



OFFICIAL REPORT
AITHISG OIFIGEIL

DRAFT

Net Zero, Energy and Transport Committee

Tuesday 4 March 2025

Session 6



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Pàrlamaid na h-Alba

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NET ZERO, ENERGY AND TRANSPORT COMMITTEE

9th Meeting 2025, Session 6

CONVENER

*Edward Mountain (Highlands and Islands) (Con)

DEPUTY CONVENER

*Michael Matheson (Falkirk West) (SNP)

COMMITTEE MEMBERS

*Bob Doris (Glasgow Maryhill and Springburn) (SNP)

*Monica Lennon (Central Scotland) (Lab)

*Douglas Lumsden (North East Scotland) (Con)

*Mark Ruskell (Mid Scotland and Fife) (Green)

*Kevin Stewart (Aberdeen Central) (SNP)

*attended

CLERK TO THE COMMITTEE

Peter McGrath

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Net Zero, Energy and Transport Committee

Tuesday 4 March 2025

[The Convener opened the meeting at 09:23]

Subordinate Legislation

Scottish Road Works Register (Prescribed Fees) Regulations 2025 (SSI 2025/18)

The Convener (Edward Mountain): Good morning, and welcome to the ninth meeting in 2025 of the Net Zero, Energy and Transport Committee.

Our first item of business is consideration of three negative statutory instruments. Being laid under the negative procedure means that they will come into force unless the Parliament agrees to a motion to annul them. I confirm that no motions to annul have been lodged. The Delegated Powers and Law Reform Committee has made no comment on any of the instruments, but I will seek views on each of them in turn.

The first is the Scottish Road Works Register (Prescribed Fees) Regulations 2025. Do members have any comments on this instrument?

Douglas Lumsden (North East Scotland) (Con): When I was reading the instrument, the only thing that occurred to me was that the process seems to have been in place since 2008, but it remains unchanged. I would like to know from the Government whether it ever goes to tender.

I also noticed that the fees last year were just over £1 million. Do we have any idea of what the fees have been over the past, say, five or 10 years?

The Convener: I do not, and I do not know whether the process has ever been changed. When I was on the Rural Economy and Connectivity Committee, I remember seeing a previous instrument, whenever it came in—it must have been in 2000 or 2021. We could certainly ask the Government for more information on that at an appropriate stage.

Are you against the instrument in principle?

Douglas Lumsden: No, convener. It just would have been good to have had more information and background on what was coming today.

The Convener: Thank you. If no one else has any comments on the instrument, we will write a

letter to the Government specifically on the points that Mr Lumsden has raised.

I invite the committee to agree that it does not wish to make any recommendation in relation to the instrument.

Members indicated agreement.

Environmental Protection (Injurious Articles) (Fixed Penalty Notices and Miscellaneous Amendments) (Scotland) Regulations 2025 (SSI 2025/28)

The Convener: The second instrument is the Environmental Protection (Injurious Articles) (Fixed Penalty Notices and Miscellaneous Amendments) (Scotland) Regulations 2025. Does any member wish to comment on the instrument?

Mark Ruskell (Mid Scotland and Fife) (Green): I understand that there is to be a delay to enable a four-nations agreement to take place. That is understandable. However, I am concerned that I am hearing that, potentially, some forms of single-use vapes, known as large-tank vapes, might not be included in the regulations that will be in force across the United Kingdom. Given the delay, it would be useful to get the Scottish Government's view on whether the regulations are all-inclusive and whether any unintended loopholes are starting to appear. It would be good for the Government to address the concern that is out there.

The Convener: Does any other member have any comments? Monica, I see that you have your hand up.

Monica Lennon (Central Scotland) (Lab): On Mark Ruskell's point, it is important that we get this right, as there has been a huge amount of public interest.

My comment is more on the enforcement side. It would be good to hear more from the Scottish Government about how it expects it to work in practice, given that the responsibilities of the enforcement officers will be very public facing. There will be a lot of public interest in getting this right.

I am relaxed about whether we raise that with the Government in writing or through its appearance at the committee, but we need to hear more from the Government about how the fixed-penalty notices will work in practice and about enforcement.

The Convener: Thank you, Monica.

I have to say, Mark, that I have heard raised the same issue that you are raising—that as the regulations come closer to coming into force, the vape manufacturers seem to be using workarounds. If I remember the regulations

correctly, a vape has to be capable of having the tanks on it replaced, and therefore it has to be reusable. We could easily write to the Government to ask for reassurance that the regulations that were brought in are not now being circumvented. We could also seek from the Government some reassurance that the correct enforcement procedures will be in place when the regulations come into force. I suggest that raising those issues by letter is the best way to deal with that.

On that basis, do we agree that the committee does not wish to make any further recommendations on the instrument?

Members *indicated agreement.*

**Greenhouse Gas Emissions Trading
Scheme (Amendment) (No 2) Order 2025
(SI 2025/124)**

The Convener: Thirdly, we have the Greenhouse Gas Emissions Trading Scheme (Amendment) (No 2) Order 2025. I see that no member has any comments on the instrument. Do we agree that we do not wish to make any recommendations on the instrument?

Members *indicated agreement.*

The Convener: We will now move into private session.

09:29

Meeting continued in private until 12:25.

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