced to pay higher property taxes than in the rest of the UK; believes that restrictions on rent and evictions reduce investment in housing markets; recognises that Scotland is currently experiencing a housing crisis, and calls on the Scottish Government to prioritise the delivery of new homes, particularly for the social rent sector and in rural and remote areas.

The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison) moved amendment S6M-07614.2—

As an amendment to motion S6M-07614 in the name of Miles Briggs (Delivering the Homes Scotland Needs), leave out from “building new” to end and insert “everyone should have access to a warm and affordable home that meets their needs; notes that the previous 50,000 affordable homes target was met in March 2022 following delays caused by the COVID-19 pandemic; further notes that global supply issues, rising costs and the impact of Brexit have affected the delivery of homes; acknowledges that £752 million is being made available in 2023-24 as part of more than £3.5 billion in the current parliamentary session towards the delivery of the Scottish Government's commitment to delivering 110,000 affordable homes by 2032, of which at least 70% will be for social rent and 10% in remote, rural and island communities, and agrees with the importance of giving tenants stability in their housing costs and housing security at a time of an unprecedented rise in the cost of living.”

After debate, the amendment was agreed to ((DT) by division: For 69 (including 1 proxy vote), Against 55, Abstentions 0). As a result, amendment S6M-07614.1 was pre-empted.

Mark Griffin moved amendment S6M-07614.1—

As an amendment to motion S6M-07614 in the name of Miles Briggs (Delivering the Homes Scotland Needs), leave out from “expresses” to end and insert “urges the Scottish Ministers to remove local authorities’ liability for additional dwelling supplement when purchasing second hand and off-the-shelf homes, which risks councils’ ability to increase affordable stock; agrees that the UK Government’s disastrous mini-budget has vastly increased lending costs for owner occupiers, registered social landlords and investors in all housing tenures, exacerbating Scotland’s housing and cost of living crisis; believes that protections for tenants, and proposed changes to the Home Owners’ Support Fund Mortgage to Shared Equity scheme, which would reduce equity requirements and increase price thresholds to reflect true house values, are vital interventions to support people to stay in their homes during a cost of living crisis made worse by the UK Conservative administration; believes that urgent interventions are required to unlock the 67,152 empty and second homes across Scotland and return them to their primary purpose as residential dwellings; is disappointed that the Scottish Government missed its housebuilding target deadline by a year; is dismayed by the cuts to the housing budget in the Scottish Government’s proposed Budget 2023-24; notes with concern further declines in affordable housing approvals and starts in the year to September 2022, and calls on the Scottish Government to urgently prioritise the delivery of new homes, particularly for the social rent sector and in rural and remote areas.”

The motion, as amended, was agreed to ((DT) by division: For 66 (including 1 proxy vote), Against 55, Abstentions 0).

Accordingly, the Parliament resolved—

That the Parliament believes that everyone should have access to a warm and affordable home that meets their needs; notes that the previous 50,000 affordable homes target was met in March 2022 following delays caused by the COVID-19 pandemic; further notes that global supply issues, rising costs and the impact of Brexit have affected the delivery of homes; acknowledges that £752 million is being made available in 2023-24 as part of more than £3.5 billion in the current parliamentary session towards the delivery of the Scottish Government’s commitment to delivering 110,000 affordable homes by 2032, of which at least 70% will be for social rent and 10% in remote, rural and island communities, and agrees with the importance of giving tenants stability in their housing costs and housing security at a time of an unprecedented rise in the cost of living.

**5. Genetic Technology (Precision Breeding) Bill - UK Legislation:** The Minister for Environment and Land Reform (Màiri McAllan) moved S6M-07615—That the Parliament notes the legislative consent memorandum lodged by the Scottish Government on 12 December 2022; agrees not to give consent to the Genetic Technology (Precision Breeding) Bill, and calls on the UK Government to amend the Bill to restrict the geographical application of clause 42, or to otherwise make it a requirement for it to seek the consent of the Scottish Ministers when making

provision within the legislative competence of the Scottish Parliament, in order to properly respect devolved responsibilities.

The motion was agreed to ((DT) by division: For 93, Against 30, Abstentions 0).

**6. Public Order Bill - UK Legislation:** The Cabinet Secretary for Justice and Veterans (Keith Brown) moved S6M-07617—That the Parliament agrees that the relevant amendments of the Public Order Bill, introduced in the House of Lords on 9 November 2022, relating to the extension of existing powers at Part II of the Public Order Act 1986 to the British Transport Police (BTP) in Scotland for policing public processions and assemblies on the railway, so far as these matters fall within the legislative competence of the Scottish Parliament, should be considered by the UK Parliament.

The motion was agreed to (DT).

**7. UK Infrastructure Bank Bill - UK Legislation:** The Deputy First Minister and Cabinet Secretary for Covid Recovery (John Swinney) moved S6M-07616—That the Parliament agrees that the relevant provisions of the UK Infrastructure Bank Bill, introduced in the House of Lords on 11 May 2022 and subsequently amended, relating to the investment activities of the UK Infrastructure Bank in Scotland so far as these matters fall within the legislative competence of the Scottish Parliament and alter the executive function of the Scottish Ministers, should be considered by the UK Parliament.

The motion was agreed to (DT).

**8. Business Programme:** The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-07643—That the Parliament—

(a) the following programme of—

Tuesday 31 January 2023

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

followed by Scottish Government Debate: Three Years On - Brexit and Workers' Rights

*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 1 February 2023

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Constitution, External Affairs and Culture; Justice and Veterans

*followed by* Scottish Government Debate: Electoral Reform Consultation

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

*followed by* Approval of SSIs (if required)

5.00 pm Decision Time

*followed by* Members' Business

Thursday 2 February 2023

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

*followed by* Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Education and Skills

*followed by* Stage 1 Debate: Scottish Budget 2023-24

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 7 February 2023

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* Scottish Government Business

*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 8 February 2023

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Covid Recovery and Parliamentary Business; Finance and the Economy

*followed by* Scottish Liberal Democrats Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

*followed by* Approval of SSIs (if required)

5.10 pm Decision Time

*followed by* Members' Business

Thursday 9 February 2023

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

*followed by* Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Net Zero, Energy and Transport

*followed by* Scottish Government Business

*followed by* Scottish Government Debate: Scottish Income Tax Rate Resolution 2023-24

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 30 January 2023, in rule 13.7.3, after the word “except” the words “to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or” are inserted.

Neil Bibby moved amendment S6M-07643.1—

As an amendment to motion S6M-07643 in the name of George Adam (Business Programme), leave out from “Scottish Government Debate: Three Years On – Brexit and Workers’ Rights” to “Tuesday 7 February” and insert—

“Scottish Government Debate: Three Years On – Brexit and Workers’ Rights

*followed by* Scottish Government Debate: Electoral Reform Consultation  
*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

7.10 pm Decision Time

*followed by* Members' Business

Thursday 2 February 2023

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

*followed by* Members’ Business

1.40 pm Parliamentary Bureau Motions

1.40pm Portfolio Questions: Constitution, External Affairs and Culture; Justice and Veterans; Education and Skills

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time



followed by Members' Business

Tuesday 7 February 2023.”

After debate, the amendment was disagreed to by division: For 21, Against 96 (including 1 proxy vote), Abstentions 0).

The motion was agreed to by division: For 101 (including 1 proxy vote), Against 21, Abstentions 0).

**9. Approval of SSI:** The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-07644—That the Parliament agrees that the Land and Buildings Transaction Tax (additional amount: transactions relating to second homes etc.) (Scotland) Amendment Order 2022 (SSI 2022/375) be approved.

The motion was agreed to ((DT) by division: For 87, Against 0, Abstentions 34).

**10. Approval of SSI:** The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-07645—That the Parliament agrees that the Dentists, Dental Care Professionals, Nurses, Nursing Associates and Midwives (International Registrations) Order 2022 [draft] be approved.

The motion was agreed to (DT).

**11. Designation of Lead Committee:** The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-07646—That the Parliament agrees that the Education, Children and Young People Committee be designated as the lead committee, and that the Criminal Justice Committee be designated as a secondary committee, in consideration of the Children (Care and Justice) (Scotland) Bill at stage 1.

The motion was agreed to (DT).

**12. Decision Time:** The Parliament took decisions on items 3, 4, 5, 6, 7, 9, 10 and 11 as noted above.

**13. Future of Childcare:** The Parliament debated S6M-07412 in the name of Meghan Gallacher—That the Parliament notes what it considers the serious concerns reportedly raised by stakeholders in the Central Scotland region and throughout the country regarding the roll-out of the 1,140 hours of funded early learning and childcare programme; understands that the issues raised by nursery owners in the private, voluntary and independent sector relate to the fairness of the 1,140 hours roll-out and their ability to run a successful business while providing first-class childcare; notes the reported comments by the National Day Nurseries Association that what it considers the emerging “crisis” in the early learning and childcare sector is attributed to the growth of the local authority sector and the COVID-19 pandemic; believes that the Scottish Government has failed to address embedded issues such as staffing, childminders leaving the profession and private

nursery pay, which have led to this reported crisis; considers that the Scottish Government has a responsibility to ensure that this programme is a success, and notes the calls on the Scottish Government to address these issues as a matter of urgency to secure the future of the 1,140 hours programme, in order to give children the best possible start in life.

The meeting closed at 7.04 pm.

**David McGill**  
Clerk of the Parliament  
25 January 2023

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

**Committee Reports**

The following reports were published on 25 January 2023—

Finance and Public Administration Committee, 2nd Report, 2023 (Session 6):  
Budget Scrutiny 2023-24 (SP Paper 304)

Delegated Powers and Law Reform Committee, 9th Report, 2023 (Session 6):  
Subordinate Legislation Considered by the Delegated Powers and Law  
Reform Committee on 24 January 2023 (SP Paper 306)

**Subordinate Legislation**

**Affirmative Instruments**

The following instrument was laid before the Parliament on 25 January 2023 and is  
subject to the affirmative procedure—

Provision of Early Learning and Childcare (Specified Children) (Scotland)  
Amendment Order 2023 [draft]  
laid under section 99(2) of the Children and Young People (Scotland) Act  
2014

**Legislative Consent Memorandum**

The following memorandum was lodged on 25 January 2023—

Michael Matheson, Cabinet Secretary for Net Zero, Energy and Transport:  
Supplementary Legislative Consent Memorandum on the Energy Bill (UK  
Parliament legislation) (LCM-S6-26a)

**Other Documents**

The following documents were laid before the Parliament on 25 January 2023 and  
are not subject to parliamentary procedure—

**Agriculture and Horticulture Development Board Annual Report and Accounts  
2021–2022 (SG/2023/005)** laid under Article 13 of the Agriculture and Horticulture  
Development Board Order 2008 (S.I. 2008, No. 576)

**Cairngorms National Park Authority Annual Report and Accounts 2021/22  
(SG/2023/025)** laid under section 26(5) of the National Parks (Scotland) Act 2000  
and section 22(5) of the Public Finance and Accountability (Scotland) Act 2000



---

---

Published by the Scottish Parliamentary Corporate Body

---

All documents are available on  
the Scottish Parliament website at:

[www.parliament.scot/documents](http://www.parliament.scot/documents)

For information on the Scottish Parliament contact  
Public Information on:

Telephone: 0131 348 5000 or 0800 092 7500

Email: [sp.info@parliament.scot](mailto:sp.info@parliament.scot)

Live chat on [parliament.scot](http://parliament.scot)

You can write to us in any language or contact us  
using the Text Relay service or in British Sign

Language through [contactScotland-BSL](http://contactScotland-BSL).

---

---

© Parliamentary copyright. Scottish Parliamentary Corporate Body

The Scottish Parliament's copyright policy can be found on the website -  
[www.parliament.scot](http://www.parliament.scot) or by contacting Public Information.