



OFFICIAL REPORT
AITHISG OIFIGEIL

DRAFT

Delegated Powers and Law Reform Committee

Tuesday 17 December 2024

Session 6



The Scottish Parliament
Pàrlamaid na h-Alba

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DELEGATED POWERS AND LAW REFORM COMMITTEE

36th Meeting 2024, Session 6

CONVENER

*Stuart McMillan (Greenock and Inverclyde) (SNP)

DEPUTY CONVENER

*Bill Kidd (Glasgow Anniesland) (SNP)

COMMITTEE MEMBERS

Jeremy Balfour (Lothian) (Con)

Daniel Johnson (Edinburgh Southern) (Lab)

*Roz McCall (Mid Scotland and Fife) (Con)

*attended

CLERK TO THE COMMITTEE

Greg Black

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Delegated Powers and Law Reform Committee

Tuesday 17 December 2024

[The Convener opened the meeting at 10:00]

Decision on Taking Business in Private

The Convener (Stuart McMillan): Welcome to the 36th meeting in 2024 of the Delegated Powers and Law Reform Committee. I remind everyone to switch off, or put to silent, mobile phones and other electronic devices. We have received apologies from Jeremy Balfour MSP and Daniel Johnson MSP.

The first item of business is to decide whether to take items 5 and 6 in private. Is the committee content to take those items in private?

Members *indicated agreement.*

Instrument subject to Made Affirmative Procedure

10:00

The Convener: Under agenda item 2, we are considering one instrument, on which no points have been raised.

Land and Buildings Transaction Tax (additional amount: transactions relating to second homes etc) (Scotland) Amendment Order 2024 (SSI 2024/367)

The Convener: Is the committee content with the instrument?

Members *indicated agreement.*

Instruments subject to Negative Procedure

10:01

The Convener: Under agenda item 3, we are considering two instruments. An issue has been raised on the following instrument.

Town and Country Planning (Fees for Applications) (Scotland) Amendment (Amendment) Regulations 2024 (SSI 2024/369)

The Convener: The instrument corrects a minor error in the table of fees that a planning authority can charge for the submission of various planning applications. Under section 28(2) of the Interpretation and Legislative Reform (Scotland) Act 2010, instruments subject to the negative procedure must be laid at least 28 days before they come into force, not counting recess periods of more than four days. The instrument breaches that requirement, as it was laid on Thursday 5 December 2024 and came into force on Wednesday 11 December 2024.

In correspondence with the Presiding Officer, the Scottish Government explained that it considered it necessary to correct the error in the table of planning fees before the instrument setting those fees comes into effect.

Does the committee wish to draw the instrument to the attention of the Parliament on reporting ground (j), for failure to comply with laying requirements?

Members indicated agreement.

The Convener: Is the committee content with the reason stated for the failure to comply with the laying requirements?

Members indicated agreement.

The Convener: Also under this agenda item, no points have been raised on the following instrument.

Conservation of Salmon (Miscellaneous Amendment) (Scotland) Regulations 2024 (SSI 2024/368)

The Convener: Is the committee content with the instrument?

Members indicated agreement.

Instrument not subject to Parliamentary Procedure

10:02

The Convener: Under agenda item 4, we are considering one instrument, on which no points have been raised.

Housing (Cladding Remediation) (Scotland) Act 2024 (Commencement) Regulations 2024 (SSI 2024/370 (C 24))

The Convener: Is the committee content with the instrument?

Members indicated agreement.

The Convener: That concludes the public part of the meeting.

10:02

Meeting continued in private until 10:06.

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Official Report
Room T2.20
Scottish Parliament
Edinburgh
EH99 1SP

Email: official.report@parliament.scot
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