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**Nicola Sturgeon**

Bute House  
5 Charlotte Square,  
Edinburgh  
EH2 4DR

**Dear First Minister,**

We write to express the deep concerns of our business community regarding proposals to extend lockdown powers with the Coronavirus (Recovery and Reform) (Scotland) Bill.

In Parliament on January 11th, you set out your intention to move to a new phase of the pandemic – one where we, as a country, learn to live with this virus.

You made clear your wish to do so in a way that mitigates the harm posed “without the kind of restrictive measures that we are all tired of and which we know do harm in other ways”.

This pledge bears little resemblance to the Bill published this week, which seeks to enshrine what were emergency lockdown measures into law, giving ministers the power to enforce stay-at-home restrictions and shut down businesses and sectors without having to seek parliamentary approval.

The Bill, as it stands, in no way represents a framework for living with the virus; instead, it is a blueprint to go backwards, and we urge you to reconsider given the unprecedented opposition.

The public **oppose** these measures, with 85.8% of respondents to your consultation saying they were against allowing ministers to introduce wider lockdown measures through public health regulations.

Businesses **oppose** these measures, with 76% of our members believing that the government has failed to balance the health and economic harms to date.

Legal experts **oppose** these measures, fearing “significant restrictions on liberty” and a potential misuse or erroneous activation of the powers.

And opposition politicians **oppose** these measures, describing them as a “power grab” and an alarming and unnecessary overreach of the state.

The only meaningful check on these powers is that ministers must consider whether restrictions are proportionate. This is a balance the government has, in our view, consistently failed to get right, most recently with its disproportionate and damaging response to Omicron.

If the government’s decision making is driven by evidence and data, then the points above should be sufficient to have this Bill scrapped.

If it does proceed, then we urge you introduce five conditions to uphold public and business confidence in the government’s management of the pandemic moving forward.

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**They are:**

**1) That any emergency measures require the approval of 75 or more MSPs**

After the last two years, we should be looking for ways to add more balances and scrutiny to executive power, not undermining democracy and handing a free rein to ministers. Therefore, any measures should have some backing beyond the government benches.

## 2) That the Covid Advisory Group is expanded to include business voices

The Scottish Government's Covid Advisory Group currently has four sub-groups: Public Health, Education and Children's Issues, Universities and Colleges and Nosocomial Review. We want to see a business sub-group added, with representation on the main group, so that the economic harms of measures are given meaningful consideration.

## 3) That MSPs and officials take a 25% pay cut for the duration of any restrictions

Restrictions impose significant financial hardship on many businesses and their employees. It is important that our politicians and civil servants understand this sacrifice. Those making the rules should share and understand the financial pain being inflicted on those who are forced to follow them. The monies saved could then be invested in our economic recovery.

## 4) That any emergency funding is distributed within 48-hours of any restrictions

Many businesses are still awaiting support funding from the measures imposed in December. The financial response has been too slow and heaped further pressure on businesses. Any future restrictions must be accompanied with prompt financial support.

## 5) That Ministers publish plans to help our city centres recover from the pandemic

The government must now urgently publish the recommendations of the City Centre Recovery Taskforce, previously committed to as being published in the autumn, and back this up with significant additional funding to support cities to adapt to a post-covid economy.

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Enshrining what was purely an emergency measure into our long-term future – against the widely-expressed concerns of the public, businesses, law chiefs and your parliamentary peers – will have a corrosive impact on democracy.

Not only that it will put Scottish businesses at a competitive disadvantage, make this country less attractive to investors and put our economic recovery at real risk.

Please think again.

Yours sincerely,



**Russell Borthwick**  
*Chief executive*  
Aberdeen & Grampian  
Chamber of Commerce