

Document 1

From: [redacted] @gov.scot>

Sent: Sunday, November 5, 2023 8:52 AM

To: Cabinet Secretary for Social Justice <CabSecSJ@gov.scot>; Joe Brown <Joe.Brown@gov.scot>; Minister for Housing <MinisterHousing@gov.scot>

Cc: [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; Colin MacBean <Colin.MacBean@gov.scot>; More Homes Business Management <MoreHomesBusMan@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; Ewan Crawford <Ewan.Crawford@gov.scot>; Jack Middleton <Jack.Middleton@gov.scot>; Emilie-Louise Purdie <Emilie-Louise.Purdie@gov.scot>; Kevin Pringle <Kevin.Pringle@gov.scot>; Gavin Corbett <Gavin.Corbett@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>

Subject: RE: IMMEDIATE: Sunday Show 5 November 2023 - Housing Summary Briefing

Good morning PO,

Ahead of the Minister's appearance on the Sunday Show – it would also be worth him having a look at this document attached.

Most issues running today are covered by the note from last night – but there are comments made by my leader of Edinburgh City Council, as well as a Lib Dem councillor on council tax freeze and short term lets.

There is also a story running about the negative impact the "tourist tax" will have on Edinburgh.

Please let me know if the Minister needs anything else.

Best,

[redacted]

[redacted]

News | Communications Team Leader

Constitution, External Affairs and Culture Communications

The Scottish Government, St Andrew's House, Edinburgh

[redacted]

From: [redacted] Sent: Saturday, November 4, 2023 7:36 PM

To: Cabinet Secretary for Social Justice <CabSecSJ@gov.scot>; Joe Brown <Joe.Brown@gov.scot>; Minister for Housing <MinisterHousing@gov.scot>

Cc: [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot[redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot[redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot[redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; Colin MacBean <Colin.MacBean@gov.scot>; More Homes Business Management <MoreHomesBusMan@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot[redacted] @gov.scot>; [redacted] @gov.scot[redacted] @gov.scot>; Ewan Crawford <Ewan.Crawford@gov.scot>; Jack Middleton <Jack.Middleton@gov.scot>; Emilie-Louise Purdie <Emilie-Louise.Purdie@gov.scot>; Kevin Pringle <Kevin.Pringle@gov.scot>; Gavin Corbett <Gavin.Corbett@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] >; [redacted] @gov.scot>

Subject: RE: IMMEDIATE: Sunday Show 5 November 2023 - Housing Summary Briefing

Hi [redacted] ,

Please find a couple of documents attached – one with all the lines issued today along with some other lines on running issues – the second is a document with top lines on BANS papers.

BBC have said that the Minister will likely be live from around 10:25 but have asked that he still gets to the studio for 09:45 just in case they can take him earlier.

They have advised that they are going to run a little bit of a case study Chris Clements spoke to on Thursday – his piece is embedded as a video in the online article <https://www.bbc.co.uk/news/uk-scotland-edinburgh-east-fife-67289581>. The part they'll run is Stacey who was served a court summons while being interviewed. It might be good for the Minister to have a look as she might not be easily understood in his ear before his interview.

Please let me know if the Minister needs anything else. I'm on until 9am tomorrow morning and then my colleague [redacted] will take over.

Best,

[redacted]

[redacted]

News | Communications Team Leader

Constitution, External Affairs and Culture Communications

The Scottish Government, St Andrew's House, Edinburgh

[redacted]

www.gov.scot/news

From: [redacted] @gov.scot> On Behalf Of Cabinet Secretary for Social Justice

Sent: Saturday, November 4, 2023 4:53 PM

To: Joe Brown <Joe.Brown@gov.scot>; Minister for Housing <MinisterHousing@gov.scot[redacted]@gov.scot>

Cc: Cabinet Secretary for Social Justice <CabSecSJ@gov.scot>; [redacted] @gov.scot[redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; Colin MacBean <Colin.MacBean@gov.scot>; More Homes Business Management <MoreHomesBusMan@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot[redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot[redacted] @gov.scot>; Ewan Crawford <Ewan.Crawford@gov.scot>; Jack Middleton <Jack.Middleton@gov.scot>; Emilie-Louise Purdie <Emilie-Louise.Purdie@gov.scot>; Kevin Pringle <Kevin.Pringle@gov.scot>; Gavin Corbett <Gavin.Corbett@gov.scot>; [redacted] @gov.scot>

Subject: RE: IMMEDIATE: Sunday Show 5 November 2023 - Housing Summary Briefing

Hi Joe,

Thank you very much for your work on this today, it is really appreciated. I will put this to the Minister now.

Thank you,

[redacted]

[redacted]

Deputy Private Secretary | Office of Cabinet Secretary for Social Justice

St Andrews House, Regent Road, Edinburgh, EH1 3DG

Email: CabSecSJ@gov.scot

From: Joe Brown <Joe.Brown@gov.scot>

Sent: 04 November 2023 16:30

To: Minister for Housing <MinisterHousing@gov.scot>; [redacted] @gov.scot>

Cc: Cabinet Secretary for Social Justice <CabSecSJ@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; Colin MacBean <Colin.MacBean@gov.scot>; More Homes Business Management <MoreHomesBusMan@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot[redacted] @gov.scot>; [redacted] @gov.scot>; Ewan Crawford <Ewan.Crawford@gov.scot>; Jack Middleton <Jack.Middleton@gov.scot>; Emilie-Louise Purdie <Emilie-Louise.Purdie@gov.scot>; Kevin Pringle <Kevin.Pringle@gov.scot>; Gavin Corbett <Gavin.Corbett@gov.scot>; [redacted] @gov.scot>

Subject: RE: IMMEDIATE: Sunday Show 5 November 2023 - Housing Summary Briefing

With apologies, resending. Please let me know if you have any access issues.

JOE BROWN

Deputy Director

Directorate for Ukraine Resettlement

Scottish Government

[redacted]

From: Joe Brown

Sent: Saturday, November 4, 2023 4:19 PM

To: Minister for Housing <MinisterHousing@gov.scot>; [redacted] @gov.scot>

Cc: Cabinet Secretary for Social Justice <CabSecSJ@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; Colin MacBean <Colin.MacBean@gov.scot>; More Homes Business Management <MoreHomesBusMan@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; Ewan Crawford <Ewan.Crawford@gov.scot>; Jack Middleton <Jack.Middleton@gov.scot>; Emilie-Louise Purdie <Emilie-Louise.Purdie@gov.scot>; Kevin Pringle <Kevin.Pringle@gov.scot>; Gavin Corbett <Gavin.Corbett@gov.scot>; [redacted] @gov.scot>

Subject: IMMEDIATE: Sunday Show 5 November 2023 - Housing Summary Briefing

[redacted]

Thanks for forwarding that briefing material. I am also enclosing the Homelessness and Ukraine FMQs, and the original Disclosure briefing in case more detail is helpful.

With thanks to colleagues, I've prepared a short briefing pack (Sunday Show - Housing - Summary Briefing) which is attached and draws on that more detailed briefing to provide some key lines and data. Please let me know if the Minister needs anything more, or any changes.

JOE BROWN

Deputy Director

Directorate for Ukraine Resettlement

Scottish Government

[redacted]

From: [redacted] @gov.scot> On Behalf Of Minister for Housing

Sent: Saturday, November 4, 2023 1:52 PM

To: [redacted] @gov.scot>; Minister for Housing <MinisterHousing@gov.scot>

Cc: Cabinet Secretary for Social Justice <CabSecSJ@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; Joe Brown <Joe.Brown@gov.scot>; [redacted] @gov.scot[redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot[redacted] @gov.scot>; [redacted] @gov.scot>; Colin MacBean <Colin.MacBean@gov.scot>; More Homes Business Management <MoreHomesBusMan@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; Ewan Crawford <Ewan.Crawford@gov.scot>; Jack Middleton <Jack.Middleton@gov.scot>; Emilie-Louise Purdie <Emilie-Louise.Purdie@gov.scot>; Kevin Pringle <Kevin.Pringle@gov.scot>; Gavin Corbett <Gavin.Corbett@gov.scot>

Subject: RE: Sunday Show bid - housing and migration paper

Thanks [redacted] .

I have attached the briefing the Minister had ahead of the potential media bids on Thursday along with the latest Housing FMQ brief which includes lines on the housing emergency. I've also got the Q&A for the BANS paper launch as well as the Q&A shared with Ministers following DFM's statement this week.

Joe – Appreciate you are looking in to the housing side for lines, let me know if the above is useful or if you think we'll need anything further. I think we'll need additional material on the Ukrainian in accommodation please.

Thank you,

[redacted]

[redacted]

Deputy Private Secretary | Office of Cabinet Secretary for Social Justice

St Andrews House, Regent Road, Edinburgh, EH1 3DG

Email: CabSecSJ@gov.scot

From: [redacted] @gov.scot>

Sent: 04 November 2023 12:09

To: Minister for Housing <MinisterHousing@gov.scot>

Cc: Cabinet Secretary for Social Justice <CabSecSJ@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot[redacted] @gov.scot>; Joe Brown <Joe.Brown@gov.scot[redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; Colin MacBean <Colin.MacBean@gov.scot>; More Homes Business Management <MoreHomesBusMan@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot[redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; Ewan Crawford <Ewan.Crawford@gov.scot>;

Jack Middleton <Jack.Middleton@gov.scot>; Emilie-Louise Purdie <Emilie-Louise.Purdie@gov.scot>; Kevin Pringle <Kevin.Pringle@gov.scot>; Gavin Corbett <Gavin.Corbett@gov.scot>

Subject: RE: Sunday Show bid - housing and migration paper

Thanks [redacted]

They've asked if he can be at The Tun for 09:45 – someone will be there to greet him and get him set up.

Timing on the programme is still TBC - BBC are doing a pre-record with Nazanin Zaghari-Ratcliffe who had been detained in Iran since 2016. Once they do this interview they'll have a better idea of whether they'll do this segment first or the housing segment and will let us know.

They've said that the Minister is the only person they are speaking with on housing. The chat with the Minister will be preceded by Martin Geisler giving a bit of an overview of the situation with stats and graphics – which were all included in the Disclosure programme that I understand the Minister was on. So there is reference to the 6% rent increase and the 3% cap.

We'll pull together all the lines we issue today and get that over to the Minister. I'll leave you to commission any further briefing required from policy colleagues.

Thanks,

[redacted]

[redacted] News | Communications Team Leader

Constitution, External Affairs and Culture Communications

The Scottish Government, St Andrew's House, Edinburgh

[redacted]

From: [redacted] @gov.scot> On Behalf Of Minister for Housing

Sent: Saturday, November 4, 2023 12:00 PM

To: [redacted] @gov.scot>

Cc: Cabinet Secretary for Social Justice <CabSecSJ@gov.scot[redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; Joe Brown <Joe.Brown@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot[redacted] @gov.scot>; [redacted] @gov.scot>; Colin MacBean <Colin.MacBean@gov.scot>; More Homes Business Management <MoreHomesBusMan@gov.scot[redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot[redacted] @gov.scot[redacted] @gov.scot>; [redacted] @gov.scot>; Ewan Crawford <Ewan.Crawford@gov.scot>; Jack Middleton <Jack.Middleton@gov.scot>; Emilie-Louise Purdie

<Emilie-Louise.Purdie@gov.scot>; Kevin Pringle <Kevin.Pringle@gov.scot>; Gavin Corbett
<Gavin.Corbett@gov.scot>

Subject: Re: Sunday Show bid - housing and migration paper

Hi [redacted]

The Minister is content to accept the bid and Edinburgh would be preferable please.

Grateful for an idea of timings please as soon as you have these. Also grateful for briefing on the issues outlined below.

Thank you,

[redacted].

From: [redacted] @gov.scot>

Sent: Saturday, November 4, 2023 10:53 am

To: Minister for Housing <MinisterHousing@gov.scot>

Cc: Cabinet Secretary for Social Justice <CabSecSJ@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; Joe Brown <Joe.Brown@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; Colin MacBean <Colin.MacBean@gov.scot>; More Homes Business Management <MoreHomesBusMan@gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; [redacted] @gov.scot>; Ewan Crawford <Ewan.Crawford@gov.scot>; Jack Middleton <Jack.Middleton@gov.scot>; Emilie-Louise Purdie <Emilie-Louise.Purdie@gov.scot>; Kevin Pringle <Kevin.Pringle@gov.scot>; Gavin Corbett <Gavin.Corbett@gov.scot>

Subject: Sunday Show bid - housing and migration paper

Adding PO/ Minister for Housing

CC PO/ Cabinet Secretary for Social Justice

BBC have been back in touch on this and would like to speak to the Housing Minister given the Cab Sec is unavailable. This would be a 1-1 with Martin Geissler. They'd like to do this tomorrow – either from Pacific Quay in Glasgow or from The Tun in Edinburgh – as some point between 10am and 10.30am – timings to be confirmed. BBC have said that if the Minister is not available, then they'll empty chair the Scottish Government.

The main topic of conversation will be about housing following the 'housing emergency' declared in Edinburgh this week and the warnings that it is a pan-Scotland problem. They want to talk about what's been done over the past few decades, including looking at money put into housing by the Scottish Government. They will touch on the Migration paper as they feel it is linked, however they said they know the Minister was not involved in this so it will be a bit more broad brush.

Comms and SpAds would recommend accepting this if the Minister was available. I'd be grateful if you could confirm if he is available and, if so, where he'd prefer to undertake this from.

[redacted].

Thanks,

[redacted]

[redacted].

News | Communications Team Leader

Constitution, External Affairs and Culture Communications

The Scottish Government, St Andrew's House, Edinburgh

[redacted].

Document 2

HOUSING CRISIS

- Tackling homelessness is a key priority for the Scottish Government and our Ending Homelessness Together action plan, developed with expert input, is the right strategy to end homelessness in Scotland.
- We are making available £3.5 billion over this parliamentary term to support delivery of 110,000 affordable homes by 2032, 70% of which will be for social rent. This includes investing at least £60 million to help local authorities and registered social landlords acquire properties for use as high quality, affordable, permanent homes.
- Rapid Rehousing Transition Plans play an important role in Scotland's homelessness strategy and aim to reduce the need for temporary accommodation.
- We have provided local authorities with £52.5 million between 2018-24 for their plans to support people into settled accommodation.

BUDGET 2024-25

We are committed to achieving and maintaining a balanced capital budget. Any decisions made around reprioritising capital spending will be presented to Parliament in due course.

BUDGET 2023-24

In light of inflationary pressures and wider market conditions, hard choices have been made to deliver against Government priorities.

- Our £752m 2023-24 budget will be supplemented by a £15m contribution from the Heat in Buildings Fund and donations from our Charitable Bond Programme that will be available to invest in more social rented homes.
- We are making £3.5bn available in this Parliamentary term, towards the delivery of more affordable and social homes.

Scotland has led the UK in providing affordable housing.

- From April 2007 to end June 2023, we have delivered 123,985 affordable homes, over 87,000 of which were for social rent, including 22,994 council homes.
- All-sector housebuilding completions are at their highest annual year to end June rate since 2008, up 7% on last year.
- The 10,757 affordable homes delivered to end June 2023 is the highest annual figure since the start of the statistical series in 2000.

- Inflationary pressures, Brexit impacts and wider market conditions have combined to trigger various issues including rising construction costs and workforce challenges. The housing sector has done incredible work to deliver homes in these circumstances and we continue to work with partners to mitigate these impacts.

We are committed to delivering on our target of 110,000 affordable homes by 2032, of which at least 70% will be available for social rent and 10% will be in our rural and island communities.

- Since 23 March 2022, 13,354 homes have now been delivered towards the 110,000 affordable homes target, of which 10,459 (78%) are homes for social rent.
- Delivering this ambitious 110,000 affordable homes target would support a total investment package of around £18bn and up to 15,000 jobs each year.
- Our long term plans recognise that changing circumstances or unforeseen events may require us to adapt. That is why we intend to carry out a review at the mid-point to assess if current plans should continue unchanged or be adapted.
- To effectively meet housing need and support affordable housing priorities across different areas we would want to support a mixture of tenures whilst still prioritising social rented homes.

AFFORDABLE HOUSING - EDINBURGH

This Parliament (2021/22 – 2025/26)

- Scottish Government Affordable Housing Supply Programme (AHSP) investment in Edinburgh will be at a record level over the whole parliamentary period at £234m up to 2025/26 and we increased this figure by a further £10m in 2022/23 and a further £3m this year (2023/24).
- The announcement of five year resource planning assumptions for all local authorities from 2021/22 provides a clear demonstration of this government's commitment to support the delivery of affordable housing over the period.
- This will deliver a range of housing and a mix of affordable tenures, including the delivery of new build affordable housing and the purchase of open market property, but primarily focusing on social rented housing, which is a key government priority.
- This indicative Resource Planning Assumption (RPA) figure of £234m is a significant increase and compares extremely well to the equivalent indicative RPA in the previous parliament.

This Year – 2023-24

- Looking at this financial year (2023/24), Edinburgh has an RPA of £45.1m for the provision of social and affordable homes by the council and housing associations and we have already increased this figure by a further £3m taking available resources to £48.1m in 2023-24.
- With respect to future years, Council and government officials are currently developing the AHSP programme going forward and have Resource Planning Assumptions (RPAs) for each year to 2025-26 to do this. We are confident of the capacity in Edinburgh to continue to deliver significant levels of social and affordable housing.
- The Scottish Government is determined to increase and accelerate housing supply across all tenures and support the industry and local authorities to deliver

their housing priorities with quality homes in mixed communities that meet local needs.

- We strongly recognise the importance that new build affordable housing by local authorities and housing associations can make in local communities, through a wide range of activities which encourage community cohesiveness and sustainable growth.

Last Year – 2022-23

- In 2022-23, CEC noted that they had capacity for extra expenditure in the AHSP programme and the original RPA of £45.2 million was increased by a total of £10m to £55.2m.
- CEC noted that this would be spent on a combination of accelerating the pace of development of affordable projects, land acquisition for future development as well as open market purchase opportunities.
- Separately, we also supported the council with £6m of additional grant funding in 2022-23 to ensure the construction of 214 mid-market rent affordable homes over the period to 2025. For these homes, the council will target 50% of Edinburgh Living allocations to homeless individuals and families.

General

- Most of the AHSP budget for new supply in Edinburgh continues to support social rented housing. The Council outlines their priorities in the Local Housing Strategy - and every project which is supported is expected to meet these priorities.
- We strongly recognise the importance that affordable housing can make in reducing the number of adults and children in temporary accommodation.

AHSP Resource Allocation - Background

- Affordable Housing Supply Programme (AHSP) resources are allocated on the basis of need through the SHIF formula which was agreed by Ministers and COSLA in 2012 and was phased in between then and 2017/18.
- The SHIF needs-based formula applies to the 30 councils who receive their Resource Planning Assumptions (RPAs) from the Scottish Government's housing supply budget (excluding the TMDF authorities of Glasgow & Edinburgh).
- The resources for Edinburgh and Glasgow, who manage the Affordable Housing Supply Programme (AHSP) on behalf of the Scottish Ministers, through TMDF, are calculated separately.
- The current SHIF model was not designed to include Edinburgh and Glasgow, so including in the SHIF model may require reconsideration of the underlying SHIF indicators. Therefore, there would need to be a review by COSLA/SG of the SHIF model.

Line to take: The Transfer of the Management of Development Funding (TMDF) authorities (Edinburgh and Glasgow) sit out-with the Strategic Housing Investment Framework formula, which was agreed with

COSLA and which allocates funds to the other 30 councils. If this is a position the council wish to revisit, then the City of Edinburgh Council should firstly raise this directly with COSLA.

Document 3

27 September – ‘The state of housing in Scotland at the moment, with a specific focus on the situation faced by private renters in our cities, rural communities and people waiting for social housing. ‘

‘The running theme throughout is high private rents; the causes behind this and instances where legislation has not prevented rent increases or evictions.

The lack of affordable housing in our rural communities and what is causing this; and the shortage of social housing and the impact this has on people who are waiting for a home. The Rural and Islands Housing Fund and the Affordable Housing Supply programme.’

Top Lines:

- We want everyone to have access to a safe, warm and affordable home in the area they want to live.
- Housing is, and will remain, a priority for this Government and is at the heart of our ambition for a fairer Scotland.
- Access to good quality housing is the focus of our Housing to 2040 strategy, and a vital part of our drive to secure economic growth, promote social justice, strengthen communities, and tackle inequality.
- We are committed 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).
- Delivering this ambitious target would support a total investment package of around £18 billion and up to 15,000 jobs each year.
- Scotland has the strongest rights for homeless households in the UK. Our long-term strategy for tackling homelessness is strongly supported by stakeholders.
- Temporary accommodation offers an important safety net for anyone who finds themselves homeless. However, this should only ever be short term.
- Preventing homelessness before it happens - and taking a rapid rehousing approach when homelessness does occur - is the best way to limit the number of people in temporary accommodation.
- National planning policy on affordable housing now expects ‘at least’ 25% of the total number of units on new market housing site to be affordable homes – with flexibility associated with local circumstances.

OTHER NOTABLE RECENT PUBLICATIONS

31 Aug: The Scottish Housing Regulator’s National Report on the Scottish Social Housing Charter 2022-23 - evidence that RSLs are reducing/delaying their plans to build new homes, with projections for next five years nearly 15% lower than last year’s.

12 Sept: Latest SG Quarterly Housing Statistics published, showing:

- Increase of 12% in Affordable Housing Supply Programme completions in year to end June 2023 to 10,757 homes. Highest annual figure since the start of the statistical series in 2000, although approvals are down by 22% and starts down by 2%.

HIGH PRIVATE RENTS AND CAUSES

Our emergency legislation has led the way - at a time when rents have been rising across the UK - stabilising rents to help tenants to stay in their homes

- Since 1 April 2023, private landlords with a tenancy subject to the cap can increase in-tenancy rents by up to 3%, or can apply to Rent Service Scotland for approval of an increase of up to 6% in specific circumstances.
- Anywhere else in the UK, private tenants have faced a 'double whammy' of unfettered rent rises both during and between tenancies.
- The emergency measures do not apply to initial lets, and as recent data shows, rental increases on the open market for 12 months to July 2023 increased for:
 - Edinburgh (+15.6%)
 - Glasgow (+13.7%)
 - Aberdeen (+9.1%)
 - Scotland (+12.7%)

Other cities across the UK saw similar increases:

- Manchester (+13.1%)
- London (+12.4%)
- Newcastle (+10.8%)
- Cardiff (+10.7%)
- UK overall (+10.5%)
- Our Programme for Government confirms our intention to introduce a Housing Bill to deliver a New Deal for Tenants, including the introduction of long-term rent controls for the private rented sector.

CONTEXT / CAUSES OF HIGH PRIVATE RENTS

- Recent reports suggest pressure in the private rented sector is being felt across the UK.
- The market in private renting is still significantly affected by UK-level decisions, including interest rates, tax and local housing allowance.

- The latest Scottish Landlord Register statistics for August show that there has been no decline in the number of registered properties for rent, with the numbers of registered properties being broadly stable since 2020.
- We recognise there is likely to be a time lag on this data, particularly in relation to how frequently information from landlords is updated on the system.
- And that is why we will continue to monitor the available data to identify emerging impacts.
- We meet frequently with and continue to listen to tenants, landlords and representatives from the investment sector as we consider whether the emergency legislation remains proportionate and necessary in connection with the cost of living.

LEGISLATION ‘NOT PREVENTING RENT INCREASES OR EVICTIONS’?

The emergency Act applies to most existing tenants and places a cap on in-tenancy rent increases, stabilising rents to help tenants to stay in their homes.

- In Scotland, most tenants had the protection of the rent freeze between 6 September 2022 and 1 April 2023, and thereafter capped in-tenancy rent increases at a maximum of 3% in most cases – providing stability once they are in a tenancy.
- Where landlords have decided to increase rents, the vast majority of in-tenancy rises will have been within the maximum level of 3%, since April 2023.
- Elsewhere in the UK, private tenants have faced a ‘double whammy’ of unfettered rent rises both during and between tenancies.
- The emergency rent cap does not apply to new lets, which continue to be set by the market.
- The Private Residential Tenancy was designed so that one tenant cannot terminate a joint tenancy on behalf of all the joint tenants, as this could result in a person who wished to stay in the let property being made homeless when another chooses to leave.
- Current legislation does give the landlord the right to decide not to agree to continuing the existing tenancy in those circumstances and can request that a new tenancy be issued at the point of a new person moving into the property.
- As the rent cap element of the emergency Act applies only to in-tenancy rent increases, where a new tenancy is created, the landlord is able to increase the rent being requested.
- Whilst we believe the emergency Act is bringing significant extra protections for people, it was not able to make more fundamental changes to the Private Housing (Tenancies) (Scotland) Act 2016 with respect to joint tenancy arrangements.
- We are committed to taking forward long term reform of the sector and as part of our work to deliver a New Deal for Tenants, we are considering joint tenancy issues – including the existing approach to ending such tenancies.

The Cost of Living (Tenant Protection) (Scotland) Act 2022 pauses the enforcement of eviction orders for 6 months, except in a limited number of circumstances

- This important protection allows tenants extra time to seek support and to find alternative accommodation.
- It was right to build in safeguards in relation to eviction proceedings where antisocial behaviour or criminality are factors. We are all aware of the negative consequences that conduct can have on people and wider communities.
- The Act also makes it easier and more meaningful for tenants to challenge an unlawful eviction, and to receive appropriate damages where this is found to have occurred.

The latest analysis continues to show a challenging economic situation for people across Scotland.

- That is why we laid regulations to extend these important emergency measures for a further and final 6 month period to March next year – and I am delighted that Parliament approved those regulations last week.

AFFORDABLE HOUSING SUPPLY PROGRAMME

Rates of affordable and social housing delivery in Scotland

- Scotland has led the way in the delivery of affordable housing across the UK with 123,985 affordable homes delivered since 2007, over 87,000 (70%) of which were for social rent, including 22,994 council homes.
- The 10,757 affordable homes delivered to end June 2023. This is the highest annual figure since the start of the statistical series in 2000.
- Inflationary pressures, Brexit impacts and wider market conditions have combined to trigger various issues including the rising costs of construction supplies and workforce challenges.
- The housing sector has done incredible work to deliver homes in these circumstances and we will continue working with partners to mitigate these impacts.

We are committed to delivering on our target of 110,000 affordable homes by 2032, of which at least 70% will be available for social rent and 10% will be in our remote, rural and island communities.

- Since March 2022, 13,354 homes have now been delivered towards the 110,000 affordable homes target, of which 10,459 (78%) are homes for social rent.
- Delivering this ambitious 110,000 affordable homes target would support a total investment package of around £18 billion and up to 15,000 jobs each year.
- Our long term plans recognise that changing circumstances or unforeseen events may require us to adapt. That is why we intend to carry out a review at the mid-point to assess whether current plans should be adapted.

Why not just deliver all homes for all social rent?

- Meeting housing needs effectively requires a degree of flexibility - to support varying affordable housing priorities in different areas. For example, we need the ability to support regeneration initiatives linked to tenure diversification, the provision of Mid-Market Rented homes in high demand areas or for low-cost home ownership in rural communities. We therefore want to maintain a mixture of tenures, whilst still prioritising social rented homes.

Funding for Affordable Housing

- We recognise that affordable housing commitments run over a number of years. That is why we provide local authorities with resource planning assumptions for future years, and why we set out our medium-term investment plans in the capital spending review through to 2025-26.
- Our £752 million 2023-24 budget will be supplemented by a £15 million contribution from the Heat in Buildings Fund and donations from our Charitable Bond Programme that will be available to invest in more social rented homes.
- A reduction for 2023-24 on the 2022-23 budget figure was always profiled in the published five year Capital Spending Review.
- We are making £3.5 billion available in this Parliamentary term, towards the delivery of more affordable and social homes.

UK Comparisons

- Since 2007, affordable housing supply has been over 40% higher than the annual average delivered over the previous 2000 to 2007 period.
- And since 2007, Scotland has seen over 40% more affordable homes delivered per head of population than in England, and over 70% more than in Wales.
- We have delivered over three times as many social rented homes per head of population than England over this period.

The Right to Buy policy took more than half a million homes out of the social rented sector in Scotland after its introduction in 1980.

- In the ten years since ending the Right to Buy policy in 2016, we estimate up to 15,500 homes will remain in the sector available to renters now and in the future.
- This compares to almost 90,000 homes taken out of the social housing sector in England and Wales since 2016 due to Right to Buy sales.

RURAL AND ISLANDS HOUSING

- We recognise that good quality, affordable housing is essential to help attract and retain people in Scotland's remote and rural communities
- Between 2016-17 and 2022-23, we have supported the delivery of over 10,000 affordable homes in rural and island areas.
- Our ambition is for rural and island communities to have access to the high quality, affordable and market housing options. These are planned alongside the economic and physical infrastructure to support communities to live, work and thrive, stemming population decline, retaining young people and over time, attracting new residents.

- We know that a small number of homes can make a big difference to rural and island communities. Our £30 million Rural and Island Housing Fund plays an important role in offering support to eligible community groups and complements delivery through our mainstream programme by Councils and Registered Social Landlords.

Rural And Islands Action Plan

- We are developing a Rural and Islands Housing Action Plan to help attract and retain people in these communities and we have been engaging with a wide range of stakeholders to seek their views. We will publish it this Autumn.
- We recognise that building affordable housing in rural areas presents different challenges from urban areas. The development of the Action Plan offers a vital opportunity for new collaborative working, to pull together create solutions and address the challenges of delivering more homes in the right places for our rural and island communities.
- During the Summer, I engaged with a broad range of rural stakeholders and rural communities - to see and hear first-hand about the significant activity being taken forward through positive joint working with key stakeholders.
- On 24 August, I announced funding jointly by Scottish Government and Nationwide Foundation of up to £960,000 for Communities Housing Trust and South of Scotland Community Housing to enable them to support communities in bringing forward projects to deliver more affordable homes.
- Community housing trusts play an essential role supporting the delivery of affordable homes in rural and island areas.

Key Worker Housing

- Recognising the challenges with recruiting and retaining staff in remote, rural and island communities, particularly (although not exclusively) in the public, health, and emergency sectors, we will make up to £25 million available from our affordable housing supply programme budget over the period 2023-2028. This will be in the form of the Rural Affordable Homes for Key Workers Fund.
- The £25 million will support local authorities, in their role as statutory housing authority, to have a strategic focus in making available affordable homes for key workers to meet the needs of their communities.

Rural and Islands Housing Fund

- The demand-led Rural and Islands Housing Fund is providing up to £30m this parliament and was created to support additional (to AHSP) rural affordable homes.
- The Fund is now widely recognised as a potential route for delivery of additional homes to our mainstream Affordable Housing Supply Programme (AHSP), in some of the most remote, rural and island communities.
- The fund is open to a wide range of potential applicants, including those not able to access traditional funding streams such as constituted community bodies, rural landowners, landlords and private developers. It has enabled them to take a more active role in meeting the housing needs of their community.

- The fund is demand-led, and current unit approvals demonstrate that momentum has built steadily from a standing start in 2016.
- Interest in the fund has remained high, with over 300 Expressions of Interest, over 100 projects awarded feasibility funding and over 75 main projects approved to deliver around 325 homes. There are many more in the pipeline.
- 189 homes have now completed, across 10 Local Authority areas (Angus, Argyll & Bute, Dumfries & Galloway, Highland, Moray, Orkney, Perth & Kinross, Scottish Borders, South Lanarkshire and Western Isles).

HOUSING BILL

We remain committed to delivering a New Deal for Tenants.

- The scale of private rent rises across the UK demonstrates the need for action to help tackle rising rent levels.
- Programme for Government confirms our intention to introduce a Housing Bill to deliver a New Deal for Tenants, including the introduction of long-term rent controls for the private rented sector, creating new tenants' rights and introducing new duties aimed at the prevention of homelessness.
- Our New Deal for Tenants consultation, and our new prevention of homelessness duties consultation sought views on our proposed reforms. Rent control was part of that engagement and we continue to work with landlord, tenant and investment stakeholders to develop our proposals.

Build to Rent housing is one tool in the tool box to support those who are seeking professionally-managed housing for private rent at market rent levels. It can increase tenant choice, contribute to good quality placemaking and support economic activity.

- It is a market rent product that delivers high quality, professionally managed PRS homes. This offers choice, and has the potential to further enhance the stability for tenants provided for in the private residential tenancy.
- Whilst our focus remains on maximising delivery of homes at the affordable end of market rents – Build to Rent is recognised as a mainstream housing delivery mechanism. That makes an important contribution to the broader housing market, and to the economy by boosting both investment and house building.

High numbers in temporary accommodation

- The rise in the number of households in temporary accommodation is not unique to Scotland. But here in Scotland, we are taking *action* to address these pressures.
- In response to the recommendations made by the expert Temporary Accommodation Task and Finish Group, we have said we will:
 - invest at least £60 million this year through the Affordable Housing Supply Programme to support a national acquisition programme;
 - maintain momentum in delivering our Affordable Housing Supply Programme;

- work with social landlords to deliver a new programme of stock management;
- implement targeted partnership plans with the local authorities facing greatest pressure – backed by an additional £2 million.
- We are working with key partners to consider the changes required in the short term to empower local decision making to reduce the use of temporary accommodation.
- I am meeting with Housing Convenors across the country to discuss the challenges in reducing the number of households in temporary accommodation and what work could be undertaken in partnership with local authorities.
- In the longer term, preventing homelessness before it happens and taking a rapid rehousing approach when homelessness does occur, is the best way to limit the number of people in temporary accommodation.
- Crisis Tweet on 30 August **[QUOTE]:** *“Scottish Government plans to prevent homelessness from happening in the first place could help us to build a truly world leading system.”*

SHORT TERM LETS

Regulation of short-term lets is vital to balancing the needs and concerns raised by communities with wider economic and tourism interests.

- In certain areas, particularly tourist hot spots, high numbers of lets can cause problems for neighbours and make it harder for people to find homes to live in.
- Our proposals to licence short-term lets were developed in response to concerns raised by residents in communities across Scotland and Members in all parties.
- Our proposals will give local authorities the powers they need to balance community needs and concerns with wider economic and tourism interests.

Scotland’s growing tourism sector is a success story, and well-managed short term lets are a significant and valued part of that tourism economy. Licensing is about safeguarding the quality and consistency of the sector.

- Over the last decade, the short term let sector has both grown significantly and changed in nature.
- That has brought economic benefits, but also raised concerns about consistency of quality and the impact on neighbourhoods.
- Following three public consultations in 2019, 2020 and 2021, the Scottish Parliament passed licensing legislation in January 2022.
- The introduction of licensing safeguards the role which short-term lets play in our economy - by providing assurance to guests on the safety quality of lets, in areas such as gas certificate compliance and suitability of electrical equipment.
- This brings short-term lets in line with other accommodation such as hotels and caravan parks, to level the playing field and protect the reputation of responsible, well-managed businesses.

APPLICATION DEADLINE FOR EXISTING HOSTS

Many thousands of hosts have applied so far and the number of applications are increasing daily as the deadline approaches. Thousands of hosts have been granted licences and none have been refused.

- It is not unexpected for applications to come in close to a deadline. The Association of Scotland's Self Caterers own survey indicated majority of sector would likely submit their applications in September.
- The important thing to stress is that existing hosts (those who operated before October 2022) must apply for a licence before 1 October 2023.
- They can then continue to operate legally while their application is being considered - councils are working with applicants to resolve any application issues, including if hosts are experiencing difficulty arranging tradespeople to undertake compliance work.
- Councils have up to 12 months to process these applications but must grant licences, unless there are good grounds to refuse them.
- The right thing for everyone to do right now is support these hosts to make an application by 1 October 2023.
- On 5 September over 7,700 applications had been made and of these over 4,700 have been processed and granted short term let licences so far.

Homeowners Facing Repossession

Oversight and regulation of mortgage lenders is a reserved matter and as a result the Scottish Government has no powers or authority to intervene in the operation of the mortgage market.

- We have repeatedly called upon the UK Government to increase support for those most impacted by increasing inflation, interest rates and living costs.
- The Home Owners Support Fund, currently the only such scheme in the UK, offers support to those on low incomes who are at risk of falling behind on their mortgages and facing repossession or eviction. The Fund consists of two schemes:
- Mortgage to Rent, where a social landlord purchases the property with subsidy support from Scottish Government and the applicant continues to live in the property as a tenant with a Scottish Secure Tenancy.
- Mortgage to Shared Equity, where the Scottish Government purchases a stake in the property allowing the applicant to reduce their secured loan.
- The Fund sits alongside advice services and legal aid support for homeowners.
- This year and last we have allocated almost £3 billion to support policies to tackle poverty and the ongoing cost of living crisis.
- We are continuing to support free welfare, debt and income maximisation advice services with funding of over £12.3 million allocated this year.

- In particular, the Scottish Government is investing over £6.67 million of funding to support free debt advice services in Scotland, part of our wider package of funding for income maximisation, welfare and debt advice services.
- A further £2.3 million is being made available, through the Scottish Legal Aid Board under the Early Resolution and Advice Programme (ERAP), to offer direct assistance and legal representation for people at risk of or facing court action connected to debt related eviction or repossession.

PLANNING & AFFORDABLE HOMES

Changes have been made to strengthen planning policy for affordable homes.

- Previously, Scottish Planning Policy expected 'generally no more than' 25% of homes on market sites to be affordable.
- National Planning Framework 4 (NPF) was adopted by Scottish Ministers in February 2023.
- As NPF is now part of the statutory development plan it influences decisions on individual planning applications.
- It supports delivery of more high quality, affordable and sustainable homes in the right locations.
- Development proposals for new homes that promote affordability and choice by being adaptable to changing and diverse needs, and which address gaps in provision, will be supported.
- NPF provides flexibility in that a higher contribution can be justified by evidence of local need, or a lower contribution can be justified by evidence of impact on viability, proposals being small scale or the need to diversify supply.

[Redacted]

Document 4

SUNDAY SHOW 4th NOVEMBER 2023: SUMMARY BRIEFING

Top Lines:

- We want everyone to have access to a safe, warm and affordable home in the area they want to live.
- Housing is, and will remain, a priority for this Government and is at the heart of our ambition for a fairer Scotland.
- Access to good quality housing is the focus of our Housing to 2040 strategy, and a vital part of our drive to secure economic growth, promote social justice, strengthen communities, and tackle inequality.
- We are committed to delivering 110,000 affordable homes by 2032 (of which at least 70% will be for social rent and 10% in rural and island communities).
- Delivering this ambitious target would support a total investment package of around £18 billion and up to 15,000 jobs each year.
- Scotland has the strongest rights for homeless households in the UK. Our long-term strategy for tackling homelessness is strongly supported by stakeholders.
- Temporary accommodation offers an important safety net for anyone who finds themselves homeless. However, this should only ever be short term.
- Preventing homelessness before it happens - and taking a rapid rehousing approach when homelessness does occur - is the best way to limit the number of people in temporary accommodation.
- National planning policy on affordable housing now expects 'at least' 25% of the total number of units on new market housing site to be affordable homes – with flexibility associated with local circumstances.

HOUSING “CRISIS”

- The increased number of homeless households is not unique to Scotland.
- Tackling homelessness is a key priority for the Scottish Government and our Ending Homelessness Together action plan, developed with expert input, is the right strategy to end homelessness in Scotland.
- We are making available £3.5 billion over this parliamentary term to support delivery of 110,000 affordable homes by 2032, 70% of which will be for social rent. This includes investing at least £60 million to help local authorities and registered social landlords acquire properties for use as high quality, affordable, permanent homes.
- Rapid Rehousing Transition Plans play an important role in Scotland's homelessness strategy and aim to reduce the need for temporary accommodation.
- We have provided local authorities with £52.5 million between 2018-24 for their plans to support people into settled accommodation.
- We have also committed an additional £2m of funding to reduce the use of temporary accommodation and implement targeted partnership plans with the local authorities facing greatest pressure.
- Since 2020 we have provided over £1.1m of funding towards the operation of Rapid Rehousing Welcome Centres in Glasgow and Edinburgh to ensure everyone at risk of rough sleeping can access accommodation and support over the winter months (£215,471 of funding has been provided for this winter.)

Edinburgh-specific

- We provided £713,228 to the City of Edinburgh Council in 2023-24 to help the council implement its rapid rehousing transition plan.
- We are making a grant of £115,807 available to the Bethany Christian Trust towards the operation of the rapid rehousing welcome centre in Edinburgh in winter 2023-24

ACTION TO REDUCE THE USE OF TEMPORARY ACCOMMODATION

- The number of households, especially those with children, in temporary accommodation is concerning. The latest statistics strengthen our determination to ensure everyone in Scotland has a settled home that meets their needs.
- Most households in temporary accommodation are living in either local authority or housing association properties.
- The figures also include households who have been offered settled accommodation by the local authority but have chosen to wait for an offer that fully meets their needs.
- In some circumstances, such as families with children, it can take time to identify an appropriate property of the correct size and type for the household's needs.
- Waiting times for property can also be exacerbated by limited turnover or stock availability, changes to a household's circumstances, or instances where families need to access other services such as health, justice or social work.
- Not all temporary accommodation is unsuitable as, in some cases, the local authority can 'flip' the accommodation to the household's permanent home.
- This can reduce the number of transitions for homeless households, but flipping relies on the property being the right size and type to meet the household's needs.
- We have committed to reducing the use of temporary accommodation by 2026.
- We are committed to acting on the recommendations of the expert Temporary Accommodation Task and Finish Group. We will:
 - invest at least £60m this year through the Affordable Housing Supply Programme to support a national acquisition plan;
 - maintain momentum in delivering our Affordable Housing Supply Programme;
 - work with social landlords to deliver a new programme of stock management;
 - implement targeted partnership plans with the local authorities facing greatest pressure – backed by an additional £2m.

BUDGET 2024-25

- We are committed to achieving and maintaining a balanced capital budget. Any decisions made around reprioritising capital spending will be presented to Parliament in due course.

BUDGET 2023-24

- In light of inflationary pressures and wider market conditions, hard choices have been made to deliver against Government priorities.
- Our £752m 2023-24 budget will be supplemented by a £15m contribution from the Heat in Buildings Fund and donations from our Charitable Bond Programme that will be available to invest in more social rented homes.
- We are making £3.5bn available in this Parliamentary term, towards the delivery of more affordable and social homes.

SCOTLAND HAS LED THE UK IN PROVIDING AFFORDABLE HOUSING.

- From April 2007 to end June 2023, we have delivered 123,985 affordable homes, over 87,000 of which were for social rent, including 22,994 council homes.
- All-sector housebuilding completions are at their highest annual year to end June rate since 2008, up 7% on last year.
- The 10,757 affordable homes delivered to end June 2023 is the highest annual figure since the start of the statistical series in 2000.
- Inflationary pressures, Brexit impacts and wider market conditions have combined to trigger various issues including rising construction costs and workforce challenges. The housing sector has done incredible work to deliver homes in these circumstances and we continue to work with partners to mitigate these impacts.

- We are committed to delivering on our target of 110,000 affordable homes by 2032, of which at least 70% will be available for social rent and 10% will be in our rural and island communities.
- Since 23 March 2022, 13,354 homes have now been delivered towards the 110,000 affordable homes target, of which 10,459 (78%) are homes for social rent.
- Delivering this ambitious 110,000 affordable homes target would support a total investment package of around £18bn and up to 15,000 jobs each year.
- Our long term plans recognise that changing circumstances or unforeseen events may require us to adapt. That is why we intend to carry out a review at the mid-point to assess if current plans should continue unchanged or be adapted.
- To effectively meet housing need and support affordable housing priorities across different areas we would want to support a mixture of tenures whilst still prioritising social rented homes.

AFFORDABLE HOUSING - EDINBURGH

This Parliament (2021/22 – 2025/26)

- Scottish Government Affordable Housing Supply Programme (AHSP) investment in Edinburgh will be at a record level over the whole parliamentary period at £234m up to 2025/26 and we increased this figure by a further £10m in 2022/23 and a further £3m this year (2023/24).
- The announcement of five year resource planning assumptions for all local authorities from 2021/22 provides a clear demonstration of this government's commitment to support the delivery of affordable housing over the period.
- This will deliver a range of housing and a mix of affordable tenures, including the delivery of new build affordable housing and the purchase of open market property, but primarily focusing on social rented housing, which is a key government priority.
- This indicative Resource Planning Assumption (RPA) figure of £234m is a significant increase and compares extremely well to the equivalent indicative RPA in the previous parliament.

This Year – 2023-24

- Edinburgh has an RPA of £45.1m for the provision of social and affordable homes by the council and housing associations - and we have already increased this figure by a further £3m taking available resources to £48.1m in 2023-24.
- With respect to future years, Council and government officials are currently developing the AHSP programme going forward and have Resource Planning Assumptions (RPAs) for each year to 2025-26.

- We strongly recognise the importance that new build affordable housing by local authorities and housing associations can make in local communities, through a wide range of activities which encourage community cohesiveness and sustainable growth.

Last Year – 2022-23

- In 2022-23, CEC had capacity for extra expenditure in the AHSP programme and the original RPA of £45.2 million was increased by a total of £10m to £55.2m.
- Separately, we also supported the council with £6m of additional grant funding in 2022-23 to ensure the construction of 214 mid-market rent affordable homes over the period to 2025. For these homes, the council will target 50% of Edinburgh Living allocations to homeless individuals and families.

General

- Most of the AHSP budget for new supply in Edinburgh continues to support social rented housing. The Council outlines their priorities in the Local Housing Strategy - and every project which is supported is expected to meet these priorities.
- We strongly recognise the importance that affordable housing can make in reducing the number of adults and children in temporary accommodation.

AHSP RESOURCE ALLOCATION - BACKGROUND

- Affordable Housing Supply Programme (AHSP) resources are allocated on the basis of need through the SHIF formula which was agreed by Ministers and COSLA in 2012 and was phased in between then and 2017/18.
- The SHIF needs-based formula applies to the 30 councils who receive their Resource Planning Assumptions (RPAs) from the Scottish Government's housing supply budget (excluding the TMDF authorities of Glasgow & Edinburgh).
- The resources for Edinburgh and Glasgow, who manage the Affordable Housing Supply Programme (AHSP) on behalf of the Scottish Ministers, through TMDF, are calculated separately.
- The current SHIF model was not designed to include Edinburgh and Glasgow, so including in the SHIF model may require reconsideration of the underlying SHIF indicators. Therefore, there would need to be a review by COSLA/SG of the SHIF model.

Line to take: The Transfer of the Management of Development Funding (TMDF) authorities (Edinburgh and Glasgow) sit out-with the Strategic Housing Investment Framework formula, which was agreed with COSLA and which allocates funds to the other 30 councils. If this is a position the council wish to revisit, then the City of Edinburgh Council should firstly raise this directly with COSLA.

HIGH PRIVATE RENTS AND CAUSES

- Our emergency legislation has led the way - at a time when rents have been rising across the UK - stabilising rents to help tenants to stay in their homes
- Since 1 April 2023, private landlords with a tenancy subject to the cap can increase in-tenancy rents by up to 3%, or can apply to Rent Service Scotland for approval of an increase of up to 6% in specific circumstances.
- Anywhere else in the UK, private tenants have faced a 'double whammy' of unfettered rent rises both during and between tenancies.

- The emergency measures do not apply to initial lets, and as recent data shows, rental increases on the open market for 12 months to July 2023 increased for:
 - Edinburgh (+15.6%)
 - Glasgow (+13.7%)
 - Aberdeen (+9.1%)
 - Scotland (+12.7%)
- Other cities across the UK saw similar increases:
 - Manchester (+13.1%)
 - London (+12.4%)
 - Newcastle (+10.8%)
 - Cardiff (+10.7%)
 - UK overall (+10.5%)
- Our Programme for Government confirms our intention to introduce a Housing Bill to deliver a New Deal for Tenants, including the introduction of long-term rent controls for the private rented sector.

CONTEXT / CAUSES OF HIGH PRIVATE RENTS

- Recent reports suggest pressure in the private rented sector is being felt across the UK.
- The market in private renting is still significantly affected by UK-level decisions, including interest rates, tax and local housing allowance.
- The latest Scottish Landlord Register statistics for August show that there has been no decline in the number of registered properties for rent, with the numbers of registered properties being broadly stable since 2020.
- We recognise there is likely to be a time lag on this data, particularly in relation to how frequently information from landlords is updated on the system.
- And that is why we will continue to monitor the available data to identify emerging impacts.
- We meet frequently with and continue to listen to tenants, landlords and representatives from the investment sector as we consider whether the emergency legislation remains proportionate and necessary in connection with the cost of living.

LEGISLATION 'NOT PREVENTING RENT INCREASES OR EVICTIONS'?

- The emergency Act applies to most existing tenants and places a cap on in-tenancy rent increases, stabilising rents to help tenants to stay in their homes.
- In Scotland, most tenants had the protection of the rent freeze between 6 September 2022 and 1 April 2023, and thereafter capped in-tenancy rent increases at a maximum of 3% in most cases – providing stability once they are in a tenancy.
- Where landlords have decided to increase rents, the vast majority of in-tenancy rises will have been within the maximum level of 3%, since April 2023.
- Elsewhere in the UK, private tenants have faced a 'double whammy' of unfettered rent rises both during and between tenancies.
- The emergency rent cap does not apply to new lets, which continue to be set by the market.

Document 5

4 November 2023

LINES ISSUED

SG/FM Whatsapps - UK Inquiry

Labour NR - FM comments on WhatsApp

ePC Fol

Fol secrecy - follow up

Request for WhatsApp messages

Holyrood's Finance Committee Calls for Action to Ensure Fiscal Sustainability

Dental waiting times for children and young people

Calls for inquiry - Christopher McGowan bail

Short term lets - Conservative comments

RUNNING ISSUES

Migration BANS Paper

SG work on Independence

Housing Emergency

Gaza

Unison suspends local government strikes

SG Hybrid working

Scots becoming less healthy - Sunday Post

Firefighters attacks/cuts – The Sun

FOI - private emails/secret meetings – Sunday Post

Prisons – BBC

Increase in corroboration cases – Daily Record

Drone network – Daily Mail

Scottish Languages Bill – BBC

Fireworks

LINES ISSUED

SG/FM Whatsapps - UK Inquiry

The *Sunday Mail* asked about SG/FM Whatsapps and the UK Inquiry, specifically:

- *was the inquiry told that not all of the WhatsApp information had been retained and what was FM's response on retention*
- *can FM now provide more information than previously thought after discovery of old phone*
- *was FM part of any WhatsApp groups that that have been deleted*

Lines:

A Scottish Government spokesperson said:

“The Scottish Government has worked and will continue to work tirelessly to provide the UK COVID Inquiry with the materials it has requested. In total more than 19,000 documents have already been provided to the UK Inquiry.

“The initial requests received from the UK Inquiry focused on decision-making. As we have stated previously, it is not the culture within Scottish Government to routinely use systems such as WhatsApp for decision-making. Decisions are routinely made in minuted meetings or through formal submissions to Ministers. All relevant records of both of these have been provided to both Inquiries already.

“Scottish Ministers requested and received a Section 21 order earlier this week which will allow us to share over 14,000, mainly WhatsApp, messages from various groups and individuals over the period of the pandemic, mostly concerning routine coordination of work and meetings by officials.

“Beyond responding to the specific matter from the Inquiry hearing, raised in Parliament this week, it is not for the Scottish Government to disclose details of evidence requested by, and submitted to the Inquiries. Both inquiries are issuing their requests for information in confidence.

“The Scottish Government will continue to fully cooperate with both inquiries.”

BACKGROUND

In her statement to Parliament on 31 October the Deputy First Minister outlined the position on requests relating to individuals:

“Both inquiries have made all their requests to witnesses in confidence and those requests are not public.

“All those receiving requests, including Scottish Government, have been told by the inquiries not to share their content. It is entirely up to – and wholly a matter for – the independent inquiry chairs to determine, where appropriate, whether to publish the material they receive.

“The Scottish Government is obliged to comply with this requirement and as such I will not, and cannot, provide precise details on any of the requests that the Scottish Government has received to date, including specific information on what has been asked of individuals who have received requests from the inquiries. Nor can I discuss in detail what materials individuals have or have not provided.”

On 2 November 2023, the First Minister said "when I submit my final statement, unredacted WhatsApp messages will be handed over to the enquiry."

Labour NR - FM comments on WhatsApp

Labour issued a news release on FM's COVID Inquiry WhatsApp timeline.

Lines:

A Scottish Government spokesperson said:

“The Scottish Government has and will continue to work tirelessly to provide the UK COVID Inquiry with the materials it has requested. In total more than 19,000 documents have already been provided to the UK Inquiry.

“The initial requests received from the UK Inquiry focused on decision-making. As we have stated previously, it is not the culture within Scottish Government to routinely use systems such as WhatsApp for decision-making. Decisions are routinely made in minuted meetings or through formal submissions to Ministers. All relevant records of both of these have been provided to both Inquiries already.

“Scottish Ministers requested and received a Section 21 order earlier this week which will allow us to share over 14,000, mainly WhatsApp, messages from various groups and individuals over the period of the pandemic, mostly concerning routine coordination of work and meetings by officials.

“The Scottish Government will continue to fully cooperate with both inquiries.”

Background

In late 2022, the UK Inquiry asked about the Scottish Government’s use of informal communication (including WhatsApp) in relation to decision making, and for any messages regarding this. Records management guidance has always been clear that, regardless of the platform, information that is relevant to the corporate record must be saved.

The UK inquiry asked in June 2023 for summaries of all WhatsApp and similar groups relating to co-ordination, logistics and day-to-day communication, thereby greatly expanding the scope of what the Scottish Government needed accordingly to collate and process.

That request was followed in September 2023 by a request for the actual messages that were exchanged within those groups.

On 2 November 2023, the First Minister said: “As First Minister and the head of the Government, when submitting my statement, I will be handing over my messages in full and unredacted.”

HUMZA YOUSAF IS “DIZZY FROM HIS OWN SPIN” – BAILLIE

EMBARGOED: 00.01 SUNDAY 5 NOVEMBER

The First Minister has been left dizzy from his own spin over the ongoing Covid WhatsApp cover-up, Scottish Labour has said today.

The party has set out a timeline of Humza Yousaf’s many contradictions and U-turns on the Covid inquiry over the last six months.

In June the First Minister promised that all messages including WhatsApps had been retained and would be shared with the inquiry in full – but this week he applied heavy caveats, stating that it is his “expectation” that all “relevant” information would be retained and shared.

He initially said that the Scottish Government has a policy of retention for WhatsApp messages, only to later claim the policy was to delete them – while also insisting he has kept his own.

Despite promising to investigate concerns that messages had been deleted, the First Minister subsequently insisted he could not confirm whether information has been destroyed.

Jackie Baillie, who has called for full transparency from the Scottish Government on this matter, branded the SNP’s failure to comply with the inquiry a ‘shameful betrayal’ of the bereaved families.

Commenting, **Scottish Labour Deputy Leader Jackie Baillie** said “Humza Yousaf must be getting dizzy from his own spin as he desperately attempts to defend the indefensible.

“The First Minister’s story is changing by the day and his muddled excuses are cold comfort to those seeking answers about the catastrophic mistakes his government made during the pandemic.

“Make no mistake, the SNP’s failure to properly comply with the inquiry is a shameful betrayal of the families who are seeking justice.

“While the SNP scramble to cover their tracks, all those who lost loved ones and made sacrifices are robbed of their chance to get the truth.

“The same old SNP secrecy and cover-up won’t cut it – we need real transparency from this government and some straight answers from Humza Yousaf.”

ENDS

Notes

May 2023: Humza Yousaf said that, if a request for messages, including on WhatsApp, was made, the Scottish Government should be “absolutely open and transparent”.

June 2023: He promised that any material asked for – including Whatsapps, signals and telegrams – would be handed over in full.

Anas: Will the First Minister confirm that all ministers and officials, past and present, have complied with the do not destroy instruction? Will he give a guarantee that all requested emails, texts and WhatsApp messages will be handed over in full to the inquiry?

The First Minister: Yes, they will. [...] To ensure that there is simply no doubt whatsoever, any material that is asked for—WhatsApp messages, emails, Signal messages, Telegram messages or whatever—will absolutely be handed over to the Covid inquiries and handed over to them in full.

June 2023: He said that it is Scottish Government policy to retain social media correspondence.

“We have—and have had—a long-standing policy on retention not just of documents but of written correspondence, including email and social media messages.”

26 October: He said **relevant** information will be handed over – a change in language from promising all information requested would be shared.

We will hand over, and have handed over, any potentially relevant information that we hold, be that on WhatsApp, in email or in any correspondence.

26 October: He said he would investigate concerns that have been raised about the destruction of messages.

We will continue to co-operate fully with the public inquiries—both the UK inquiry and the Scottish inquiry. The concerns that have been raised will be fully investigated.

30 October: He said the Scottish Government had a policy to delete WhatsApp messages – but he has kept his own.

We had a social media messaging policy which actually required us to delete WhatsApp interviews.

But despite this, he said he kept his own messages:

I've kept WhatsApp messages and fully intent to hand them over.

2 November: He heavily caveated his comments on the retention and provision of evidence to the Covid inquiry.

It is absolutely my expectation, and that of the Permanent Secretary, that potentially relevant information should be kept, recorded in the appropriate way and handed over to the inquiry when that is requested.

And he insisted he does not know whether other members of his government have complied with requests.

I do not know what other requests have gone to individual ministers or cabinet secretaries, nor do I know what they have submitted.

ePC Fol

The Mail on Sunday have asked about an SG Fol response, published a year ago, which shows more than £27,000 worth of spending on SG ePC cards was fraudulent. The journalist is asking what was reported to police and wrongly asserting that the Fol also shows civil servants defrauded SG out of £27,000 using ePCs in the last three years.

A Scottish Government spokesperson said:

“We are committed to delivering the best value for money for taxpayers, and spending through ePC cards is used to support government officials during their usual course of work such as on training, catering, room hire and one-off supplies.

“There are clear authorisation and regular auditing arrangements in place to monitor the use of ePC cards by card-holders, as well as to identify any potentially fraudulent activity by third parties. And where, for example the card-holder or bank suspect or identify such activity, the card is stopped and a replacement/new card is issued.

“In August the First Minister asked the Permanent Secretary to review ePC governance and compliance to ensure the right procedures are in place, and to identify any areas for improvement. We expect to be able to publish the findings of that exercise before the end of the year.”

Background

The Fol response published in October 2022 provides information about the number and value of fraudulent ePC transactions, but not the source of these.

Fol secrecy - follow up

We have had a follow-up media enquiry from the *Sunday Post* on FOI processes for searching personal email accounts, as well as any examples of a Minister having a personal email released.

A Scottish Government spokesperson said:

“The guidance has always been clear that regardless of the type of communication or the device used, information relevant to the corporate record must be saved. As such we are clear that Freedom of

Information legislation applies to government business, whether conducted by a government system or if it involved private emails.”

Original cleared line

A Scottish Government spokesperson said:

“Our longstanding Records Management Policy makes clear that records shall be retained as long as they are required to support the Scottish Government in its business requirements and legal obligations.

“The guidance has always been clear that regardless of the type of communication or the device used, information relevant to the corporate record must be saved. As such we are clear that Freedom of Information legislation applies to government business, whether conducted by a government system or if it involved private emails. As such any suggestion that using private emails would evade FOI obligations is simply not true.

“Scotland has the most open and far-reaching Freedom of Information legislation in the UK and the Government remains committed to fulfilling our obligations under FOI law to ensure openness and transparency.”

Background

The Scottish Government’s Records Management Policy is fully compliant with the Public Records Act (2011).

In relation to communication between the former Health Secretary and NHS Tayside, it is common practice for Ministers to task officials or clinical leads to engage directly with health boards on specific matters on their behalf with all relevant information between officials and the board saved on the corporate record.

Request for WhatsApp messages

The Mail on Sunday is suggesting that the First Minister and Deputy First Minister said that Ministers and officials were first asked for any WhatsApp messages in September – but that is not the case. They were specifically talking about the request to the SG for messages from group chats

For info:

Personal requests were issued in summer and these could include WhatsApp messages but The Scottish Government does not know what was provided in these requests. The corporate request to the Scottish Government specifically for group messages concerning day-to-day business was received in September.

The First Minister

I will again try to clarify some of the issues that Anas Sarwar has raised. It is crucial to say that, when the UK Government inquiry asked us in June for details of the various WhatsApp groups concerning Covid 19, it did not request the messages themselves. The messages were asked for in September, just a matter of weeks ago. The Scottish Government then asked for a section 21 order because of the personal information in some of those messages, and that was received. Now, of course, we will meet the deadline of 6 November to hand over 14,000 messages in unredacted form.

The Deputy First Minister and Cabinet Secretary for Finance (Shona Robison)

The initial requests that were received from the UK inquiry focused on decision making. As we have stated previously, it is not the culture within the Scottish Government routinely to use systems such as

WhatsApp for decision making. Decisions are routinely made in minuted meetings or through formal submissions to ministers. All relevant records of both have been provided to both inquiries already.

The UK inquiry asked in June for summaries of all WhatsApp and similar groups relating to co-ordination, logistics and day-to-day communication, thereby greatly expanding the scope of what the Scottish Government needed accordingly to collate and process. That request was followed in September by a request for the actual messages that were exchanged within those groups.

Holyrood's Finance Committee Calls for Action to Ensure Fiscal Sustainability

The report says SG is not carrying out enough long-term financial planning to ensure Scotland's fiscal sustainability, and that the public service reform programme "has no overall strategic purpose with limited oversight and direction from government".

A Scottish Government spokesperson said:

"The Scottish Government fully recognises that we face one of the most challenging financial situations since devolution, with the Covid pandemic, the war in Ukraine, and high inflation putting significant pressure on households, the economy and public finances.

"As we set out in the Medium-Term Financial Strategy, we will do all we can within our powers to ensure public finances are on a sustainable path.

"The Scottish Government will carefully consider the Finance and Public Administration Committee's report and provide a full response to the committee after the Scottish Budget is published on 19 December."

News release

Embargoed until 00.01hrs MONDAY 6 November

Holyrood's Finance Committee Calls for Action to Ensure Fiscal Sustainability

The Scottish Parliament's Finance and Public Administration Committee is not convinced the Scottish Government is carrying out enough long-term financial planning to ensure Scotland's fiscal sustainability, says a report out today.

On the Scottish Government's public service reform programme, the committee says it has no overall strategic purpose with limited oversight and direction from government.

Finance and Public Administration Committee Convener Kenneth Gibson MSP said:

“As the Scottish Budget approaches, we’ve seen little evidence to suggest a shift away from the Scottish Government’s short-term approach towards financial planning; an approach hampered by reliance on one year UK financial settlements.

“We therefore strongly recommend that the Scottish Government produces a full response to the Scottish Fiscal Commission’s sustainability report, setting out the actions it will take to address the longer-term challenges ahead.

“We are also concerned that the UK Government’s decision not to inflation proof capital funding available to Scottish Ministers will mean a 16% reduction in 2028-29 compared to this financial year, at a time when governments need to invest in infrastructure to stimulate economic growth.

“The creation of a Scottish Government advisory group on taxation is welcome. Given the financial challenges ahead, it is imperative that their work to create a clear taxation strategy for Scotland proceeds at pace.”

On the government’s public service reform programme, Mr Gibson said:

“We are concerned that the focus of the government’s reform programme has changed multiple times since May 2022, as have the timescales for publishing further detail on what it will entail.

“Given the financial challenges facing the Scottish Budget, this represents a missed opportunity to be further along the path to delivering more effective and sustainable public services.

“The recommendations in our report aim to bring much-needed impetus, focus and direction to the Scottish Government’s reform programme.”

Dental waiting times for children and young people

Sunday Post are writing up a story about dental waits for children and young people – Freedom of Information requests sent to every Scottish health board have revealed children and young people have had to wait up to three years for NHS dental treatment.

Lines:

A Scottish Government spokesperson said:

“We continue to work closely with NHS Boards to maximise capacity and reduce the length of time people are waiting for appointments and treatment. This includes targets to address long waits and delivery of our £1 billion NHS Recovery Plan. We are seeing significant recovery in NHS dental service provision since infection restrictions were lifted with 3.8 million courses of treatment in the 12 months to June 2023 – an increase of 27% on the previous year.

“We understand that in certain areas NHS dental access is challenging and are working closely with health boards to ensure they have the necessary support to offer continuity of care to patients,

including providing grant support for new or expanded NHS practices where necessary. We invest more than £400 million in dentistry each year and the new NHS fee system, introduced on 1 November, will continue enhanced payments to practices for patients from the most deprived areas.

“These reforms seek to sustain and improve patient access to NHS dental services and protect oral health, particularly for children and vulnerable adults, by focusing on more patient-centred care such as preventative periodontal – gum disease – treatments.”

Background

Increased fees for NHS dentists

Scottish Dental Access Initiative Grants pay out a potential £100,000 for the first surgery, and £25,000 per additional surgery to practices setting up a new NHS practice or extending an existing NHS practice.

Charlotte Waite, director of British Dental Association Scotland, says the Scottish Government must provide greater support to dentists facing patient backlogs.

She said: “These years-long waiting times mean children will be left struggling to eat, to sleep and to learn.

“Dentists in our hospitals are confronting huge backlogs built up since lockdown, while facing real competition for theatre space.

“For the sake of our youngest patients, ministers need to provide priority and support.”

Scottish Lib Dem leader Alex Cole-Hamilton accused the Scottish Government of leaving children and young people languishing in pain.

He said: “Children and young people need excellent access to dental treatment because establishing good oral health can benefit them for a lifetime.

“Unfortunately, sky-high waits like these show that the government is completely failing to ensure that provision is available.

“With the cost of dental charges having now shot up, people are paying more for less under the SNP.

“We can’t continue down this rotten path any longer.

“To bring down waits and get people seen quickly, the Scottish Government must rewrite the failing NHS Recovery Plan to prioritise workforce planning and boost the number of dentists taking on NHS patients.”

Calls for inquiry - Christopher McGowan bail

The Sunday Mail have been in touch following comments made by Claire Inglis’ father on this case – comments below.

The journalist also said that Conservative MSP Russell Findlay has written to the First Minister – not asking him to get involved with the independent court process but calling for an independent inquiry to look into how Christopher McGowan was bailed, despite having previous convictions.

The lines below issued a week ago and we have added some background about the Bill, [redacted].

Info shared

Victim Safety (Remand Decisions)
Russell Findlay (West Scotland) (Con)

Share

Claire Inglis was tortured and murdered in her own home, leaving behind a young son. Fiona and Ian Inglis have found the strength to be here today, 24 hours after their daughter's killer was jailed. They are here for answers. Why was a violent criminal with dozens of convictions granted bail not just once or twice but five times? Since Claire's murder, why has the Scottish National Party Government passed a law that will make it even harder to remand criminals in custody? Will Humza Yousaf commit to an independent, robust and transparent inquiry?

The First Minister (Humza Yousaf)

Share

First and foremost, my thoughts are very much with Ian and Fiona Inglis—Claire's parents. I cannot imagine the trauma and grief that they are going through. There cannot be anything more unnatural in this world than to have to bury one's child. I extend the condolences and sympathies of the Government to Ian and Fiona.

Forgive me, Presiding Officer, but, with your indulgence, I will take a bit of time to answer some of the questions that Russell Findlay has posed on behalf of the family.

First, it is appropriate for me to say that decisions about bail and remand are, of course, for the independent judiciary and courts to determine. They are not for the First Minister, any Government minister or any politician to interfere in or intervene in.

I do not agree with Russell Findlay's characterisation of the Bail and Release from Custody (Scotland) Act 2023. The act makes it clear for the first time that the court should specifically consider victim safety, which includes safety from physical and psychological harm, when applying the new bail test. That is explicit for the first time in the 2023 act. Victim safety is at the heart of any decision that should be made on bail and remand.

On the independent inquiry that Russell Findlay has asked for, he knows that I cannot intervene or interfere in the decisions of the judiciary. On the concerns that have been raised by Russell Findlay and Ian and Fiona Inglis when it comes to prosecutorial decisions and decisions to either oppose or accept bail conditions, I will convey those concerns directly to the Lord President and the Lord Advocate, and it will be for them to appropriately respond. I cannot demand an investigation into a decision that has been made by the independent judiciary; it would be unwise for me to do so, because that would undoubtedly be seen as interference with a decision that has been made by the independent judiciary.

This dreadful and tragic case reminds us of the need to do more to tackle domestic abuse and domestic homicide. That is why the Scottish Government is committed to developing a multi-agency domestic homicide review model in partnership with key stakeholders. I will give more information on that to Russell Findlay and any other member who has an interest.

Comments:

Ian said: "It's a terribly hard situation. We've been devastated by the loss of our daughter.

"On one hand we want to ensure the new Bail and Release from Custody Act is fit for purpose and what happened to Claire never happens again. We want to make sure no other family has to go through the heartbreak and pain that we have suffered.

"Violent criminals should not be granted bail and this Act should not make it easier for violent criminals to be granted bail.

"However we also don't want to forget Claire and although her killer is now behind bars, we want to know who was behind the decisions that left him free to kill her.

"McGowan had a lengthy rap sheet of previous convictions, including for violence, breaching bail and domestic abuse, so who looked at his case and thought it was a good idea to release him to my daughter's house to live with her and her young son.

"Claire's mother and I honestly believe if that decision to bail him had been different, Claire would still be alive today.

"In this case he has been caught, taken to court and jailed. But we still have no answers as to why he was free to kill her in the first place. There is no come back, no explanation and no apology.

"He should have never been freed and as a result of him being granted bail, he was free to kill our beautiful daughter whose death we will never get over."

Short term lets - Conservative comments

We've had an enquiry from PA on the length of time it is taking to process short term let applications. In the below news release which is embargoed until tomorrow, the Scottish Conservatives have said that the delays are hammering Scottish businesses.

A Scottish Government spokesperson said:

"Short term lets operators who applied before 1 October can continue to operate while their applications are being assessed. Operators have come forward with significant numbers of applications now so licensing authorities continue to process and grant licence applications, for new and existing hosts, and are continually updating their publicly available registers to reflect the status and numbers of applications.

"The introduction of licensing safeguards the role short-term let accommodation plays in our economy by providing assurance to guests on safety and quality, such as gas certificate compliance and suitability of electrical equipment.

"Licensing of short-term lets for the first time means we have reliable and up-to-date data about the sector in Scotland. We'll use this data and other information gathered during engagement with licensing authorities and other stakeholders, as part of ongoing monitoring, and also to provide Parliament with an update on implementation in early 2024."

Delays in short-term lets licensing 'hammering Scottish businesses'

Scottish Conservative and Unionist Party press office

Friday 3 November 2023

FAO: all newsdesks

Embargo: 00.01hrs Sunday 5 November

Licence applications under the SNP-Green government's "reckless" new short-term lets scheme are taking more than three months to process in around half of Scotland's councils.

Responses to Scottish Conservative Freedom of Information requests reveal that operators wait an average of more than a quarter of a year for applications to be dealt with in 14 of the 28 local authorities which replied.

Shadow secretary for business, economic growth and tourism Murdo Fraser said that short-term let providers, the tourist industry and the Scottish Conservatives had "repeatedly warned" the SNP-Green Government about the likely impact of the regulations.

But ministers refused to delay the implementation of the scheme – and large numbers of operators are now leaving the sector.

He added that the waits being experienced by businesses were yet another example of the Nationalist coalition "hammering small businesses and our tourism sector" with a series of unnecessary regulations.

Shadow secretary for business, economic growth and tourism Murdo Fraser MSP said: "The Scottish Conservatives, small businesses and the tourism industry repeatedly warned the SNP-Green government about the damage these reckless regulations were likely to cause.

"But ministers stubbornly refused to listen and, instead of pausing for consultation, ploughed ahead with their plans.

"They insisted that the requirements were not onerous, and would have little impact on the sector, yet licences have already been refused for buildings that are under the control of ministers themselves.

"And it turns out that operators are facing not just unnecessary bureaucratic obstacles, but unacceptable delays because Scotland's councils – which have been starved of cash by the SNP-Greens – are ill-equipped to process applications.

"This is yet another example of the Nationalist coalition hammering small businesses and our tourism sector."

Notes

Processing times for short-term let applications are taking more than three months in at least 14 councils. Average processing times for short-term let applications under SNP-Green licensing scheme, are taking more than three months in at least 14 councils. This information was obtained through Freedom of Information Request by the Scottish Conservatives, with 28 of the 32 councils providing the requested for formation. (FOIs available on request).

A study for Airbnb last year found that the new licencing laws risk costing the Scottish economy as much as £133m, and could put more than 7,000 jobs at risk. (*New licensing system for short term lets could cost the Scottish economy £133m*, Biggar Economics, 9 June 2022, [link](#))

A report for Edinburgh Council forecast that up to 80% of Short Term Lets may have to close as a result of the SNP's legislation (*A Visitor Levy for Edinburgh: Progress Update and Draft Proposal, Policy and Sustainability Committee*, Edinburgh Council, 22 August 2023, [link](#))

STL consent was refused for Holyrood park lodges owned by Scottish ministers.

Edinburgh short-term lets: Consent refused for historic Holyrood park lodges owned by Scottish Ministers ([scotsman.com](#))

RUNNING ISSUES

Migration BANS Paper

The sixth paper in the Building a New Scotland series published on Friday 3 November at the V&A in Dundee – news release.

The Building a New Scotland series aims to provide people with the information needed to make an informed choice about Scotland's constitutional future.

SG work on Independence

“The Scottish Government is committed to giving people in Scotland the right to choose their constitutional future and to making the case that independence is essential to build a fairer and wealthier country – in line with the 2021 Scottish parliament election, which returned a clear majority and a democratic mandate in favour of a referendum.”

Housing Emergency

Edinburgh City Council have declared a Housing Emergency and called for more cash for current housing crisis.

Housing Minister Paul McLennan said:

“Tackling homelessness is a key priority for the Scottish Government and our Ending Homelessness Together action plan, developed with expert input, is the right strategy to end homelessness in Scotland.

“We are making available £3.5 billion over this parliamentary term to support delivery of 110,000 affordable homes by 2032, 70% of which will be for social rent. This includes investing at least £60 million to help local authorities and registered social landlords acquire properties for use as high quality, affordable, permanent homes.

“Rapid Rehousing Transition Plans play an important role in Scotland’s homelessness strategy and aim to reduce the need for temporary accommodation.

“We have provided local authorities with £52.5 million between 2018-24 for their plans to support people into settled accommodation.”

Gaza

Humanitarian aid for Gaza

Unison suspends local government strikes

A Scottish Government spokesperson said:

“We are pleased that strike action has been suspended, avoiding further disruption for children and families. We hope that local government workers can receive this pay rise as soon as possible.”

SG Hybrid working

A team leader in the Justice Transformation Policy Team spoke on a podcast about how some civil servants prefer WFH because “it’s very noisy in the office at the moment”.

A Scottish Government spokesperson said:

“The Scottish Government is committed to flexible hybrid working for our workforce, enabling staff to work from a range of settings. Managers are asked to establish a flexible hybrid model with their teams that ensures business needs are met.

“Our estate is under review to allow us to plan for affordable, inclusive, accessible, modern, secure, energy efficient buildings of the right size to meet our changing needs and net zero ambitions, as well as to ensure best value for taxpayers’ money.

“We are actively supporting our town and city centres, helping retailers and communities recover from the pandemic – not least through our retail strategy, City Centre Recovery Fund, the Town Centre Action Plan and Business Improvement Districts.”

Background

The annual People Survey is used to gather views from staff about their experience of working in the Scottish Government.

Scots becoming less healthy - Sunday Post

A new Lancet article on multimorbidity which says that Scots are becoming less healthy, we’ve been asked what SG believes are causes and what steps are being taken to address this, including investment in early years.

Public Health Minister Jenni Minto said:

“Scotland’s communities experience health, quality of life and life expectancy differently across our society.

“We’re focused on working with partners and taking preventative action to drive improvements in population health which will increase healthy life expectancy and reduce health inequalities.

“We know that deprivation is a significant driver of excess mortality and reducing poverty and inequality remains the best way of improving life expectancy – that’s why, in 2022-23, we invested £3 billion across a range of programmes targeted at low-income households, with £1.25 billion directly benefitting children.

“Cancer remains a national priority and we’re also working with NHS boards to deliver effective, evidence-based options for those at risk of, or diagnosed with, Type 2 diabetes. Since 2007, mental health spending has doubled in cash terms from £651 million to £1.3 billion.”

Background

We’re aware of the rise in the numbers of younger people being diagnosed with type 2 diabetes. The Scottish Diabetes Group has recently commissioned a Short Life Working Group to consider a care pathway for those diagnosed under 40.

Our Diet and Healthy Weight Delivery Plan sets out our vision where everyone eats well and has a healthy weight. We are committed to legislation to restrict the promotion of less healthy food and drink where they are sold to the public. Our forthcoming consultation will be on the detail of proposed regulations with a view to laying regulations subject to the outcome of the consultation.

The Scottish Government published a new 10-year cancer strategy, focused on improving cancer survival and providing equitable access to treatment. Last December we redesigned lung cancer diagnostic services to help ensure patients receive faster access to treatment.

Through our £250 million National Mission on drugs, which has helped support more than 300 grassroots projects, we are doing everything within our powers to tackle drug deaths and the total Drugs and Alcohol budget has increased again to £161.6 million in 2023-24. We will also increase our focus on a whole-government approach.

Firefighters attacks/cuts – The Sun

Firefighters claiming they're worried about being attacked on bonfire night, and blaming a lack of officers and resources.

Community Safety Minister Siobhian Brown said:

“Our emergency services put themselves in harm’s way to keep communities safe and it is utterly despicable that they should be subjected to any abuse or attacks at any time, not least when they are protecting people.

“To help crack down on such behaviour, new laws mean courts are required to take into consideration the use of fireworks or pyrotechnics as a possible aggravating factor in any attack on 999 crews. I fully support a zero tolerance approach on this and the courts in taking such offences into account in sentencing.

“Despite difficult financial circumstances due to UK Government austerity, we are providing the Scottish Fire and Rescue Service with more than £368 million this year, an increase of £14.4 million on 2022-23. We are maintaining front-line services, with a higher number of firefighters in Scotland than other parts of the UK.”

Background

The Scottish Government’s Fireworks and Pyrotechnics Articles (Scotland) Act 2022 ensures that courts are required to take into consideration the use of fireworks or pyrotechnics as a possible aggravating factor in any attack on 999 crews.

FOI - private emails/secret meetings – Sunday Post

Former Minister told Sunday Post that before WhatsApp there were ways to avoid info being released under FOI by using private emails and secret meetings.

A Scottish Government spokesperson said:

“Our longstanding Records Management Policy makes clear that records shall be retained as long as they are required to support the Scottish Government in its business requirements and legal obligations.

“The guidance has always been clear that regardless of the type of communication or the device used, information relevant to the corporate record must be saved. As such we are clear that Freedom of Information legislation applies to government business, whether conducted by a government system or if it involved private emails. As such any suggestion that using private emails would evade FOI obligations is simply not true.

“Scotland has the most open and far-reaching Freedom of Information legislation in the UK and the Government remains committed to fulfilling our obligations under FOI law to ensure openness and transparency.”

Background

The Scottish Government's Records Management Policy is fully compliant with the Public Records Act (2011).

In relation to communication between the former Health Secretary and NHS Tayside, it is common practice for Ministers to task officials or clinical leads to engage directly with health boards on specific matters on their behalf with all relevant information between officials and the board saved on the corporate record.

Prisons – BBC

Karen McCluskey from Criminal Justice Scotland discussed overcrowding in prisons and challenges in the wider system. She focused on issues after release and the links between poverty and crime, suggesting Scotland looks to Scandinavian countries for ideas.

A Scottish Government spokesperson said:

“While prison is needed for those who pose a risk to public safety, we recognise that the imprisonment rate in Scotland is high and we are taking action to address that. That includes ongoing investment in community-based interventions which we know are more effective at reducing reoffending than short-term imprisonment.”

“The recent Bail and Release from Custody Act seeks to refocus how remand is used so that it is reserved for those who pose a risk to public and victim safety. It also improves support for people leaving prison, helping them to successfully resettle in their communities and not reoffend.”

Background

We have provided the Scottish Prison Service £398.6 million in resource this year, £29 million more than last year, to support delivery of a stable and secure prison system on top of the £97 million in capital funding that we are giving to continue the modernisation of the prison estate to better meet the needs of staff and prisoners.

Increase in corroboration cases – Daily Record

looking for a response to a comment made by a senior criminal lawyer who has speculated that following the ruling on corroboration (Smith vs Lees) there will be a significant increase of cases going through the courts each year.

A Scottish Government spokesperson said:

“As the Lord Advocate has previously commented, this decision from the independent Appeal Court, on corroboration will improve access to justice for victims and has the potential to "transform" the way COFPS prosecute all offences, in particular sexual offences.

“The Scottish Government is working closely with justice partners to understand and respond to its likely impact across the system.”

Drone network – Daily Mail

Asked about yesterday's test flight of drones which can be used to transport essential medical supplies, bloods and medicines throughout Scotland to remote communities.

A Scottish Government spokesperson said:

“This innovative project will help ensure essential healthcare supplies are delivered where and when they are needed and improve equity of care between urban and remote rural communities. It also positions

Scotland at the forefront of drone technologies and demonstrates an effective industry partnership showing that when industry, academia and the public sector work together, they can deliver for Scotland.”

Background

The Scottish Government Chief Scientist Office provides over £2.5 million in funding to support the NHS Scotland Innovation infrastructure, which allows innovation projects to be carried out in NHS Scotland.

Scottish Languages Bill – BBC

[redacted]

For Information

The Scottish Languages Bill has been announced in Programme for Government and will be introduced to Parliament before the end of the current Parliamentary session.

Fireworks

We’ve had a query from BBC on Fireworks, asking if there has been measurable improvement since the fireworks act came into place and on the FBU saying cuts have meant the SFRS have been unable to do as much prevention work in run up to Bonfire night. In terms of measurement, we typically measure firework incidents in a window until 12 November, so it seems premature to draw any conclusions, and have made this clear within background.

A Scottish Government spokesperson said:

“The misuse of fireworks will not be tolerated and the Scottish Government supports the police and courts in dealing with offenders robustly.

“The legislation we passed last year introduced a range of new powers to control the use and distribution of fireworks, particularly to young people. It is also illegal for the public to use fireworks before 6pm and after 11pm - or midnight on 5 November.

“It is designed to support long-term cultural change in Scotland to help protect our communities and frontline services from the harm caused by fireworks misuse.

“Every year ahead of Bonfire Night, Scotland’s firefighters and community safety teams visit hundreds of primary and secondary schools to deliver safety presentations. As the fire service has stated, this year that has happened on the same scale as last year.”

Background

As firework incidents statistics are typically measured in a window until 12 November, it would be premature to draw any comparisons with last year’s numbers at this time.

The Fireworks and Pyrotechnic Articles (Scotland) Act was passed in 2022 and new laws are now in place for firework control zones, pyrotechnic possession offences, a proxy purchase and supply offence for under 18s, and additional protections for emergency workers.

SFRS figures show that since 2018, the number of deliberate fires in the three weeks prior to 5 November has fallen 35% from 1,302 to 907. You can find more information on figures and on what SFRS are doing in advance of Bonfire Night at <https://www.firescotland.gov.uk/news/deliberate-fire-setting-around-bonfire-night-falls-by-more-than-one-third-across-scotland/>

Document 6

Constitutional proactive messages by portfolio – **update 3 November 2023**

This document sets out published proposals under the Building a New Scotland series:

- proactive lines on the constitution
- additional lines for each portfolio on the alternative future as part of the UK

The document is owned by the Constitutional Futures Division and will be checked and recirculated regularly with significant updates/additions taking place following the publication of new material in the Building a New Scotland series.

This is not a briefing document. For constitutional briefing, please contact the CFD briefing team.

- **Top lines**
- **Devolution**

Ministerial portfolios:

- **Constitution, external affairs and culture**
- **Finance/Wellbeing economy, fair work and energy**
- **Net zero, just transition and transport**
- **Rural affairs and islands**
- **Social Justice**
- **Education and skills**
- **Health and social care**
- **Justice and home affairs**

Scottish Government staff messaging:

- **The work of government**

TOP LINES

- **Evidence shows independent countries comparable to Scotland are both wealthier and fairer than the UK. With all our resources and talent, why not Scotland?**
- **It is the Scottish Government's view that people who live in Scotland have the right to choose how they should be governed and to decide if Scotland should become an independent country.**
- **The UK Parliament has passed laws that undermine devolution and threaten vital regulations in the environment, food standards and employment sectors.**
- **Brexit has contributed to price rises, less money for public services, fewer people to work in Scotland's economy and fewer opportunities for Scotland's businesses and people.**
- **In an independent Scotland, people would have the opportunity to re-join the EU – a market that is seven times the size of the UK.**

Key points

- **Comparable countries:** The evidence shows comparable independent European countries are achieving better outcomes than the UK, with higher productivity and lower poverty rates.
- **Income:** Comparator countries have higher GDP per head: in 2020 Switzerland's GDP per head was 64% higher than the UK's, Norway's 50% higher, Denmark and the Netherlands 27% and Sweden's 21% higher. There is no reason an independent Scotland, with its wealth of assets and resources, could not emulate the success of comparable independent European countries.
- **Population/Workforce:** Brexit has made it harder for people in Scotland to work in Europe and for people in Europe to work here. Labour shortages are being felt in the accommodation and food sector, social care, construction and food manufacturing. Having powers over migration and re-joining the EU would give businesses access to skilled workers and help tackle a declining population.
- **Unfair labour laws:** In an independent Scotland, this government would reverse unfair labour laws, including the UK Trade Union Act 2016, as a first step in developing an approach to industrial relations that works in the interests of all.
- **Workers' rights:** With independence, this government would improve access to flexible working and strengthen workplace rights, including for agency and zero-hours contract workers, introducing a single rate of national minimum wage that better reflects the cost of living - with no lower rates for younger workers.
- **Investment:** In an independent Scotland, this Scottish Government proposes establishing a Building a New Scotland Fund of up to £20billion over 10 years, which would help to accelerate the transition to net zero and deliver long-term benefits to Scotland's economy.
- **Economy:** In March, the Office for Budget Responsibility repeated their expectation that the UK's GDP will be 4% lower in the long run due to Brexit. Every year, this equates to around £100bn in lost output, and around £40bn in lost public revenues – Scotland's population share of this is around £3bn.
- **Devolution:** The success of devolution is indisputable. Since Brexit devolution has been weakened by the actions and decisions of the UK Government: reducing the effective powers of the Scottish Parliament (without its agreement) and giving UK Ministers powers to intervene directly in devolved matters against the wishes of the Parliament.
- **A modern constitution:** Independence would provide the opportunity to create a constitution based on the sovereignty of the people and reflect the fundamental values of Scotland as a modern, European nation.
- **Protection of rights:** An independent Scotland should have a written constitution, that would protect the rights of those who live here, including the right to access a system of healthcare free at the point of need, the right to strike and the right to human dignity and

equality. Without independence, people in Scotland do not have this same level of protection: the UK Parliament can change fundamental human rights and the powers of the Scottish Parliament at any time.

- **Citizenship/migration:** straightforward routes to Scottish citizenship would be put in place as part of an inclusive and welcoming approach to migration and citizenship, including charging a fair rate for non-citizens to become citizens. On independence, most people in Scotland would become citizens automatically.
- **Scottish Government work on prospectus series:** The Scottish Government continues to prepare further material in the Building a New Scotland series, covering matters including pensions and social security, EU membership, energy, defence and foreign affairs. Five papers have been published so far.

Devolution

Key officials: [redacted], Brian Dornan, [redacted]

- **For almost 25 years devolution has had a positive impact on our society:** land reform; minimum unit pricing for alcohol; abolition of tuition fees; personal care for older people; expansion of childcare; and seven benefits only available in Scotland (including the Scottish Child Payment) have made Scotland better and fairer.
- **The latest [Social Attitudes Survey \(2021/22\)](#) shows support for devolution.** Most people in Scotland (63%) thought the Scottish Parliament is giving people more say in how they are governed. A similar proportion (64%) thought that the Scottish Parliament is giving Scotland a stronger voice in the UK.
- **The success of devolution is indisputable** and demonstrates exactly why decisions that impact on Scotland should be made in Scotland.
- **The UK Government is openly and repeatedly eroding the powers of Scotland's Parliament.**
- The devolution settlement included protections to prevent the UK Government removing powers from the Scottish Parliament or legislating in its areas of responsibility without its agreement (rules known as the Sewel Convention). **Following Brexit, the UKG reduced the effective powers of the Scottish Parliament** (without its agreement) and UK Ministers have been given powers to intervene directly in devolved matters, with the Sewel convention now being breached on 11 occasions.
- **The UK's Internal Market Act (IMA) was passed in 2020 without the agreement of the Scottish Parliament.** It means, in many cases, that future laws passed by the Scottish Parliament – in important devolved areas like food standards, animal welfare and environmental protection – will only have effect if the UK Government agrees. It gives the UK Government the power to subject Scotland's NHS to 'market access' principles.
- The **Deposit Return Scheme illustrates the negative impact of the IMA**, allowing the UK Government to sabotage a scheme that is entirely within devolved competence by ignoring the agreed process by which exclusions are supposed to be agreed to, demonstrating the UK Government's disregard for devolution.
- **The IMA also gives UK Ministers powers to spend money directly on devolved areas**, using funding that would otherwise be given to the Scottish Government and Parliament to spend according to priorities determined in Scotland.
- **The UK Government is taking other powers to act in devolved areas**, despite the protests of the Scottish Parliament, including powers that will let UK Ministers

unilaterally change laws passed by the Scottish Parliament with no need for any agreement from Scottish Ministers or MSPs.

- **The UK Government is also using unprecedented mechanisms to undermine the Scottish Parliament's legislation**, notably using section 35 of the Scotland Act 1998 to prevent the implementation of the Gender Recognition Reform Bill, which risks setting a dangerous constitutional precedent by allowing a veto on the Scottish Parliament's democratic decisions.
- **There is now a strong concern that the UK Government will use this power more regularly**, and that the section 35 power is no longer regarded by the UK Government as a "last resort".

Constitution, external affairs and culture

Key CFD officials: Brian Dornan, [redacted]

Key portfolio officials – [redacted]

Key points from published papers

- **There is a substantial majority in the Scottish Parliament** in favour of giving the people of Scotland the choice of independence through a referendum.
- **Independence will put the power to decide Scotland's future in Scotland's hands**, with decisions made by governments the people of Scotland have voted for.
- **Scotland is the only part of the UK where the number of people of working age is expected to fall over the next 25 years.** Labour shortages are being felt in the accommodation and food sector, social care, construction, and food manufacturing. Having powers over migration and re-joining the EU would give businesses access to skilled workers and help mitigate a declining population.
- Under this government's proposals, with independence, **Scotland's new migration system would be designed to attract working-age people and their families** to live here and make a positive contribution to our economy and communities, especially in rural and island areas. This would help ensure our businesses can access the skills and people they need.
- **Scottish citizens would be able to hold a Scottish passport** and get overseas assistance from Scotland's embassies and consulates across the world. After re-joining the EU, Scottish citizens would also have access to an extensive network of consular help from other EU countries – more than is currently available as part of the UK.
- **This Scottish Government would remove barriers to people acquiring citizenship** – for example, a fair rate would be charged for fees to become a citizen, and an interim constitution would ensure the citizenship process is simple and straightforward.
- A report by the British Chambers of Commerce in December 2022 shows that **77% of UK firms say the UK's post-Brexit trade deal with EU is not helping them grow their business.**
- **Re-joining the EU would provide opportunities for Scotland's economy to grow.** It would restore free movement of goods and people across 27 other EU member states - businesses would be able to access a market of over 450 million

people. As an EU member Scotland would benefit from the favourable terms of EU's existing and future trade deals.

- **As an independent EU member, the Scottish Government would develop measures to help traders adapt to new procedures and requirements.**
- **Under the Common Travel Area (CTA), people in Scotland would also be able to move freely within the UK, Ireland, the Channel Islands and the Isle of Man.** Rights to travel, live, work and access services would be protected and would continue for British and Irish citizens in Scotland, and for the citizens of an independent Scotland in the UK and Ireland.
- **An independent Scotland should have a codified constitution** – a set of rules that determines how a country works. An interim constitution would be put in place for day one of independence, followed by a process to create a permanent constitution.
- People from across Scotland, from different backgrounds, would have a **direct opportunity to shape and build a better country by giving their views and ideas on what a Scottish constitution should include.** A Constitutional Convention would be set up to draft the permanent constitution and shape Scotland's 'rule book'.
- A codified interim constitution would mean that the **laws, legal systems, human rights and equality protections** that were in place in Scotland before independence would continue, including retaining His Majesty the King as Head of State as long as the people of Scotland wish that to be the case.
- The constitution should also include **how democracy, government and justice would work in an independent Scotland**, and how people could hold public authorities to account.
- **Scottish Ministers remain ready to engage** with the UK Government at any point on delivering a referendum on independence.
- **Independence would enable the people in Scotland to choose a new constitutional future, in which values and principles are embedded at the heart of a written constitution**, alongside the powers, functions and institutions of the state. As long as Westminster sovereignty prevails, it remains open for any current or future Westminster Parliament to change Scotland's constitutional arrangements and decisions made by the Scottish Parliament, including any progress on advancing human rights and equality in Scotland. Increased devolution will not change this.
- **The Scottish Government is committed to extending and protecting human rights and equality safeguards for people in Scotland.** But its ability to do so is limited by the devolution settlement: this makes it more difficult to bring in measures to protect workers' rights, for example. Independence would give Scotland the opportunity to enshrine rights into a constitution, which would make it much harder to amend protections via a simple majority vote in Parliament, for example.
- **New visas to visit, live, work, study and invest in Scotland would be established through a new migration system:**

- a main 'Live in Scotland' visa would allow people to live and work here without employer sponsorship if they meet certain broad criteria. It would incorporate a place-based element, which means it could support migration to rural and island communities
- a 'Scottish Connections' visa would give certain people immediate rights to live and work here if they have an enduring connection to Scotland
- a 'Work in Scotland' visa would be a visa through employer sponsorship, with simplified rules to allow more employers to recruit from abroad. A seasonal worker visa would also be introduced, removing the need for workers to be tied to a single employer
- a 'Family visa' would remove the current minimum income requirement that's currently in place for a UK family visa, making it easier for families to choose Scotland as a place to live while also helping to reunite families who have been separated

Without independence:

- Decisions of the Scottish Parliament can be blocked by the Secretary of State in Westminster, and any element of Scotland's constitutional settlement – including the existence of the Scottish Parliament itself - can be undone by a simple majority in the UK Parliament.
- There is no guarantee that key decisions on foreign policy and migration will take Scotland's interests, or the views and aspirations of its people, into account. Powers over migration are reserved to Westminster, which has rejected calls by the Scottish Government and expert groups in Scotland for an immigration policy that reflects Scotland's needs, aspirations and values. Scotland is the only part of the UK where the number of people of working age is expected to fall over the next 25 years, meaning it needs to attract talent from overseas.
- People in other, thriving, countries that have human rights in their constitution rule book have those rights protected. Without independence, the people of Scotland do not have that same level of protection. This would remain the case as long as Scotland is a part of the UK.
- The UK Government has shown it can easily change the protections we are used to. It could choose again to undo and override Scottish laws, with no constitutional rules to stop that from happening.
- Scotland has been taken out the EU despite voting to remain. Through Brexit, Scotland has lost access to the single market and trading relationships around the world. The people of Scotland have also lost their right to live, work and study across the EU. The loss of free movement between Scotland and the EU is likely to add further pressure to our declining working age population. Brexit has led to additional controls, conditions and documents for simple business trips, to receive medical care abroad or study at European universities
- Brexit has negatively impacted Scotland's culture and creative sectors. The increased cost and administrative burdens associated with touring have put working in the EU beyond the reach of many of Scotland's musicians and performers. Brexit has also ended access to key EU funding programmes such as Creative Europe, which plays a key role in encouraging vital cross-border cultural collaboration.

Finance/Wellbeing economy, fair work and energy

Key CFD officials: Brian Dornan, [redacted]

Key portfolio officials: [redacted]

Key points from published papers

- **Scotland is currently tied to a low-growth, low-productivity UK economy that is starting to feel the full effects of Brexit.** The full powers of independence, combined with existing strengths, could help to build a stronger economy and enable Scotland to be fairer, wealthier, greener and happier.
- **Scotland has the skilled people, the dynamic businesses and the natural resources to be just as successful as comparable European countries.** Independence would allow Scotland to make the most of its strengths and advantages.
- **The government of an independent Scotland would have full powers to take decisions over tax, spending and borrowing.** This government would set out clear rules on public finances, take a responsible approach to servicing a share of UK debt, and put in place a robust institutional framework with an expanded role for the Scottish Fiscal Commission and a new Debt Management Office.
- **The proposed Building a New Scotland Fund would invest up to £20bn** to boost growth, accelerate the transition away from fossil fuels and deliver long-term benefits to the economy. This would include projects to tackle climate change, help the economy grow in a fairer way and build affordable housing.
- **Brexit has been hugely damaging to Scotland's economy.** An independent Scotland would have the opportunity to apply to re-join the European Union which would restore free movement of goods and people between Scotland and the 27 other EU member states, giving employers access to skills and talent. It would give businesses access to the European Single Market, a market seven times bigger than the UK.
- **As a member state, Scotland would benefit from the EU's existing trade deals and its ability to negotiate new trade deals on beneficial terms** – the EU is the top trading partner for 80 countries. The Scottish Government would propose measures to help traders adapt to new procedures and requirements. This practical help would help businesses and people – in Scotland, the UK and EU – to make the most of the opportunities available.
- **The UK labour market is very unequal with relatively high proportions of both low and high wage workers:** 18.1% of workers in the UK receive low pay compared to 6.4% in the Netherlands and 8.7% in Denmark. A high proportion of income accrues to the top 1% of UK earners: 12.1% compared to 6.2% in the Netherlands and 7.8% in Belgium.
- **The UK's gender pay gap is higher than most European countries:** 19.8% compared to 5.8% in Belgium.
- **This government would seek to strengthen its Fair Work agenda in an independent Scotland,** introducing new protections where none currently exist. Building on current Fair Work policy and learning from the best-performing

European nations, an independent Scotland could develop a new, transformative model for the labour market.

- **This government would address low pay by introducing a single rate for the national minimum wage**—one that better reflects the cost of living—with no lower rates for younger workers.
- **A new approach to fair work could be developed in an independent Scotland**, with full control over employment law, equality legislation, industrial relations and social security, allowing us to tackle inequalities.
- **Greater transparency in pay reporting could be introduced with independence**, helping to better address Scotland's gender, disability and ethnicity pay gaps.
- **Improved access to flexible working in an independent Scotland** would give parents and carers, more choice over how to balance caring and employment responsibilities, helping to tackle child poverty.
- **Control over company law in an independent Scotland could support the evolution of a distinct Scottish system of corporate governance** where companies are required to state their purpose and operate in a manner that also benefits stakeholders and the environment
- **Scotland's migrants contribute more to government revenue via taxes than they take out through public services**: evidence shows those who choose Scotland as their home help to grow our economy, increase our productivity and innovation and address skills shortages, as well as making essential contributions to communities, culture and public services
- **The ability to set immigration policy after independence would give an opportunity for a new migration system that responds to the needs of all parts of the economy**. It would help to attract workers and their families to rural areas and islands
- **An independent Scotland would have a written constitution** which should include the right to strike and protection of island communities.

Without independence

- Significant powers including on tax and spending, immigration and employment are reserved. This makes it challenging for the Scottish Government to support people, communities and businesses whose lives have been impacted significantly by UK decisions during the most challenging financial situation since devolution. During the pandemic, the UK Government made profound changes to the constitution of the UK, with the Internal Market Act constraining devolved competence and giving new powers to UK ministers to spend money on devolved matters in Scotland. The proposed Retained EU Law (Revocation and Reform) Bill, and recent anti-strike legislation shows the rights and protections of workers are being eroded.
- UK Government policies are making major economic challenges worse, at a time when the Office for Budget Responsibility (OBR) forecast households' real disposable incomes to fall by 6% between 2021-22 and 2023-24. While the Scottish Government has had a cash increase in its budget, it continues to feel the sustained impact high inflation has had on its spending power. Limited levers are available to the Scottish Government to increase spending power in the face of the UK

Government's failure to ensure public spending responds to the real challenges facing people's lives.

- As a result of Brexit, Scotland has lost access to the European single market, and the EU's trading relationships across the world. Trade levels and competitiveness are being impacted by costly barriers to trade, while some sectors are facing labour shortages. Losing free movement between Scotland and the EU is likely to add further pressure to our declining working age population. Scotland is also missing out on more than £300 million in European support under the UK Government's Shared Prosperity Fund, which is supposed to replace all European funding.
- Economic activity is disproportionately concentrated in London and the South East of England which disadvantages other parts of the UK, including Scotland. Evidence presented in previous Building a New Scotland papers, shows the UK has lower productivity, consistently lower business investment, significantly higher inequality, and higher poverty than European countries comparable to Scotland.

Net zero, just transition and transport

Key CFD officials: [redacted]for wider economy and [redacted]and [redacted]on net zero

Key points from published papers: _

- **Currently the Scottish Government has no powers over electricity market design** and the UK government has failed to provide adequate support to develop Scotland's vast renewable energy potential.
- **Scotland is an energy-rich nation.** In 2021, Scotland generated enough renewable electricity to power every household in Scotland for three years as well as exporting electricity with an estimated wholesale market value of £2.4 billion.
- **The full powers of independence would give Scotland the opportunity to accelerate production of its enormous renewable energy resources** and redesign the energy market to provide secure and reliable low-cost energy, bringing benefits to households and businesses. Scotland's massive offshore wind potential, for example, could supply renewable electricity not only for Scotland, but also for export to the UK and Europe. The economic and employment opportunities presented by the shift to net zero are huge.
- Proposals like nurturing Scotland's advantages and incentivising investment in technologies like **hydrogen and carbon capture and storage could deliver significant economic benefit** and jobs and improve the country's self-reliance in energy and security of supply.
- **The Building a New Scotland Fund – a proposal of this government - would seek to boost growth, accelerate the transition away from fossil fuels and deliver long-term benefits to the Scottish economy.** It would use new powers and access to resources – including proceeds from oil prices, to spend up to £20 billion on infrastructure projects to, for example, build and renew homes to decarbonise Scotland's housing stock, and support energy efficiency measures.
- **Control over company law in an independent Scotland could support the evolution of a distinct Scottish system of company ownership** and corporate governance. For instance, companies could be required to state their purpose in

their articles of association and operate in a manner that benefits their stakeholders including workers, customers, communities and the environment.

- **This government proposes embedding the right to a healthy environment in both the interim and permanent constitutions** of an independent Scotland. This would reflect Scotland's role as a leading nation in developing a wellbeing economy, ensuring that Scotland's economy is in service of our people and our planet. Alongside the right to a healthy environment in the constitution, the permanent constitution could include specific content on the sustainable use of natural resources, Scotland's commitment to sustainable development and tackling climate change and the protection of the natural environment, including biodiversity.
- Being able to set policy around a new migration system in an independent Scotland would give an opportunity to **establish safe, legal routes to Scotland for those most affected by climate change**

Without independence

- People, communities and businesses are being negatively impacted by the current uncertainty, high prices and global market volatility in our energy sector. With energy policy largely reserved, the Scottish Government has called on the UK Government to permanently break the link between the price of electricity and the cost of gas.
- With much of energy policy reserved, UK decisions have not acted in Scotland's interests and have had long-term effects. The UK's current market approaches incentivise nuclear power, instead of incentivising renewable technologies where Scotland has significant natural resources (such as pump storage hydro) or potential (such as Carbon Capture and Storage). Currently, generators in Scotland also pay the highest charges in the UK for access to and use of the GB grid system. The UK Government also failed to invest Scotland's North Sea oil revenues in a fund which, according to one estimate, could now be worth over £500 billion – around three times Scotland's annual national income.
- Scotland may have to accept different and potentially lower standards set elsewhere in the UK on devolved areas like environmental protection and animal welfare. The UK Internal Market Act 2020 is likely to have a significant adverse effect on devolution, by requiring Scotland to potentially accept standards for goods and services set elsewhere in the UK, and effectively limiting the Scottish Parliament to set standards in devolved policy areas.

Rural affairs and islands

Key CFD officials: [redacted]for wider economy and [redacted]on rural

Key portfolio officials: [redacted] (rural[redacted] (marine) and [redacted] (islands)

Key points from published papers:

- **Scotland's food and drink sector added £5.8 billion to the economy in 2019.** Scotch whisky is the UK's biggest drink export, accounting for a fifth of all UK food and drink exports. Scottish salmon is the UK's biggest single food export.
- **Manufacturing (food and drink is Scotland's biggest manufacturing sector), tourism and hospitality are currently experiencing severe labour shortages.**

Access to the EU's single market, with free movement of people across EU countries, would help these major employers access a wider workforce.

- With independence the Scottish Government would have the powers to address these shortages:
 - **Independence would provide an opportunity to create a new migration system** that would allow rural and island areas and businesses to get the workers they need by regaining access to talented and committed people from across Europe and the world. Places and sectors in need of more people would be specific priorities.
 - **Migration policies would also attract families to rural and island areas**, helping to boost populations and contribute to rural economies
 - **This government proposes setting up a Building a New Scotland Fund**, which could be used to support projects such as work to digitally connect remote, rural and island communities, helping to reduce digital exclusion. The fund would also support house building, including in rural areas
- This government proposes an interim constitution on day one of independence that would include a provision **reflecting and protecting the specific interests and needs of island communities**.
- **An independent Scotland would have full control over citizenship and migration policy**: meaning systems could be built to encourage people to settle here permanently, helping to grow our population and support our communities and public services. The interim constitution would reflect our citizenship proposals.
- **Most people currently living in Scotland would become citizens automatically**, without needing to do anything once Scotland becomes independent. For those without automatic citizenship, routes to citizenship would be simple and straightforward. Scottish citizenship would be a choice.
- **This Scottish Government would remove barriers to people choosing to acquire citizenship** – for example, a fair rate would be charged for fees to become a citizen.

Without independence

- The food and drink sector has borne the brunt of the hard Brexit pursued by the UK Government with the loss of free trade. Complicated and costly export paperwork means seafood often takes longer to get to market, reducing quality, and is estimated to have cost UK food businesses £60 million in 2021. Fresh produce fetches a lower price or loses value entirely, while some products like Scottish seed potatoes are no longer able to be traded with the EU at all.
- Sectors, particularly those in rural, island and coastal areas are facing labour shortages because of Brexit, the industry estimates 20-25% of vacancies are unfilled throughout the seafood industry Losing free movement between Scotland and the EU is likely to add further pressure to our declining working age population.
- Since Brexit, Scotland has lost access to a number of EU funding schemes supporting rural communities. That includes access to maritime and fisheries funding, research scheme funding and loss of membership of the Common Agricultural Policy (CAP), which provided our farmers and the wider rural economy with a stable multi-year funding framework.

Social Justice

Key CFD officials [redacted] for wider economy/labour market, [redacted], Brian Dornan [redacted] on social security

Key portfolio officials: [redacted] (social justice/CP), [redacted] (welfare), [redacted] (UNCRC), [redacted] (human rights), [redacted] (social security), [redacted] (GRR)

Key points from published papers:

- **In an independent Scotland, human rights and equality would be at the heart of an interim constitution**, put in place on the first day of independence. This would include the rights of children, women, minority ethnic communities, disabled people and refugees. It would also include economic, social and cultural rights such as the right to an adequate standard of living, which includes the right to adequate housing.
- **An independent Scotland would have full control over citizenship and migration policy**, meaning systems could be built to encourage people to settle here permanently, helping to grow our population and support our communities and public services. The interim constitution would reflect our citizenship proposals.
- **New visas to visit, live, work, study and invest in Scotland would be established through a new migration system:**
 - a main 'Live in Scotland' visa would allow people to live and work here without employer sponsorship if they meet certain broad criteria. It would incorporate a place-based element, which means it could support migration to rural and island communities
 - a 'Scottish Connections' visa would give certain people immediate rights to live and work here if they have an enduring connection to Scotland
 - a 'Work in Scotland' visa would be a visa through employer sponsorship, with simplified rules to allow more employers to recruit from abroad. A seasonal worker visa would also be introduced, removing the need for workers to be tied to a single employer
 - a 'Family visa' would remove the current minimum income requirement that's currently in place for a UK family visa, making it easier for families to choose Scotland as a place to live while also helping to reunite families who have been separated
- **Most people currently living in Scotland would become citizens automatically**, without needing to do anything once Scotland becomes independent. For those without automatic citizenship, routes to citizenship would be simple and straightforward. Scottish citizenship would be a choice.
- **This Scottish Government would remove barriers to people choosing to acquire citizenship** – for example, a fair rate would be charged for fees to become a citizen.
- **Scotland would continue to be an inclusive and open country**, valuing everyone who makes their home here. Non-citizens would share many of the same rights in Scotland that Scottish citizens would hold – for example the right to vote.
- In an independent Scotland, this Scottish Government would **introduce an independent Migrants' Commissioner** – something the UK Government has not

implemented despite previous Home Office commitments to do so in light of the Windrush scandal.

- **This government would demonstrate our respect for human rights and social justice by offering protection to those who need it most:**
 - Independence would give an opportunity to use new powers to put systems in place that help people to integrate into communities from day one, for example giving those seeking asylum the right to work.
 - Long term or indefinite immigration detention would end.
 - As a member of the EU, Scotland would participate in the EU refugee resettlement initiatives

Without independence:

- UK Government decisions on social security have had long-term effects on the people in Scotland. [Joseph Rowntree Foundation research](#) has shown that 90% of low-income households are going without the basics such as food or a warm home.
- The Scottish Government continues to mitigate against the policies and decisions of the UK Government. This includes making £83.7m available to local authorities to spend on Discretionary Housing Payments in 2023-24, which will allow them to fully mitigate the bedroom tax and also to do as much as they can to protect people from the damaging impact of other UK Government welfare cuts including the benefit cap. We are also continuing to invest £41m in our Scottish Welfare Fund in 2023-24. Scottish Government analysis (April 2022), highlights that were the UK Government to reverse key reforms, introduced since 2015, this would put £780m into the pockets of Scottish households and lift 70,000 people, including 30,000 children, out of poverty this year.
- The Scottish Government is doing all it can within its devolved powers to tackle fuel poverty during the ongoing energy price crisis, which is why, having doubled the Fuel Insecurity Fund last year, we have now tripled it to £30 million for 2023-24. We have called for more action from the UK Government to ensure energy is affordable and to provide additional support for vulnerable consumers. With energy bills still at historically high levels and the UK Government's Energy Bills Support Scheme withdrawn, over the next year this Fund will continue to be a vital lifeline for many struggling households.
- Scotland's journey to protect human rights has been limited by the UK Government's approach.
 - The UK Government has abandoned proposals to repeal the Human Rights Act 1998. But legislation such as the Illegal Migration Act continues to undermine vital human rights safeguards.
 - The Scottish Government is consulting on proposals for a Scottish Human Rights Bill that will incorporate internationally-recognised economic, social, cultural and environmental rights into Scots law, as far as possible within the limits of the current devolution settlement.
 - The Supreme Court also ruled that the Scottish Government's Bill to incorporate the rights set out in the United Nations Convention on the Rights of the Child (UNCRC) into Scots law cannot affect the interpretation or implementation of Acts of the Westminster Parliament.

- The Scottish Parliament overwhelmingly backed the Gender Recognition Reform Bill to improve the process for a trans person to obtain a gender recognition certificate, and the Bill as passed is clearly within legislative competence. The UK Government's decision to veto the Bill is disrespectful to Scotland's Parliament and the MSPs who have been part of its scrutiny, consideration and passing. The Scottish Government will vigorously defend the Bill and the democratic will of the Scottish Parliament.

Education and skills

Key CFD officials: Brian Dornan, [redacted] and [redacted]

Key portfolio officials [redacted] (UNCRC), [redacted] (Children and families)

Key points from published papers:

- Under proposals from the current Scottish Government, an independent Scotland would apply to re-join the European Union. **On re-joining the EU, Scotland would again be able to welcome students from EU countries to its colleges and universities**, with EU students able to enjoy the same access to higher education as Scottish domiciled students.
- If an independent Scotland re-joined the EU, **Scottish students would be able to take part in schemes like Erasmus**, equipping young people with the language, skills and international outlook required to meet the economic challenges and opportunities Scotland faces.
- **Re-joining the EU would also provide higher institutions in an independent Scotland with access to funding, data, equipment, research, networks and talent.**
- **Full migration powers would allow new policies to be put in place to attract international students:** a new five-year Scottish Connections visa would replace the two-year post-study work visa, currently offered by the UK Government. This means international graduates of Scottish universities could apply straight after their studies to stay in Scotland to live and work for a further five years.
- **With full powers, including on migration, the higher and education sectors in an independent Scotland could play an even greater role growing the economy.** By encouraging long-term settlement including through improved family migration routes and a comprehensive post-study work offer outlined in the migration paper, Scotland could begin to address the challenges of a declining population and benefit from the skills, culture and contributions of those who have chosen to study here.
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- Under the Scottish Government's proposals, in an independent Scotland, **human rights and equality would be at the heart of an interim constitution**, put in place on the first day of independence. This would include the rights of children, women, minority ethnic communities, disabled people and refugees. It would also include economic, social and cultural rights such as the right to education.

Without independence:

- Brexit has removed Scotland from a range of EU programmes including the Erasmus+ student exchanges. Participation in Erasmus+ transformed the lives of thousands of students, schoolchildren, teachers, adult learners and young people, giving them experience of other cultures and life abroad as well as improving their language and career opportunities.
- Colleges, universities and the research sector have lost talent and reputation on the global stage through Brexit. The loss of free movement has led to a decline in EU students studying in Scotland while academics and researchers have lost access to European funding and opportunities to collaborate.
- Scotland's ability to strengthen protection for children's rights is limited. Due to the current devolution settlement, the Scottish Government's Bill incorporating the rights set out in the United Nations Convention on the Rights of the Child (UNCRC) can only cover devolved matters, like education and justice, not matters reserved to the UK Parliament, such as immigration and armed forces laws. The Supreme Court also ruled that the incorporation of the UNCRC into Scots law cannot affect the interpretation or implementation of Acts of the Westminster Parliament, even if those Acts cover devolved areas.

Health and social care

Key CFD officials: [redacted] (CFD).

Key portfolio officials: [redacted] (Health DG), [redacted] (Drugs)

Key points from published papers:

- This government proposes that an independent Scotland should have a **permanent written constitution, which would recognise the NHS and include the right to access a system of health care**, free at the point of need.

Without independence:

- The UK Government's continuing austerity programme has exacerbated inequality and worsened health outcomes. Cuts to funding and more conditions for social security benefits has meant lower incomes for the poorest in our society – this has negatively impacted mortality and increased health inequalities in Scotland.
- Brexit has impacted heavily on Scotland's health and social care workforce. Scotland is the only part of the UK where the number of people of working age is expected to fall over the next 25 years, meaning talent needs to be attracted from overseas. Remaining part of the UK risks further moves to limit immigration, whether from within or beyond the EU, which could adversely affect service delivery.
- The control of drugs is reserved to the UK Government under the Misuse of Drugs Act 1971. The Scottish Government has followed the evidence in recognising that a concerted and pragmatic public health approach is required to tackle the drugs deaths emergency and is using every lever at our disposal. However, the choices made by the UK Government under its powers currently limit the effectiveness of

this approach, by criminalising people with a health condition, who often experience health inequalities, and deterring them from accessing treatment.

- Devolved areas like health have been threatened by UK Government moves to destabilise the current constitutional settlement. For example, the Internal Market Act 2020 allows UK Ministers to subject “healthcare services provided in hospitals” and “other healthcare facilities or at other places” in Scotland, to market access principles. This means the Scottish Parliament cannot impose standards on goods coming into Scotland from other parts of the UK, constraining its ability to exercise devolved powers in health. The Strikes (Minimum Service Levels) Bill could see UK Ministers constrain the rights of Scottish healthcare workers to participate in industrial action and be given the power to become involved in NHS Scotland’s management of industrial action.
- Leaving the EU has impacted heavily on Scotland’s social care workforce. Scotland is the only part of the UK where the number of people of working age is expected to fall over the next 25 years, meaning talent needs to be attracted from overseas. Remaining within the UK risks further moves to limit immigration, whether from within or beyond the EU, which could adversely affect service delivery.

Justice and home affairs

Key CFD officials: [redacted] (justice) and [redacted] (defence)

Key portfolio officials: [redacted] (justice), [redacted] (defence)

Key points from published papers:

- This government would **only use immigration detention when there is a clear need**: the immigration removal centre at Dungavel would be closed and long-term or indefinite immigration detention would end.
- This government proposes an interim constitution on day one of independence, which should put a duty on the Scottish Government in power after independence to **pursue nuclear disarmament**.

Without independence:

- Since Brexit, Scotland has lost access to international justice systems like the European Arrest Warrant, and to real time Europe-wide alerts and notices about wanted or missing people. Police Scotland has instead had to use slower, less effective systems to check if people are wanted in the EU for serious crime.
- In 2021-22, the annual cost of maintaining the UK’s existing nuclear deterrent, made up of four Vanguard class submarines and their nuclear armed Trident missiles, amounted to £2.8 billion. On top of this yearly expenditure, the UK Government has now begun the process of replacing these submarines and their missiles with newer vessels and weapons. The UK Government’s estimate of the cost of designing and manufacturing the new submarines alone comes to £41 billion. This figure does not take into account the yearly cost of running and maintaining the replacement submarines (estimated to cost 6% of the total UK defence budget by the UK Government), nor the cost of introducing replacement missiles or nuclear warheads.
- The Scottish Government believes nuclear weapons are morally, strategically and economically wrong and is committed to pursuing their safe and complete

withdrawal. With nuclear weapons in only nine of the world's 195 countries, being a non-nuclear country is the norm rather than the exception.

- With defence reserved to the UK Government all decisions on base closures and spending are made in Westminster. These decisions can have far reaching implications for forces personnel based in Scotland and the communities they are located. UK decisions also impact Scotland's defence industry, in particular our small and medium sized enterprise sector, which the Scottish Government has an active role in supporting.

The work of government

Key CFD officials: [redacted], Brian Dornan, [redacted], Dominic Munro on independence key messages

Key points

- The Programme for Government set out by the First Minister in September 2023, set out the commitment that the Scottish Government will continue to build the case for an independent Scotland within the EU, including through the Building a New Scotland prospectus series.
- The role of the Civil Service is to support the elected government in developing and implementing its policies.
- Since the judgment of the Supreme Court that the Scottish Parliament's does not have the power to legislate for a referendum on independence, the First Minister has reaffirmed to the Prime Minister that the Scottish Government continues to seek the transfer of powers from the UK Parliament to enable another lawful referendum.
- The Permanent Secretary has set out that the SG's work programme on constitutional policy development, including independence, remains lawful, proper, and regular.
- The First Minister has appointed a Ministerial team that reflects the priorities that he will pursue in government – including tackling child poverty, improving public services, building a fairer, greener economy, and giving people the information about devolution and independence that they need to make an informed choice about Scotland's constitutional future.
- Further prospectus material in the Building a New Scotland series is in preparation, covering matters including pensions and social security, EU membership, energy, and Scotland's place in the world.

Document 7

Running issues 05 November 2023

Council tax freeze and short term lets –

In Scotland on Sunday, Edinburgh City Council leader has said they are facing a £20 million funding gap because of the council tax freeze. He also said that he hopes the short term lets scheme will mean more property becomes available for families.

Across other outlets including the Herald and Sunday Mail - Kevin Lang, a Lib Dem Councillor in Edinburgh has claimed that the Government won't commit to full funding for councils for the promised freeze and that this will lead to sweeping cuts.

Lines on council tax freeze cost

A Scottish Government spokesperson said:

“The Council Tax freeze next year will benefit every Council Tax-payer in Scotland at a time when rising prices are putting significant strain on household finances.

“The total funding will be discussed and agreed in partnership with Local Government, and will form part of broader funding decisions made in the 2024-25 Scottish Budget.”

Background

Legislation requires that local authorities should not set their council tax rate until they know their funding position for next year. This process will start immediately after the Scottish Budget on 19 December 2023.

The Scottish Government will be working with COSLA in the coming weeks to agree the detail of how freeze will be implemented.

Lines on council tax freeze

A Scottish Government spokesperson said:

“The Council Tax freeze will benefit every Council Tax-payer in Scotland at a time when rising prices are putting significant strain on household finances.

“Both the First Minister and Deputy First Minister have held constructive meetings with COSLA to discuss their concerns, reiterating that the Scottish Government will be fully funding this freeze. This is on top of the real-terms funding increase given to them this year. This will be taken forward in the budget the Scottish Government will bring forward for 2024/25.

“The Scottish Government remains wholly committed to the Verity House Agreement, and is continuing work with COSLA on a new fiscal framework for local authorities.

“We are also working on longer term reforms to the council tax system, which are being considered by the working group on local government funding that we are chairing jointly with COSLA.”

Background

[Council tax frozen - gov.scot \(www.gov.scot\)](https://www.gov.scot/council-tax-frozen)

The Scottish Government has increased the resources available to local government in 2023-24 by more than £793 million, a real-terms increase of £376 million or 3%, compared to the 2022-23 Budget figures.

Funding decisions for 2024-25 will be made as part of the Scottish Budget in December following discussions with local government.

Comments on controlling short term lets – from August 2022

“Edinburgh was the first local authority in Scotland to propose a Short-Term Let Control Area and Scottish Government approval represents a major step forward. We have committed to give local authorities the powers to address concerns about the impact of commercial short-term letting in their communities, should they want to do that. This is an example of that local choice in action – supported by the majority of respondents to the council’s consultation on the proposed designation.

“I recognise the important role which short-term lets play as a source of flexible and responsive accommodation for tourists and workers, which brings many benefits to hosts, visitors and our economy. However, we know that in certain areas, particularly tourist hot spots, high numbers of lets can cause problems for neighbours and make it harder for people to find homes to live in.

“The Scottish Government considers that the council has adequately considered and responded to concerns raised before seeking approval of the control area designation. We have concluded that the proposed designation would be reasonable.”

Short term lets news releases

[Licensing short-term lets](#)

[Short-term lets legislation approved](#)

[Controlling short-term lets](#)

[Licensing scheme opens for short-term lets](#)

[More time to apply for short-term lets licences](#)

[Two months to go before short-term lets licensing deadline](#)

[One month before short-term lets licensing deadline](#)

Tourist tax

Scotland on Sunday also has a comment from its Arts and Culture Correspondent who said that the proposed 'visitor levy' could have a detrimental effect on Edinburgh's standing and economy. They said that it could change Edinburgh's reputation as a visitor-friendly city and that any additional money raised would be swallowed up to cover council's ongoing shortfall.

They added that while it's not due to come into effect until 2026 and many local authorities support it, it could vary wildly across the country.

Lines from September 2023

A Scottish Government spokesperson said:

"The Visitor Levy Bill aims to increase funding for local visitor facilities by allowing councils to apply a levy on overnight stays if they wish to do so.

"The Scottish Government is working to ensure businesses play a central role in developing this legislation, having asked Visit Scotland to bring together figures from industry and local government to produce guidance on how this new discretionary power is used.

"The legislation requires local authorities to consult local businesses and communities before introducing a levy. They would also be required to provide a lead in time to allow businesses to put systems in place to collect the levy, helping to alleviate any administrative burden, and to publish assessments of how the measures are affecting local businesses."

Background

The Scottish Government does not have the power to decide how a visitor levy would be treated for VAT purposes. Matters relating to VAT are reserved under the Scotland Act 1998 to the UK Government and UK Parliament.